

Committee on Innovation, Industry, and Technology

CS/SB 476 — Law Enforcement Vehicles

by Innovation, Industry, and Technology Committee and Senator Hooper

The bill (Chapter 2020-5, L.O.F.) provides that condominium, cooperative, and homeowners' associations may not prohibit a law enforcement officer who is a unit or parcel owner, or the tenant, guests or invitee of an owner, to park his or her assigned law enforcement vehicle in an area where the owner, or the tenant, guest, or invitee of an owner, has a right to park.

These provisions were approved by the Governor and take effect upon becoming law.

Vote: Senate 39-0; House 116-0

Committee on Innovation, Industry, and Technology

CS/CS/HB 821 — Public Records and Meetings/Information Technology Security Information

by State Affairs Committee; Oversight, Transparency and Public Management Subcommittee;
and Rep. Williamson and others (CS/SB 1170 by Senators Baxley and Hutson)

The bill expands two existing public records exemptions relating to information technology records to add “network schematics, hardware and software configurations, and encryption” records to an existing exemption; and streamline and simplify the exemptions by deleting duplicative provisions and restructuring the remaining provisions to maintain the same effect. It provides for the release of confidential and exempt records to the Auditor General, the Cybercrime Office of the Department of Law Enforcement, the Division of State Technology and to the Chief Inspector General. The bill provides for retroactive application of the exemption.

The bill also creates a public meetings exemption for those portions of a public meeting which would reveal records that the above-discussed provisions make exempt. No exempt portion of an exempt meeting may be off the record, but must be recorded and transcribed. A recording and transcript is confidential and exempt from disclosure unless a court of competent jurisdiction, after an in camera review, determines that the meeting was not restricted to the discussion of data and information made confidential and exempt by this section. In the event of such a judicial determination, only that portion of the recording and transcript which reveals nonexempt data and information may be disclosed to a third party.

Pursuant to the Open Government Sunset Review Act, these public records and meetings exemptions are scheduled to repeal October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 117-0

Committee on Innovation, Industry, and Technology

CS/CS/SB 1060 — Public Records and Meetings/911, E911, or Public Safety Radio Communication System

by Rules; Innovation, Industry, and Technology; and Senator Thurston

The bill makes confidential and exempt from public records disclosure requirements certain plans and geographical maps relating to 911, E911, or public safety radio communication structures or facilities owned and operated by a state agency. Any portion of a meeting that would reveal the confidential and exempt information is made exempt from the public meeting requirements.

An agency is authorized to disclose the confidential and exempt information to:

- Another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities;
- A licensed architect, engineer, or contractor who is performing work on or related to the 911 or E911 communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, or other 911 or E911 communication structures or facilities owned and operated by an agency; or
- Upon a showing of good cause before a court of competent jurisdiction.

The bill provides for the scheduled repeal of the public records and public meetings exemptions on October 2, 2025, pursuant to the Open Government Sunset Review Act and contains legislative findings of public necessity for the exemptions.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 116-0

Committee on Innovation, Industry, and Technology

CS/HB 1193 — Deregulation of Professions and Occupations

by Commerce Committee and Rep. Ingoglia and others (Appropriations Committee; Commerce and Tourism Committee; Innovation, Industry, and Technology Committee; and Senators Albritton and Gruters)

The “Occupational Freedom and Opportunity Act,” relates to businesses and professions regulated by the Department of Business and Professional Regulation (DBPR) and health professionals regulated by the Department of Health (DOH). The bill:

- Repeals the authority of the DOH and the DBPR to suspend or revoke a professional license because of a default on a student loan or failure to comply with service or work-conditional scholarship obligations;
- Waives the requirement to pass the commercial driver license skills test for a military service member or veteran with specified training;
- Provides an exemption from the requirement to be licensed as a dietitian or nutritionist for a person who provides information, wellness recommendations, or advice concerning nutrition, or who markets food, food materials, or dietary supplements for remuneration if the person does not provide such services to a person under the direct care of a medical doctor for a medical condition requiring nutritional intervention and does not represent themselves as a dietitian or nutritionist or as a licensed or registered dietitian or nutritionist;
- Permits certain employees or agents of public and private animal shelters, humane organizations, and animal control organizations to implant radio identification microchips in dogs and cats, and permits such persons to contact the person listed on the identification microchip to verify pet ownership;
- Provides additional continuing education option for licensed landscape architects by authorizing such professionals to receive hour-for-hour credit for certain approved continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education;
- Increases the maximum contract price from \$1,000 to \$2,500 for the “handyman exception,” which permits an unlicensed person to perform services that fall within the scope of a contractor’s license;
- Permits a person who has received a Bachelor of Arts degree from an accredited four-year college and has a 3.0 GPA to qualify for a contractor’s license if the person only passes the finance portion of the license examination;
- Preempts the regulation of mobile food dispensing vehicles (food trucks) to the state to prohibit local government (but not port authorities, aviation authorities, airports, or seaports) from requiring a license, registration, or permit, and prohibiting the operation of food trucks in the entirety of their jurisdiction; and
- Revises the membership of the Florida Building Commission and reduces its membership from 27 members to 19 members.

The bill repeals license or registration requirements for the following businesses or professions regulated by the DBPR:

- Labor organizations and their business agents;
- Hair braiders, hair wrappers, and body wrappers; and
- Boxing announcers and timekeepers.

The regulation of interior design is revised by the bill to provide for a voluntary certificate of registration to practice interior design in place of the current license requirement. A certificate of registration is not required to practice interior design. To qualify for registration, an interior designer must have satisfactorily passed a qualification examination. Only a registered interior designer may use a seal issued by the DBPR if a seal is required by the permitting authority when submitting documents for the issuance of a building permit. The bill reduces the biennial fee to register as an interior designer to a fee of no more than \$75 (from a fee of no more than \$500).

The bill repeals the requirement that a yacht and ship broker must have a separate license for each branch office. It repeals the license requirement for cosmetology salons, and also eliminates the additional business organization for the following professional licensees:

- Architects and interior designers;
- Landscape architects; and
- Geologists.

The bill provides additional options or reduces the requirements for the following professionals, if licensed in another state, to qualify for a professional license in Florida:

- Building code administrators and inspectors;
- Home inspectors;
- Engineers;
- Certified public accountants;
- Veterinarians;
- Barbers;
- Cosmetologists;
- Architects;
- Construction contractors;
- Electrical and alarm contractors;
- Landscape architects; and
- Geologists.

Effective January 1, 2021, the bill reduces the minimum:

- Hours of training required for a barber's licensure from 1,200 hours to 900 hours;
- Hours of continuing education required for the biennial renewal of a cosmetology license from 16 hours to 10 hours; and
- Training hours required to be registered as a nail, facial, or full specialist.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 103-11

Committee on Innovation, Industry, and Technology

CS/CS/CS/HB 1391 — Technology Innovation

by State Affairs Committee; Government Operations and Technology Appropriations Subcommittee; Insurance and Banking Subcommittee; and Rep. Grant and others (CS/CS/CS/SB 1870 by Appropriations; Banking and Insurance; Innovation, Industry, and Technology; and Senators Hutson and Harrell)

The bill abolishes the Division of State Technology within the Department of Management Services and establishes the Florida Digital Service and the Division of Telecommunications within the department. The bill also creates the Financial Technology Sandbox within the Office of Financial Regulation.

Florida Digital Service

The bill tasks the Florida Digital Service (FDS) with creating innovative solutions that securely modernize state government, achieving value through digital transformation and interoperability, and supporting the previously established cloud-first policy. The bill requires the FDS to develop a comprehensive enterprise architecture and addresses how information technology infrastructure may be modernized to achieve cloud-first objectives, with interoperability as a priority. The bill directs the FDS, contingent on an appropriation, assist agencies with the deployment of new interoperability applications or solutions. It provides procedures for Cabinet agencies to adopt alternatives for enterprise architecture standards for data interoperability.

Financial Technology Sandbox

The bill creates the Financial Technology Sandbox, within the Office of Financial Regulation (OFR), to license financial technology innovators to test new products and services within the areas of a regulatory sandbox using exceptions of specified general law and waivers of the corresponding rule requirements under defined conditions in the consumer finance, payment instruments sellers, and money transmitter programs.

The bill appropriates \$50,000 in nonrecurring funds for Fiscal Year 2020-2021 from the Administrative Trust Fund to the OFR to implement the Financial Technology Sandbox provisions.

If approved by the Governor, these provisions take effect July 1, 2020, except for section 12, on the Financial Technology Sandbox, which takes effect January 1, 2021.

Vote: Senate 39-0; House 118-0

Committee on Innovation, Industry, and Technology

HB 6055 — Telegraph Companies

by Rep. Gregory and others (SB 1256 by Senator Albritton)

The bill repeals ch. 363, F.S., which provides for the liability of telegraph or telegram companies for specified negligent acts, penalties, damages, and attorney fees, and legal procedures.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 117-0