

Committee on Governmental Oversight and Accountability

CS/HB 21 — Dozier School for Boys and Okeechobee School Victim Compensation Program

by Judiciary Committee and Reps. Salzman, Michael, and others (CS/CS/SB 24 by Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and Senators Rouson, Davis, Osgood, Burgess, Pizzo, Jones, Garcia, Torres, Stewart, Passidomo, Baxley, Book, Boyd, Bradley, Brodeur, Broxson, Burton, Calatayud, Collins, DiCeglie, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Martin, Mayfield, Perry, Polsky, Powell, Rodriguez, Simon, Thompson, Trumbull, Wright, Yarborough, and Berman)

The bill creates the “Arthur G. Dozier School for Boys and Okeechobee School Victim Compensation Program” to compensate living persons who were confined to those schools. The bill requires the Department of Legal Affairs (DLA) to accept, review, and approve or deny applications for the payment of compensation claims under the bill. An application must be made by a living person who was confined to the Dozier School for Boys or the Okeechobee School. The bill sets forth the requirements for the application. Applications for compensation must be submitted by December 31, 2024. Once a person is compensated under this bill, the person is ineligible for any further compensation related to the person’s confinement to the Dozier School for Boys or the Okeechobee School.

The bill authorizes the Commissioner of Education to award a standard high school diploma to a person compensated under this program if the person has not completed high school graduation requirements.

The bill appropriates \$20 million in nonrecurring funds from the General Revenue Fund to the Department of Legal Affairs for the Dozier School for Boys and Okeechobee School Victim Compensation Program.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 36-0; House 116-0

Committee on Governmental Oversight and Accountability

CS/CS/HB 23 — Pub. Rec./Dozier School for Boys and Okeechobee School Victim Compensation Program

by State Affairs Committee; Judiciary Committee; and Reps. Salzman, Michael, and others (CS/CS/SB 26 by Appropriations Committee on Criminal and Civil Justice; Governmental Oversight and Accountability Committee; and Senators Rouson, Davis, and Pizzo)

The bill makes confidential and exempt from public records copying and inspection requirements the personal identifying information in an application of an individual applying for compensation through the Arthur G. Dozier School for Boys and Okeechobee School Victim Compensation Program (Program). The bill provides that the information made confidential and exempt may be released to the Department of Education for the purpose of facilitating the award of high school diplomas to individuals compensated through the Program.

The bill makes findings, as required by the State Constitution, that the new exemption from public records disclosure is a public necessity.

The exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless reviewed and reenacted by the Legislature.

The bill is linked to CS/HB 21, which creates the Arthur G. Dozier School for Boys and Okeechobee School Victim Compensation Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date as CS/HB 21 or similar legislation takes effect.

Vote: Senate 36-0; House 117-0

Committee on Governmental Oversight and Accountability

CS/CS/CS/HB 149 — Continuing Contracts

by State Affairs Committee; State Administration & Technology Appropriations Subcommittee; Constitutional Rights, Rule of Law & Government Operations Subcommittee; and Rep. Alvarez and others (CS/CS/SB 656 by Appropriations Committee on Agriculture, Environment, and General Government; Governmental Oversight and Accountability Committee; and Senator DiCeglie)

The bill increases the maximum cost for each individual project procured pursuant to the Consultant's Competitive Negotiation Act (CCNA) from \$4 million to \$7.5 million, plus an annual increase based on the consumer price index (CPI). This limitation applies to projects procured under the CCNA by the state, counties, municipalities, school districts, special districts, and other political subdivisions.

The Department of Management Services must annually adjust and publish the annual change to the individual project maximum cost limit based on the June-to-June CPI.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 31-0; House 112-0

Committee on Governmental Oversight and Accountability

CS/HB 151 — Florida Retirement System

by Appropriations Committee and Rep. Busatta Cabrera and others (SB 7024 by Governmental Oversight and Accountability Committee and CS/SB 400 by Governmental Oversight and Accountability Committee and Senators Burgess, Hooper, and Collins)

The bill establishes the contribution rates paid by employers that participate in the Florida Retirement System (FRS) beginning July 1, 2024. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS and the impact of changes made by the bill. The 3 percent **employee** contribution rate is not changed by this bill.

The bill authorizes an FRS retiree to be reemployed with an employer participating in the FRS and receive both compensation and retirement benefits, after meeting the definition of termination. This effectively eliminates the “suspension of benefits” period typically applied during months 7 through 12 after the date of retirement.

The bill also closes the FRS Preservation of Benefits Plan to new members effective July 1, 2026. The Preservation of Benefits Plan currently provides for FRS members to be eligible to receive a benefit that is in excess of the annual benefit limit established by the Internal Revenue Service. Effective July 1, 2024, the limitation on an annual benefit under a defined benefit plan is \$275,000.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 109-0

Committee on Governmental Oversight and Accountability

CS/CS/SB 592 — Historical Preservation Programs

by Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and
Senator Burgess

The bill creates a partnership between the Department of State (DOS) and the Florida African American Heritage Preservation Network (FAAHPN). Subject to legislative funding, the DOS and the FAAHPN will preserve Florida's black and African-American history by supporting museums, galleries, and archives, and by providing technology, training, and other technical assistance. The bill requires the FAAHPN to submit a list of member museums to the DOS. The DOS must independently verify that such museums are members of the FAAHPN. Additional eligible expenditures, such as internships and living history presentations, will be determined jointly by the DOS and the FAAHPN.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 31-5; House 112-0

Committee on Governmental Oversight and Accountability

SB 674 — United States-produced Iron and Steel in Public Works Projects

by Senator Boyd

The bill requires a governmental entity that contracts for a public works project or for the purchase of materials for a public works project to ensure that any iron or steel product that will be permanently incorporated into the project be produced in the United States.

The bill waives this contract requirement if the governmental entity determines that any of the following apply:

- The iron or steel products required for the project are not produced in the United States in sufficient quantities, are not reasonably available, or are of an unsatisfactory quality;
- The use of US-produced iron or steel products will increase the total cost of the project by more than 20 percent; or
- Compliance with the requirement is inconsistent with the public interest.

A governmental entity may allow a minimal use of foreign iron or steel materials in the project, if they are ancillary to the primary product and the cost of the materials does not exceed 0.10 percent of the total contract cost, or \$2,500, whichever is greater.

These provisions do not apply to contracts procured by the Florida Department of Transportation that are subject to the federal Buy America requirements.

The bill requires the Department of Management Services to develop guidelines and procedures by rule to implement the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 38-1; House 103-9

Committee on Governmental Oversight and Accountability

CS/HB 781 — Unsolicited Proposals for Public-private Partnerships

by Constitutional Rights, Rule of Law & Government Operations Subcommittee and Rep. Clemons and others (CS/SB 870 by Governmental Oversight and Accountability Committee and Senator Boyd)

The bill allows a local government or political subdivision (governmental entity) to proceed with an unsolicited proposal for a public-private partnership (P3) without engaging in a public bidding process, as currently required. The governmental entity may instead enter into the P3 by holding a public meeting at which the unsolicited proposal is presented for public comment and then holding a subsequent public meeting at which the governmental entity must announce its intent to proceed with the P3 and the basis for its determination. The governmental entity must publish its determination in the Florida Administrative Register for at least 7 days thereafter.

The bill also allows a governmental entity to enter into a P3 in which the ownership of the project will not be conveyed to the governmental entity within 10 years of the project's commencement if the governmental entity publishes its determination of the public benefits in the P3 apart from ownership.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 37-2; House 114-0

Committee on Governmental Oversight and Accountability

CS/CS/HB 1331 — Commodities Produced by Forced Labor

by State Affairs Committee; Constitutional Rights, Rule of Law & Government Operations Subcommittee; and Rep. Yeager and others (CS/CS/SB 7042 by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Governmental Oversight and Accountability Committee; and Senator Rodriguez)

The bill prohibits the state from contracting with companies for commodities produced, in whole or in part, by forced labor. The bill requires the Department of Management Services (DMS) to create and maintain a forced labor vendor list (list) that identifies companies that are disqualified from public contracting and purchasing processes for 365 days. The DMS must publish an updated version of the list quarterly and post the list on its website. The bill provides that, once a company is placed on the list, it may not submit a bid, proposal, or reply to an agency, or enter into or renew a contract to provide goods or services to an agency. Agencies may not accept a bid, proposal, or reply from, or enter into or renew any contract with, a company that is on the list.

The bill requires all competitive solicitations and written contracts to include a statement informing companies of the requirements related to forced labor, and contracts entered into or renewed on or after July 1, 2024, must contain a provision allowing the agency to terminate the contract if the company is placed on the forced labor vendor list. Upon receiving reasonable and credible information that a company submitted a false certification or provided an agency with a commodity produced, wholly or in part, by forced labor, the DMS must investigate and determine whether good cause exists to place the company on the list and whether such placement is in the public interest. If so, the bill requires the DMS to provide the company with written notification and provides hearing procedures and time requirements.

A company that submits a false certification that the commodities it offered to the agency had not been produced, in whole or in part, by forced labor and is subsequently placed on the forced labor vendor list must be assessed a fine by the DMS. The bill provides that placement on the list does not affect any rights or obligations under any contract, franchise, or other binding agreement which predates such placement.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 113-0

Committee on Governmental Oversight and Accountability

CS/HB 1415 — Peer Support for First Responders

by Civil Justice Subcommittee and Rep. Chamberlin and others (SB 1712 by Senators Collins and Perry)

The bill expands the definition of “first responders” for the purpose of peer support communications to include correctional officers and correctional probation officers. As such, correctional officers and correctional probation officers participating in peer support will receive the same benefit of confidentiality with respect to peer support communications as law enforcement officers, firefighters, and other statutorily-defined first responders.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2024.

Vote: Senate 35-0; House 115-0

Committee on Governmental Oversight and Accountability

CS/HB 1551 — Florida State Guard

by Infrastructure & Tourism Appropriations Subcommittee and Rep. Giallombardo and others
(SB 7058 by Governmental Oversight and Accountability Committee)

The bill sets forth the process for applicants to the Florida State Guard to undergo criminal history checks prior to joining the Florida State Guard. The bill requires each applicant to submit fingerprints to the Division of the State Guard (division). These fingerprints are forwarded to the Florida Department of Law Enforcement (FDLE) to complete a state criminal history check. The fingerprints are forwarded by FDLE to the Federal Bureau of Investigation to conduct a national criminal history check. The Department of Military Affairs must, and the division may, review the results from the checks to determine whether the applicant meets the standards to be a member of the Florida State Guard.

The division is required to pay all applicable fees for these criminal history checks. The total costs incurred by the division is expected to be no more than \$100,000.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 106-7

Committee on Governmental Oversight and Accountability

CS/CS/CS/HB 1555 — Cybersecurity

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; Energy, Communications & Cybersecurity Subcommittee; and Rep. Giallombardo and others (CS/CS/CS/SB 1662 by Appropriations Committee; Appropriations Committee on Agriculture, Environment, and General Government; Governmental Oversight and Accountability Committee; and Senator Collins)

The bill expands upon the mission and goals of the Florida Center for Cybersecurity, housed within the University of South Florida, by:

- Establishing as its primary emphasis, (a) the advancement and funding of education; and (b) research and development of cybersecurity initiatives; and, as its secondary emphasis, (a) community engagement, and (b) cybersecurity awareness.
- Clarifying that its mission and goal to attract cybersecurity companies to Florida includes the goal to attract related jobs.
- Adding to its goals the performance, funding, and facilitation of research and applied science that leads to the creation of new technology and software that has both military and civilian applications.
- Allowing the Center, at the Department of Management Services' or Florida Digital Service's request, to conduct, consult on, or otherwise assist any state-funded initiative that relates to:
 - o Cybersecurity training, professional development, and education for state and local government employees; and
 - o Increasing the cybersecurity effectiveness of Florida's and its local governments' technology platforms and infrastructure.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 112-0

Committee on Governmental Oversight and Accountability

CS/SB 1746 — Public Employees

by Rules Committee and Senator Ingoglia

The bill modifies the requirements for employee organizations and bargaining units to maintain registration and certification requirements. Specifically, the bill:

- Clarifies the Public Employee Relations Commission’s (PERC) authority to waive requirements regarding the prohibition on dues and assessment deductions applies only to mass transit employees who have signed membership authorization forms and submitted the forms to the public employer as part of the employees’ authorizations for the public employer to deduct amounts from the employees’ salaries.
- Requires a public employee to submit the signed membership authorization form to the bargaining agent if the employee wants to join the bargaining unit. Under current law, these forms must be maintained by the employee organization and are subject to inspection by the PERC.
- Exempts from the membership authorization form requirements those bargaining units (not the employee organization generally) the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, correctional probation officers, firefighters, 911 public safety telecommunicators, emergency medical technicians, or paramedics.
- Clarifies that an employee organization has the right to have its dues and assessments deducted from employees’ salaries only for a bargaining unit the majority of whose employees eligible for representation are employed in particular occupations. The occupations that are eligible to have union dues and assessments deducted from public salaries are expanded to include 911 public safety telecommunicators, emergency medical technicians and paramedics.
- Modifies the information an employee organization must submit to the PERC during the renewal of registration process to include the frequency of membership dues collection and data on expenditures. The annual financial statement will no longer be required to be “audited” by a certified public accountant. Instead, the statement must be “prepared” by a certified public accountant.
- Requires an employee organization that has not had 60 percent of its unit employees pay dues during its last registration period **and** submit membership authorization forms to the employee organization to petition the PERC for recertification as the bargaining agent within 30 days (rather than 1 month) after the date the employee organization applied for renewal of registration. If the employee organization fails to petition timely, the certification as the bargaining agent is revoked.
- Modifies the circumstances under which the PERC may revoke an employee organization’s registration or certification as a bargaining agent to include:
 - o The employee organization’s refusal to permit the PERC to inspect membership authorization forms or revocations.
 - o The employee organization’s intentional misrepresentation of any information submitted for its registration renewal rather than just the information submitted to

determine whether a bargaining unit has 60 percent of its eligible employees paying dues to the employee organization.

- Modifies the exemption regarding the submission of membership information and the associated consequences if a bargaining unit does not meet the 60 percent threshold. The exemption is applicable to a bargaining unit, the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, correctional probation officers, firefighters, 911 public safety telecommunicators, emergency medical technicians, or paramedics. This clarifies that the exemption is applicable to the bargaining unit rather than the employee organization as a whole. Moreover, the occupations exempted are expanded to include 911 public safety telecommunicators, emergency medical technicians, and paramedics.
- Modifies the requirements placed on each employee organization to make certain information available to its members. The annual financial report will no longer be required to be “audited” by a certified public accountant. Instead, the report must be “prepared” by a certified public accountant. In addition, the PERC is granted authority to prescribe the categories of revenues and expenditures to be included in the annual financial report.
- Requires only a financial statement prepared by a CPA, in lieu of an audited financial statement from an employee organization for a renewal of registration between July 1, 2023 and the effective date of this bill. Consistent with this change, the PERC is prohibited from denying a renewal of registration or revoking a certification as the bargaining agent based solely upon an employee organization’s failure to submit an audited financial statement during the renewal process during this same period.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

Vote: Senate 21-14; House 77-36

Committee on Governmental Oversight and Accountability

HB 7043 — OGSR/Agency Personnel Information

by Ethics, Elections & Open Government Subcommittee and Rep. Arrington and others (SB 7030 by Governmental Oversight and Accountability Committee)

The bill continues the series of current public record exemptions in s. 119.071(4)(d), F.S., that protect the personal identifying information of specified agency personnel, their spouses, and children, when held by an agency. Personal identifying information can include the individual's home address, telephone number, date of birth, and location of childcare facilities. The agency personnel who are covered by this public record exemption, due to the nature of their employment, include:

- Active or former sworn law enforcement personnel, including correctional and correctional probation officers;
- Department of Children and Families personnel with specific investigative duties;
- Department of Health personnel who support the investigation of child abuse or neglect;
- Department of Revenue or local government employees whose responsibilities include revenue collection and enforcement or child support enforcement;
- Department of Financial Services personnel with specific investigative duties;
- Office of Financial Regulation's Bureau of Financial Investigations personnel whose duties include specific investigative duties;
- Current or former firefighters;
- Current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors;
- General magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers;
- Current or former local government agency or water management district human resources, labor relations, or employee relations managers or directors, if their employment involves specific personnel-related duties, such as labor negotiations or firing;
- Current or former code enforcement officers;
- Current or former guardians ad litem;
- Current or former juvenile probation officers and their related personnel, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice;
- Current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel;
- Current or former Department of Business and Professional Regulation investigators or inspectors;
- County tax collectors;
- Current or former Department of Health personnel whose duties include or result in the determination of social security disability benefits or certain investigative duties;

- Current or former impaired practitioner consultants or their employees, if they were retained by an agency;
- Current or former emergency medical technicians or paramedics;
- Current or former personnel who are employed in an agency's office of inspector general or internal audit department, if the employee's duties include the auditing or investigation of specific activities that could lead to criminal or administrative discipline;
- Current or former directors, managers, supervisors, nurses, and clinical employees of an addiction treatment facility;
- Current or former directors, managers, supervisors and clinical employees of a child advocacy center that meets specific standards and requirements of ch. 39, F.S.; and
- Current or former staff and domestic violence advocates of domestic violence centers that are certified by the Department of Children and Families.

The bill removes the October 2, 2024 scheduled repeal of the public record exemptions, thereby maintaining the exemptions for the specified agency personnel and their spouses and children.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.

Vote: Senate 38-1; House 114-0

Committee on Governmental Oversight and Accountability

HB 7063 — Anti-human Trafficking

by Judiciary Committee and Rep. Overdorf and others (CS/CS/CS/SB 796 by Fiscal Policy Committee; Criminal Justice Committee; Governmental Oversight and Accountability Committee; and Senators Avila and Yarborough)

The bill makes several updates that relate to combatting human trafficking in Florida. The bill extends the repeal date of the direct-support organization for the Statewide Council on Human Trafficking to October 1, 2029. The bill replaces the National Human Trafficking Hotline with the Florida Human Trafficking Hotline in several sections. The bill also extends the date to January 1, 2025, by which:

- A person licensed or certified under several chapters must post a human trafficking public awareness sign.
- A massage establishment must implement a procedure for reporting suspected human trafficking to the Florida Human Trafficking Hotline.
- A public lodging establishment must post a human trafficking public awareness sign.

The bill requires a nongovernmental entity that enters into, renews, or extends a contract with a governmental entity to provide the governmental entity with an affidavit attesting that the nongovernmental entity does not use coercion for labor or services.

The bill prohibits a minor from being employed by an adult entertainment establishment in any role. The bill provides that an owner, manager, employee, or contractor of an adult entertainment establishment who knowingly employs, contracts with, contracts with another person to employ, or otherwise permits a person younger than 21 years of age to perform or work in an adult entertainment establishment, commits a first degree misdemeanor; one who employs, or otherwise permits a person younger than 21 years of age to perform or work nude commits a second degree felony. The bill also provides that an owner, manager, employee, or contractor of an adult entertainment establishment, that permits a person to perform as an entertainer or work in any capacity must carefully check the person's driver license or other specified identification and act in good faith and in reliance upon the representation and appearance of the person in the belief that the person is 21 years of age or older. The bill does not allow ignorance of a person's age or a person's misrepresentation of his or her age as a defense in a prosecution for certain violations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 35-3; House 104-3

Committee on Governmental Oversight and Accountability

HB 7071 — Foreign Investments by the State Board of Administration

by State Affairs Committee and Rep. Caruso and others (SB 7060 by Governmental Oversight and Accountability Committee)

The bill limits the investments the State Board of Administration (SBA), on behalf of the Florida Retirement System, may hold relating to companies owned by the Chinese government. The bill prohibits the SBA from making new investments in Chinese companies (those companies in which the government of the People’s Republic of China, the Chinese Communist Party, or the Chinese military have majority-ownership). The SBA must identify any current holdings in Chinese companies and divest from such interests no later than September 1, 2025. Actions taken pursuant to these new limitations must be incorporated into the investment policy statement for the Florida Retirement System Trust Fund.

Based on preliminary data from November 2023, the State Board of Administration preliminarily identified roughly \$277.1 million worth of direct holdings in 211 Chinese companies as defined in the bill.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 111-0