

Tab 1	CS/SB 32 by CJ, Sharief (CO-INTRODUCERS) Osgood, Berman, Davis, Bernard; Identical to H 00547 Injunctions for Protection					
Tab 2	CS/SB 68 by AHS, Harrell; Similar to CS/H 00355 Health Care Patient Protection					
Tab 3	SB 210 by Sharief (CO-INTRODUCERS) Osgood, Davis, Bernard, Jones; Identical to H 00549 Public Records/Petitions for Injunctions for Protection Against Serious Violence by a Known Person					
Tab 4	SB 246 by Gruters (CO-INTRODUCERS) Rodriguez; Identical to H 00231 Specialty License Plates/Ultimate Fighting Championship (UFC)					
	322646	D	S	RCS	FP, Gruters	Delete everything after 02/12 01:20 PM
	268954	AA	S	RCS	FP, Rodriguez	btw L.98 - 99: 02/12 01:20 PM
	134440	A	S	WD	FP, Rodriguez	btw L.32 - 33: 02/12 01:20 PM
Tab 5	CS/CS/SB 302 by AEG, EN, Garcia; Similar to H 01035 Nature-based Coastal Resiliency					
Tab 6	CS/SB 340 by HP, Harrell (CO-INTRODUCERS) Davis; Identical to CS/H 00303 Human Trafficking Education for Nurse Licensure					
Tab 7	SB 418 by Jones (CO-INTRODUCERS) Smith; Similar to CS/H 00365 Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder					
Tab 8	SB 428 by Yarborough (CO-INTRODUCERS) Smith, Davis, Berman, Massullo, Sharief, Jones, Bernard; Identical to H 00085 Swimming Lesson Voucher Program					
Tab 9	CS/SB 606 by HP, Smith (CO-INTRODUCERS) Yarborough, Davis, Berman, Sharief, Jones; Similar to CS/H 00503 Drowning Prevention Education					
	236920	A	S	RCS	FP, Smith	Delete L.49 - 86: 02/12 01:20 PM
Tab 10	SB 628 by Gaetz; Identical to H 00403 Transportation Facility Designations/Warrior Sacrifice Way					
Tab 11	CS/SB 636 by AEG, Leek; Similar to CS/H 01297 Beach Management					
Tab 12	CS/SB 1028 by BI, Gruters; Similar to CS/H 00943 Citizens Property Insurance Corporation					
	844932	D	S	RCS	FP, Gruters	Delete everything after 02/12 01:20 PM
Tab 13	SB 1734 by Martin; Similar to CS/H 01153 Juvenile Justice					
	734952	A	S	RCS	FP, Martin	Delete L.390 - 421: 02/12 01:20 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Gruters, Chair
Senator Osgood, Vice Chair

MEETING DATE: Thursday, February 12, 2026
TIME: 9:00 a.m.—2:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Gruters, Chair; Senator Osgood, Vice Chair; Senators Arrington, Avila, Bernard, Boyd, Bracy Davis, Bradley, Burton, Calatayud, Davis, Gaetz, Jones, Leek, Mayfield, Passidomo, Rodriguez, Simon, Truenow, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 32 Criminal Justice / Sharief (Identical H 547, Compare H 549, Linked S 210)	Injunctions for Protection; Defining the terms "serious violence by a known person" and "serious bodily injury"; creating a cause of action for an injunction for protection in cases of serious violence by a known person; prohibiting the clerk of the court from assessing a fee for the filing of such injunction for protection; requiring the clerk of the court to electronically transmit copies of specified documents within a certain timeframe after a court issues such injunction for protection; requiring law enforcement officers to accept a certified copy of such injunction for protection from the petitioner and immediately serve it upon a respondent, etc. CJ 11/18/2025 Fav/CS ACJ 01/21/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0
2	CS/SB 68 Appropriations Committee on Health and Human Services / Harrell (Similar CS/H 355)	Health Care Patient Protection; Requiring hospitals with emergency departments to develop and implement policies and procedures and conduct training; authorizing a hospital with an emergency department to conduct the National Pediatric Readiness Project's Open Assessment under certain circumstances; requiring the Agency for Health Care Administration to adopt certain rules for comprehensive emergency management plans, etc. HP 11/18/2025 Favorable AHS 02/04/2026 Fav/CS FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Thursday, February 12, 2026, 9:00 a.m.—2:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 210 Sharief (Identical H 549, Compare H 547, Linked CS/S 32)	Public Records/Petitions for Injunctions for Protection Against Serious Violence by a Known Person; Providing an exemption from public records requirements for petitions, and the contents thereof, for injunctions for protection against serious violence by a known person; providing an exemption from public records requirements for information that can be used to identify a petitioner or respondent in such a petition for an injunction; providing a statement of public necessity, etc. CJ 11/18/2025 Favorable ACJ 01/21/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0
4	SB 246 Gruters (Identical H 231)	Specialty License Plates/Ultimate Fighting Championship (UFC); Directing the Department of Highway Safety and Motor Vehicles to develop an Ultimate Fighting Championship (UFC) license plate; providing for distribution and use of fees collected from the sale of the plate, etc. TR 12/02/2025 Favorable ATD 01/21/2026 Favorable FP 02/12/2026 Fav/CS	Fav/CS Yeas 18 Nays 1
5	CS/CS/SB 302 Appropriations Committee on Agriculture, Environment, and General Government / Environment and Natural Resources / Garcia (Similar H 1035)	Nature-based Coastal Resiliency; Authorizing certain dredging and filling of submerged lands and placement of certain shorelines and seawalls within the Biscayne Bay Aquatic Preserve; authorizing the erection of certain structures within aquatic preserves; requiring the Department of Environmental Protection, by a specified date, to develop guidelines and standards for nature-based methods to address coastal resiliency and to adopt rules, subject to legislative ratification, for a statewide permitting process for such coastal resiliency, etc. EN 12/02/2025 Fav/CS AEG 02/04/2026 Fav/CS FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0
6	CS/SB 340 Health Policy / Harrell (Identical CS/H 303)	Human Trafficking Education for Nurse Licensure; Revising requirements for initial licensure as a registered nurse or licensed practical nurse, beginning on a specified date, to include completion of a certain course on human trafficking, etc. HP 01/20/2026 Fav/CS AHS 02/04/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Thursday, February 12, 2026, 9:00 a.m.—2:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 418 Jones (Identical H 365)	Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder; Requiring the Department of Highway Safety and Motor Vehicles to establish a program to improve communication between individuals with autism spectrum disorder and law enforcement officers under certain circumstances; requiring the department to develop and make available to individuals with autism spectrum disorder a certain envelope by a specified date; defining the terms “agency” and “autism spectrum disorder”; requiring the Criminal Justice Standards and Training Commission within the Department of Law Enforcement to establish an employment training component relating to individuals with autism spectrum disorder, etc. CJ 01/26/2026 Favorable ACJ 02/04/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0
8	SB 428 Yarborough (Identical H 85)	Swimming Lesson Voucher Program; Revising the age requirements for children receiving a voucher through the Swimming Lesson Voucher Program, etc. HP 01/20/2026 Favorable AHS 02/04/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 19 Nays 0
9	CS/SB 606 Health Policy / Smith (Similar H 503)	Drowning Prevention Education; Requiring the Department of Health to develop educational materials on drowning prevention safety measures and safe bathing practices for specified purposes; providing requirements for such materials; requiring hospitals, birth centers, and home birth providers to provide the educational materials to new parents and caregivers as part of their postpartum education and care, etc. HP 01/20/2026 Fav/CS AHS 02/04/2026 Favorable FP 02/12/2026 Fav/CS	Fav/CS Yeas 19 Nays 0
10	SB 628 Gaetz (Identical H 403, Compare CS/H 885)	Transportation Facility Designations/Warrior Sacrifice Way; Providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers, etc. TR 01/12/2026 Favorable ATD 01/28/2026 Favorable FP 02/12/2026 Favorable	Favorable Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Thursday, February 12, 2026, 9:00 a.m.—2:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	CS/SB 636 Appropriations Committee on Agriculture, Environment, and General Government / Leek (Similar CS/H 1297)	Beach Management; Requiring the Department of Environmental Protection to review certain data when designating certain beaches as critically eroded and in need of restoration and nourishment; requiring that certain beaches, whose local government preserved funds for a certain purpose and which possess specified features, be designated as critically eroded; revising the list of areas that may receive designation as an area of critical state concern, etc. EN 01/13/2026 Favorable AEG 02/04/2026 Fav/CS FP 02/12/2026 Favorable	Favorable Yeas 18 Nays 0
12	CS/SB 1028 Banking and Insurance / Gruters (Similar CS/H 943)	Citizens Property Insurance Corporation; Prohibiting the corporation from issuing or renewing coverage for commercial residential and commercial nonresidential risks under certain circumstances; requiring the corporation to establish a personal lines clearinghouse for specified purposes; authorizing approved surplus lines clearinghouse insurers to participate in the commercial lines clearinghouse; specifying the circumstances under which policyholders of the corporation are not eligible for new commercial lines residential coverage from the corporation, etc. BI 01/13/2026 Fav/CS AEG 02/04/2026 Favorable FP 02/12/2026 Fav/CS	Fav/CS Yeas 18 Nays 0
13	SB 1734 Martin (Similar CS/H 1153)	Juvenile Justice; Authorizing the Governor to award a Medal of Heroism to juvenile detention and juvenile probation officers; authorizing certain entities to establish an award program to award a Medal of Valor to a juvenile detention officer or probation officer in certain circumstances; revising the definition of the term "officer" to include juvenile detention and juvenile probation officers; providing that a child subject to proceedings under ch. 984, F.S., may only be placed in a shelter in certain circumstances, etc. CJ 01/26/2026 Favorable ACJ 02/04/2026 Favorable FP 02/12/2026 Fav/CS	Fav/CS Yeas 19 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 32

INTRODUCER: Criminal Justice Committee and Senator Sharief and others

SUBJECT: Injunctions for Protection

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Fav/CS
2.	Kolich	Harkness	ACJ	Favorable
3.	Wyant	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 32 amends s. 784.046, F.S., to create a cause of action for a protective injunction for serious violence by a known person. A person who is the victim of serious violence by a known person, or the parent or legal guardian of a minor who is a victim, has standing to file a verified petition for an injunction for protection if such violence has been reported to law enforcement and the person is cooperating with criminal proceedings.

The bill defines “serious violence by a known person” to mean an act of violence between individuals who are known to one another, when such violence causes serious bodily injury. Additionally, the bill defines “serious bodily injury” as a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

The bill incorporates serious violence by a known person into the Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System.

The bill amends s. 44.407, F.S., to restrict a respondent from performing the duties of an eldercare coordinator. The bill amends s. 394.4597, F.S. to restrict a respondent from performing the duties of a patient representative for involuntary patients. The bill amends s. 394.4598, F.S., to restrict a respondent from performing the duties of a patient’s guardian advocate.

The bill amends s. 934.03, F.S., to allow a person protected under an active temporary or final injunction for serious violence by a known person, to intercept and record a wire, oral, or electronic communication received in violation of the injunction. The recording may only be disseminated or shared to a law enforcement agency, an attorney, or a court for the purpose of evidencing a violation of an injunction or court order.

The bill reenacts various statutes to incorporate the changes made to s. 784.046, F.S., relating to the creation of the new cause of action for an injunction for protection in cases of serious violence by a known person.

The bill has a negative indeterminate fiscal impact. See Section V., Fiscal Impact Statement.

The bill is effective on July 1, 2026.

II. Present Situation:

An injunction for protection is a court order directing a respondent to stay away from a petitioner's home, car, work, and any other place that the court feels necessary.¹ Serious violence is an ongoing issue in local communities, specifically between neighbors. Florida law does not currently have any civil injunctive protections for these types of cases.

On May 30, 2025, Ocala officers responded to a report about a neighbor spraying children with bear mace. As the children were playing with bubbles on their property, the neighbor allegedly walked over to the fence separating the properties and sprayed mace at them, which can be toxic if ingested. The neighbor had been previously arrested for a dispute with another neighbor in 2019 which resulted in criminal charges for aggravated assault with a weapon and stalking.²

On October 17, 2025, a man was arrested and charged with aggravated assault after he allegedly approached his neighbor's property with a knife and threatened her and other family members. While on his way to the Putman County Jail, he said he planned to "beat" the neighbor when he got out of jail.³

¹ FL Courts, Overview of Injunctions for Respondents, available at: <https://www.flcourts.gov/Services/Family-Courts/interpersonal-violence/Domestic-Violence/Overview-for-Respondents> (last visited January 16, 2026).

² Fox35 Orlando, *Florida Woman Sprays Bear Mace*, June 4, 2025, available at: <https://www.fox35orlando.com/news/florida-woman-sprays-bear-mace-neighbor-her-children-deputies> (last visited January 16, 2026).

³ People, *Florida Man, 61, Arrested...*, available at: https://uk.news.yahoo.com/florida-man-61-arrested-allegedly-135812994.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAIVImUfAeq1HA2Vj6BYrWsnvzt1e3Si-4wWEiACWNAC5x7BFC-JY05jF8i2slGz04GQmJk0rSipEFzp5lAh_iKvKRBS9FNZ0CRDL0wdoew3pzFHguIIYBTThGfAJCasOielQ104cwv1folub0HuZbIHMG06e7HMGn1Ye6qzVX59 (last visited January 16, 2026).

Causes of Action for Protective Injunctions

Under s. 784.046, F.S., there are three protective injunctions a person may petition for: an injunction for protection in cases of repeat violence,⁴ an injunction for protection in cases of dating violence,⁵ and an injunction for protection in cases of sexual violence.^{6,7} However, this section is limited dependent on the nature of the relationship or the act of repeated or sexual violence. “Violence” is defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, by a person against any other person.⁸ There is not a separate protective cause of action for a protective injunction for serious violence by a known person.

Dating Violence

A person may file a petition in circuit court for an injunction for protection against dating violence if he or she:

- Is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming a victim of another act of dating violence;
- Has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence; or
- Is the parent or legal guardian of any minor child in the home and who seeks an injunction for protection against dating violence on behalf of the minor.⁹

Dating violence is determined by the existence of a relationship based on consideration of the following factors:

- A dating relationship must have existed within the past six months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.¹⁰

Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

⁴ “Repeat violence” means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner’s immediate family member. Section 784.046(1)(b), F.S.

⁵ “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of certain factors. Section 784.046(1)(d), F.S.

⁶ “Sexual violence” means any one incident of: sexual battery, lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age, luring or enticing a child, sexual performance by a child, or any other forcible felony wherein a sexual act is committed or attempted. Section 784.046(1)(c), F.S.

⁷ Section 784.046(2), F.S.

⁸ Section 784.046, F.S.

⁹ Section 784.046(2)(b), F.S.

¹⁰ Section 784.046(1)(d)1-3., F.S.

Sexual Violence

A person may file a petition in circuit court for an injunction against sexual violence if they are the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence. They may file the petition on his or her own behalf or on behalf of the minor child if:

- The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceedings against the respondent.
- The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the respondent's term of imprisonment has expired or is due to expire within 90 days following the date the petition was filed.¹¹

Repeat Violence

Any person who is the victim of repeat violence, or the parent or legal guardian of a child who seeks an injunction for protection against repeat violence on behalf of the child, has standing to file a verified petition for an injunction for protection against repeat violence.¹² For an injunction for protection against repeat violence, there must be two incidents of violence or stalking committed by the respondent.¹³

Procedure for Filing Injunctions

A cause of action does not require that the petitioner be represented by an attorney.¹⁴ The clerk of the court must provide a copy of s. 784.046, F.S.,¹⁵ simplified forms, and clerical assistance for the preparation and filing of such a petition by any person who is not represented by counsel.¹⁶ The clerk of the court may not assess a fee for filing a petition against repeat violence, sexual violence, or dating violence¹⁷ and no bond will be required by the court for entry of an injunction.¹⁸ The clerk of the court must provide the petitioner with a certified copy of any injunction for protection against repeat violence, sexual violence, or dating violence entered by the court.¹⁹

Additionally, a cause of action for an injunction may be sought whether or not any other petition, complaint, or cause of action is currently available or pending between the parties.²⁰

¹¹ Section 784.046(2)(c), F.S.

¹² Section 784.046(2)(a), F.S.

¹³ Section 784.046(1)(b), F.S.

¹⁴ Section 784.046(2)(e), F.S.

¹⁵ Section 784.046, F.S., Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; dating violence investigations, notice to victims, and reporting; pretrial release violations; public records exemption.

¹⁶ Section 784.046(3)(a), F.S.

¹⁷ Section 784.046(3)(b), F.S.

¹⁸ Section 784.046(3)(c), F.S.

¹⁹ Section 784.046(3)(d), F.S.

²⁰ Section 784.046(2)(d), F.S.

Petitions for Injunctions

The verified petition must allege the incidents of repeat violence, sexual violence, or dating violence and must include the specific facts and circumstances that form the basis upon which relief is sought.

The parent or legal guardian of a minor child seeking the protective injunction on behalf of the minor child must:

- Have been eyewitness to, or have direct physical evidence or affidavits from eyewitnesses of, the specific facts and circumstances that form the basis upon which relief is sought, if the respondent is also a parent, stepparent, or legal guardian of the minor child; or
- Have reasonable cause to believe that the minor child is a victim of repeat violence, sexual violence, or dating violence to form the basis upon which relief is sought, if the respondent is a person other than a parent, stepparent, or legal guardian of the minor child.²¹

Upon the filing of the petition, the court must set a hearing to be held at the earliest possible time and notify the respondent prior to the hearing. When it appears to the court that an immediate and present danger exists, the court may grant a temporary injunction which may be granted in an ex parte hearing and may enjoin the respondent from committing any acts of violence.²² Any ex parte temporary injunction may not exceed 15 days.²³

Upon notice and hearing, the court may grant relief as the court deems proper, including an injunction:

- Enjoining the respondent from committing any acts of violence.²⁴
- Ordering such other relief as the court deems necessary for the protection of the petitioner, including injunctions or directives to law enforcement agencies.²⁵

Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System

A Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System exists under the Department of Law Enforcement's purview. The system is required to be capable of electronically transmitting information to and between criminal justice agencies relating to domestic violence injunctions, dating violence injunctions, sexual violence injunctions, and repeat violence injunctions issued by the courts throughout the state.²⁶

III. Effect of Proposed Changes:

Section 1 amends s. 784.046, F.S., to create a cause of action for a protective injunction for serious violence by a known person. A person who is the victim of serious violence by a known person, or the parent or legal guardian of a minor who is a victim, has standing to file a verified petition for an injunction for protection if such violence has been reported to law enforcement and the person is cooperating with criminal proceedings. The bill defines "serious violence by a

²¹ Section 784.046(4)(a), F.S.

²² Section 784.046(6)(a), F.S.

²³ Section 784.046(6)(c), F.S.

²⁴ Section 784.046(7)(a), F.S.

²⁵ Section 784.046(7)(b), F.S.

²⁶ Section 784.046(8)(b), F.S.

known person” to mean an act of violence between individuals who are known to one another, when such violence causes serious bodily injury. Additionally, the bill defines “serious bodily injury” as a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

The bill incorporates serious violence by a known person into the Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System.

Sections 2, 5, and 6 amend ss. 44.407, 394.4597, and 394.4598, F.S., to restrict a respondent in a final order granting an injunction for protection against serious violence by a known person from performing the duties of an eldercare coordinator, a patient representative for involuntary patients, or a patient’s guardian advocate, respectively.

Sections 3 and 4 amend ss. 61.13 and 61.1825, F.S., respectively, to conform provisions to changes made by the act.

Section 7 amends s. 741.313, F.S., to require an employer to permit an employee to request and take up to 3 working days of leave from work in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence or sexual violence and the employee uses the leave from work to seek an injunction for protection in cases of serious violence by a known person.

Section 8 amends s. 784.047 F.S., to provide that a person who willfully violates an injunction for protection against serious violence by a known person commits a first degree misdemeanor.²⁷

Section 9 amends s. 784.048, F.S., to provide that a person who after an injunction for protection against serious violence by a known person, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree.²⁸

Section 10 amends s. 934.03, F.S., to allow a person protected under an active temporary or final injunction for serious violence by a known person, to intercept and record a wire, oral, or electronic communication received in violation of the injunction. The recording may only be disseminated or shared to a law enforcement agency, an attorney, or a court for the purpose of evidencing a violation of an injunction or court order.

Sections 11 through 23 reenact the following sections to incorporate the amendment made by the bill to s. 784.046, F.S., relating to the creation of a new cause of action for an injunction for protection in cases of serious violence by a known person:

- Section 28.2221 (8)(a), (c), and (d), F.S., relating to electronic access to official records.
- Section 28.35(2)(i), F.S., relating to the Florida Clerks of Court Operations Corporation.
- Section 57.105(8), F.S., relating to attorney’s fee.

²⁷ A first degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine of up to \$1,000. Sections 775.082 and 775.083, F.S.

²⁸ A third degree felony is punishable by a term of imprisonment not exceeding 5 years and a fine of up to \$5,000. Sections 775.082(3)(e) and 775.083(1)(c), F.S. See section 934.03(4), F.S., for exceptions to such punishment.

- Section 61.1827(1), F.S., relating to identifying information concerning applicants for and recipients of child support services.
- Section 741.311(2), F.S., relating to the Hope Card Program for persons issued order for protection.
- Section 741.315(2), F.S., relating to recognition of foreign protection orders.
- Section 790.401(2)(e) and (3)(c), F.S., relating to risk protection orders.
- Section 901.15(6), F.S., relating to when arrest by an officer without warrant is lawful.
- Section 901.41(5), F.S., relating to prearrest diversion programs.
- Section 921.141(6)(p), F.S., relating to sentence of death or life imprisonment for capital felonies.
- Section 921.1425(7)(j), F.S., relating to sentence of death or life imprisonment for capital sexual battery.
- Section 921.1427(7)(i), F.S. relating to sentence of death or life imprisonment for capital human trafficking of vulnerable persons for sexual exploitation.
- Section 934.425(3), F.S., relating to installation or use of tracking devices or tracking applications.

Section 24 provides that the bill is effective on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There is likely a negative indeterminate fiscal impact associated with the creation of a new cause for a protective injunction due to an increase in petitions being filed. The clerk of the court may not assess a fee for filing a petition for injunction against repeat violence, sexual violence, or dating violence. However, subject to legislative appropriation, the clerk of court may, each quarter, submit to the Justice Administrative Commission a certified request for reimbursement for petitions for protection issued by the court at the rate of \$40 per petition.²⁹ Additionally, the bill incorporates injunctions for serious violence by a known person as an aggravating factor in various sentences to include the sentence of death or life imprisonment, leading to an increase in death penalty sentences.

The bill also provides that a person who willfully violates an injunction for protection against serious violence by a known person commits a first degree misdemeanor or third degree felony depending on the circumstances. This may lead to an increase in arrests and subsequent court fees and fines.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 784.046, 44.407, 61.13, 61.1825, 394.4597, 394.4598, 741.313, 784.047, 784.048, and 934.03.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on November 18, 2025:

The committee substitute:

- Creates a separate cause of action for a protective injunction for serious violence by a known person.
- Defines “serious violence by a known person” as an act of violence between individuals who are known to one another, when such violence causes serious bodily injury. The term “serious bodily injury” means a physical condition that creates a

²⁹ Section 784.046(3)(a), F.S.

substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Criminal Justice; and Senators Sharief,
Osgood, and Berman

591-01139-26

202632c1

1 A bill to be entitled
2 An act relating to injunctions for protection;
3 amending s. 784.046, F.S.; defining the terms "serious
4 violence by a known person" and "serious bodily
5 injury"; creating a cause of action for an injunction
6 for protection in cases of serious violence by a known
7 person; specifying the persons who have standing to
8 file such injunction for protection in circuit court
9 if specified conditions are met; prohibiting the clerk
10 of the court from assessing a fee for the filing of
11 such injunction for protection; requiring the clerk of
12 the court to provide the petitioner with a certified
13 copy of such injunction for protection; providing
14 requirements for such petition for injunction for
15 protection; providing requirements for a temporary or
16 final judgment on such injunction for protection;
17 requiring the clerk of the court to electronically
18 transmit copies of specified documents within a
19 certain timeframe after a court issues such injunction
20 for protection; requiring law enforcement officers to
21 accept a certified copy of such injunction for
22 protection from the petitioner and immediately serve
23 it upon a respondent; providing requirements for
24 inclusion of such injunction for protection in a
25 specified statewide communication system; requiring
26 that a respondent be held in custody if he or she is
27 arrested for committing an act of serious violence by
28 a known person in violation of an injunction for
29 protection until being brought before the court;

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30 conforming provisions to changes made by the act;
31 making technical changes; amending ss. 44.407, 61.13,
32 61.1825, 394.4597, 394.4598, 741.313, 784.047,
33 784.048, and 934.03, F.S.; conforming provisions to
34 changes made by the act; reenacting ss. 28.2221
35 (8) (a), (c), and (d), 28.35(2) (i), 57.105(8),
36 61.1827(1), 741.311(2), 741.315(2), 790.401(2) (e) and
37 (3) (c), 901.15(6), 901.41(5), 921.141(6) (p),
38 921.1425(7) (j), 921.1427(7) (i), and 934.425(3), F.S.;
39 relating to electronic access to official records,
40 Florida Clerks of Court Operations Corporation, the
41 awarding of attorney fees, identifying information
42 concerning applicants for and recipients of child
43 support services, Hope Card Program for persons issued
44 orders of protection, recognition of foreign
45 protection orders, risk protection orders, when arrest
46 by a law enforcement officer without a warrant is
47 lawful, prearrest diversion programs, aggravating
48 factors relating to a sentence of death or life
49 imprisonment for capital felonies, aggravating factors
50 relating to a sentence of death or life imprisonment
51 for capital sexual battery, aggravating factors
52 relating to a sentence of death or life imprisonment
53 for capital human trafficking of vulnerable persons
54 for sexual exploitation, and installation or use of
55 tracking devices or applications, respectively, to
56 incorporate the amendment made to s. 784.046, F.S., in
57 references thereto; providing an effective date.
58

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 784.046, Florida Statutes, is amended to read:

784.046 Action by victim of repeat violence, sexual violence, ~~or~~ dating violence, or serious violence by a known person for protective injunction; dating violence investigations, notice to victims, and reporting; pretrial release violations; public records exemption.—

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

(e)~~(a)~~ "Violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, by a person against any other person.

(b) "Repeat violence" means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner's immediate family member.

(d)~~(e)~~ "Sexual violence" means any one incident of:

1. Sexual battery, as defined in chapter 794;
2. A lewd or lascivious act, as defined in chapter 800, committed upon or in the presence of a person younger than 16 years of age;
3. Luring or enticing a child, as described in chapter 787;
4. Sexual performance by a child, as described in chapter 827; or
5. Any other forcible felony wherein a sexual act is

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committed or attempted,

regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney.

(a)~~(d)~~ "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship must ~~shall~~ be determined based on ~~the~~ consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;

2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and

3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

(c) "Serious violence by a known person" means an act of violence between individuals who are known to one another, when such violence causes serious bodily injury. As used in this paragraph, the term "serious bodily injury" means a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

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(2) There is created a cause of action for an injunction for protection in cases of repeat violence, there is created a separate cause of action for an injunction for protection in cases of dating violence, ~~and~~ there is created a separate cause of action for an injunction for protection in cases of sexual violence, and there is created a separate cause of action for an injunction for protection in cases of serious violence by a known person.

(a) Any person who is the victim of repeat violence or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against repeat violence on behalf of the minor child has standing in the circuit court to file a verified petition for an injunction for protection against repeat violence.

(b) Any person who is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming the victim of another act of dating violence, or any person who has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence, or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against dating violence on behalf of that minor child, has standing in the circuit court to file a verified petition for an injunction for protection against dating violence.

(c) A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence has standing in the circuit court to file a verified petition for an injunction for protection against sexual violence on his or her own behalf or

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on behalf of the minor child if:

1. The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceeding against the respondent, regardless of whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney; or

2. The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the respondent's term of imprisonment has expired or is due to expire within 90 days following the date the petition is filed.

(d) A person who is the victim of serious violence by a known person or the parent or legal guardian of a minor child who is living at home and who is the victim of serious violence by a known person has standing in the circuit court to file a verified petition for an injunction for protection against serious violence by a known person on his or her own behalf or on behalf of the minor child if the person has reported such violence to a law enforcement agency and is cooperating with any criminal proceedings against the respondent, regardless of whether criminal charges based on the serious violence have been filed, reduced, or dismissed by the state attorney.

(e) ~~(d)~~ A cause of action for an injunction may be sought whether or not any other petition, complaint, or cause of action is currently available or pending between the parties.

(f) ~~(e)~~ A cause of action for an injunction does not require that the petitioner be represented by an attorney.

(3) (a) The clerk of the court shall provide a copy of this section, simplified forms, and clerical assistance for the

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preparation and filing of such a petition by any person who is not represented by counsel.

(b) Notwithstanding any other law, the clerk of the court may not assess a fee for filing a petition for protection against repeat violence, sexual violence, ~~or~~ dating violence, or serious violence by a known person. However, subject to legislative appropriation, the clerk of the court may, each quarter, submit to the Justice Administrative Commission a certified request for reimbursement for petitions for protection issued by the court under this section at the rate of \$40 per petition. The request for reimbursement must be submitted in the form and manner prescribed by the Justice Administrative Commission. From this reimbursement, the clerk shall pay the law enforcement agency serving the injunction the fee requested by the law enforcement agency; however, this fee may not exceed \$20.

(c) No bond is ~~shall be~~ required by the court for the entry of an injunction.

(d) The clerk of the court shall provide the petitioner with a certified copy of any injunction for protection against repeat violence, sexual violence, ~~or~~ dating violence, or serious violence by a known person entered by the court.

(4) (a) The verified petition must ~~shall~~ allege the incidents of repeat violence, sexual violence, ~~or~~ dating violence, or serious violence by a known person and must ~~shall~~ include the specific facts and circumstances that form the basis upon which relief is sought. With respect to a minor child who is living at home, the parent or legal guardian seeking the protective injunction on behalf of the minor child must:

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1. Have been an eyewitness to, or have direct physical evidence or affidavits from eyewitnesses of, the specific facts and circumstances that form the basis upon which relief is sought, if the party against whom the protective injunction is sought is also a parent, stepparent, or legal guardian of the minor child; or

2. Have reasonable cause to believe that the minor child is a victim of repeat violence, sexual violence, ~~or~~ dating violence, or serious violence by a known person to form the basis upon which relief is sought, if the party against whom the protective injunction is sought is a person other than a parent, stepparent, or legal guardian of the minor child.

(b) The verified petition must be in substantially the following form:

PETITION FOR INJUNCTION FOR PROTECTION
AGAINST REPEAT VIOLENCE, SEXUAL
VIOLENCE, ~~OR~~ DATING VIOLENCE, OR
SERIOUS VIOLENCE BY A KNOWN PERSON

The undersigned petitioner ...(name)... declares under penalties of perjury that the following statements are true:

1. Petitioner resides at ...(address)... (A petitioner for an injunction for protection against sexual violence may furnish an address to the court in a separate confidential filing if, for safety reasons, the petitioner requires the location of his or her current residence to be confidential pursuant to s. 119.071(2)(j), Florida Statutes.)

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233 2. Respondent resides at ...(address)....

234 3.a. Petitioner has suffered repeat violence as

235 demonstrated by the fact that the respondent has: ...(enumerate

236 incidents of violence)...

237

238

239

240

241

242 b. Petitioner has suffered sexual violence as demonstrated

243 by the fact that the respondent has: ...(enumerate incident of

244 violence and include incident report number from law enforcement

245 agency or attach notice of inmate release)...

246

247

248

249

250

251 c. Petitioner is a victim of dating violence and has

252 reasonable cause to believe that he or she is in imminent danger

253 of becoming the victim of another act of dating violence or has

254 reasonable cause to believe that he or she is in imminent danger

255 of becoming a victim of dating violence, as demonstrated by the

256 fact that the respondent has: ...(list the specific incident or

257 incidents of violence and describe the length of time of the

258 relationship, whether it has been in existence during the last 6

259 months, the nature of the relationship of a romantic or intimate

260 nature, the frequency and type of interaction, and any other

261 facts that characterize the relationship)...

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266 d. Petitioner has suffered serious violence by a known

267 person as demonstrated by the fact that respondent has: ...

268 (list the specific incident of serious violence and the known

269 association to the respondent)...

270 4. Petitioner genuinely fears repeat violence by the

271 respondent.

272 5. Petitioner seeks: an immediate injunction against the

273 respondent, enjoining him or her from committing any further

274 acts of violence; an injunction enjoining the respondent from

275 committing any further acts of violence; and an injunction

276 providing any terms the court deems necessary for the protection

277 of the petitioner and the petitioner's immediate family,

278 including any injunctions or directives to law enforcement

279 agencies.

280

281 (c) Every petition for an injunction against sexual

282 violence, dating violence, ~~or~~ repeat violence, or serious

283 violence by a known person must contain, directly above the

284 signature line, a statement in all capital letters and bold type

285 not smaller than the surrounding text, as follows:

286

287 UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ

288 THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT

289 ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN

290 THIS PETITION ARE BEING MADE UNDER PENALTIES OF

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291 PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525,
 292 FLORIDA STATUTES.

294 ... (initials) ...

295
 296 (5) Upon the filing of the petition, the court shall set a
 297 hearing to be held at the earliest possible time. The respondent
 298 ~~must shall~~ be personally served with a copy of the petition,
 299 notice of hearing, and temporary injunction, if any, before
 300 ~~prior to~~ the hearing.

301 (6) (a) When it appears to the court that an immediate and
 302 present danger of violence exists, the court may grant a
 303 temporary injunction that ~~which~~ may be granted in an ex parte
 304 hearing, pending a full hearing, and may grant such relief as
 305 the court deems proper, including an injunction enjoining the
 306 respondent from committing any acts of violence.

307 (b) Except as provided in s. 90.204, in a hearing ex parte
 308 for the purpose of obtaining such temporary injunction, no
 309 evidence other than the verified pleading or affidavit may shall
 310 be used as evidence, unless the respondent appears at the
 311 hearing or has received reasonable notice of the hearing.

312 (c) Any such ex parte temporary injunction is shall be
 313 effective for a fixed period not to exceed 15 days. However, an
 314 ex parte temporary injunction granted under subparagraph
 315 (2) (c) 2. is effective for 15 days following the date the
 316 respondent is released from incarceration. A full hearing, as
 317 provided by this section, must shall be set for a date no later
 318 than the date when the temporary injunction ceases to be
 319 effective. The court may grant a continuance of the ex parte

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320 injunction and the full hearing before or during a hearing, for
 321 good cause shown by any party.

322 (7) Upon notice and hearing, the court may grant such
 323 relief as the court deems proper, including an injunction:

324 (a) Enjoining the respondent from committing any acts of
 325 violence.

326 (b) Ordering such other relief as the court deems necessary
 327 for the protection of the petitioner, including injunctions or
 328 directives to law enforcement agencies, as provided in this
 329 section.

330 (c) The terms of the injunction shall remain in full force
 331 and effect until modified or dissolved. Either party may move at
 332 any time to modify or dissolve the injunction. Such relief may
 333 be granted in addition to other civil or criminal remedies.

334 (d) A temporary or final judgment on injunction for
 335 protection against repeat violence, sexual violence, ~~or~~ dating
 336 violence, or serious violence by a known person entered pursuant
 337 to this section must shall, on its face, indicate that:

338 1. The injunction is valid and enforceable in all counties
 339 of the State of Florida.

340 2. Law enforcement officers may use their arrest powers
 341 pursuant to s. 901.15(6) to enforce the terms of the injunction.

342 3. The court had jurisdiction over the parties and matter
 343 under the laws of Florida and that reasonable notice and
 344 opportunity to be heard was given to the person against whom the
 345 order is sought sufficient to protect that person's right to due
 346 process.

347 4. The date that the respondent was served with the
 348 temporary or final order, if obtainable.

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349 (8)(a)1. Within 24 hours after the court issues an
 350 injunction for protection against repeat violence, sexual
 351 violence, ~~or~~ dating violence, or serious violence by a known
 352 person, the clerk of the court shall electronically transmit a
 353 copy of the petition, notice of hearing, and temporary
 354 injunction, if any, to the sheriff or a law enforcement agency
 355 of the county where the respondent resides or can be found, who
 356 shall serve it upon the respondent as soon thereafter as
 357 possible on any day of the week and at any time of the day or
 358 night. An electronic copy of an injunction must be certified by
 359 the clerk of the court, and the electronic copy must be served
 360 in the same manner as a certified copy. Upon receiving an
 361 electronic copy of the injunction, the sheriff must verify
 362 receipt with the sender before attempting to serve it upon the
 363 respondent. In addition, if the sheriff is in possession of an
 364 injunction for protection that has been certified by the clerk
 365 of the court, the sheriff may electronically transmit a copy of
 366 that injunction to a law enforcement officer who shall serve it
 367 in the same manner as a certified copy. The clerk of the court
 368 is responsible for furnishing to the sheriff such information on
 369 the respondent's physical description and location as is
 370 required by the department to comply with the verification
 371 procedures set forth in this section. Notwithstanding any other
 372 law to the contrary, the chief judge of each circuit, in
 373 consultation with the appropriate sheriff, may authorize a law
 374 enforcement agency within the chief judge's jurisdiction to
 375 effect this type of service and to receive a portion of the
 376 service fee. A person may not serve or execute an injunction
 377 issued under this section unless the person is a law enforcement

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378 officer as defined in chapter 943.
 379 2. When an injunction is issued, if the petitioner requests
 380 the assistance of a law enforcement agency, the court may order
 381 that an officer from the appropriate law enforcement agency
 382 accompany the petitioner and assist in the execution or service
 383 of the injunction. A law enforcement officer must accept a copy
 384 of an injunction for protection against repeat violence, sexual
 385 violence, ~~or~~ dating violence, or serious violence by a known
 386 person, certified by the clerk of the court, from the petitioner
 387 and immediately serve it upon a respondent who has been located
 388 but not yet served.
 389 (b) A Domestic Violence, Dating Violence, Sexual Violence,
 390 ~~and~~ Repeat Violence, and Serious Violence by a Known Person
 391 Injunction Statewide Verification System is created within the
 392 Department of Law Enforcement. The department shall establish,
 393 implement, and maintain a statewide communication system capable
 394 of electronically transmitting information to and between
 395 criminal justice agencies relating to domestic violence
 396 injunctions, dating violence injunctions, sexual violence
 397 injunctions, ~~and~~ repeat violence injunctions, and serious
 398 violence by a known person injunctions issued by the courts
 399 throughout the state. Such information must include, but is not
 400 limited to, information as to the existence and status of any
 401 injunction for verification purposes.
 402 (c)1. Within 24 hours after the court issues an injunction
 403 for protection against repeat violence, sexual violence, ~~or~~
 404 dating violence, or serious violence by a known person or
 405 changes or vacates an injunction for protection against repeat
 406 violence, sexual violence, ~~or~~ dating violence, or serious

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407 violence by a known person, the clerk of the court must
 408 electronically transmit a copy of the injunction to the sheriff
 409 with jurisdiction over the residence of the petitioner.

410 2. Within 24 hours after service of process of an
 411 injunction for protection against repeat violence, sexual
 412 violence, ~~or~~ dating violence, or serious violence by a known
 413 person upon a respondent, the law enforcement officer must
 414 electronically transmit the written proof of service of process
 415 to the sheriff with jurisdiction over the residence of the
 416 petitioner.

417 3. Within 24 hours after the sheriff receives a certified
 418 copy of the injunction for protection against repeat violence,
 419 sexual violence, ~~or~~ dating violence, or serious violence by a
 420 known person, the sheriff must make information relating to the
 421 injunction available to other law enforcement agencies by
 422 electronically transmitting such information to the department.

423 4. Within 24 hours after the sheriff or other law
 424 enforcement officer has made service upon the respondent and the
 425 sheriff has been so notified, the sheriff must make information
 426 relating to the service available to other law enforcement
 427 agencies by electronically transmitting such information to the
 428 department.

429 5. Subject to available funding, the Florida Association of
 430 Court Clerks and Comptrollers shall develop an automated process
 431 by which a petitioner may request notification of service of the
 432 injunction for protection against repeat violence, sexual
 433 violence, ~~or~~ dating violence, or serious violence by a known
 434 person and other court actions related to the injunction for
 435 protection. The automated notice must be made within 12 hours

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436 after the sheriff or other law enforcement officer serves the
 437 injunction upon the respondent. The notification must include,
 438 at a minimum, the date, time, and location where the injunction
 439 for protection against repeat violence, sexual violence, ~~or~~
 440 dating violence, or serious violence by a known person was
 441 served. The Florida Association of Court Clerks and Comptrollers
 442 may apply for any available grants to fund the development of
 443 the automated process.

444 6. Within 24 hours after an injunction for protection
 445 against repeat violence, sexual violence, ~~or~~ dating violence, or
 446 serious violence by a known person is lifted, terminated, or
 447 otherwise rendered no longer effective by ruling of the court,
 448 the clerk of the court must notify the sheriff or local law
 449 enforcement agency receiving original notification of the
 450 injunction as provided in subparagraph 2. That agency shall,
 451 within 24 hours after receiving such notification from the clerk
 452 of the court, notify the department of such action of the court.

453 (d) The petitioner may request a Hope Card under s. 741.311
 454 after the court has issued a final order of protection.

455 (9) (a) The court shall enforce, through a civil or criminal
 456 contempt proceeding, a violation of an injunction for
 457 protection. The court may enforce the respondent's compliance
 458 with the injunction by imposing a monetary assessment. The clerk
 459 of the court shall collect and receive such assessments. On a
 460 monthly basis, the clerk shall transfer the moneys collected
 461 pursuant to this paragraph to the State Treasury for deposit in
 462 the Crimes Compensation Trust Fund established in s. 960.21.

463 (b) If the respondent is arrested by a law enforcement
 464 officer under s. 901.15(6) for committing an act of repeat

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465 violence, sexual violence, ~~or~~ dating violence, or serious
 466 violence by a known person in violation of an injunction for
 467 protection, the respondent ~~must shall~~ be held in custody until
 468 brought before the court as expeditiously as possible for the
 469 purpose of enforcing the injunction and for admittance to bail
 470 in accordance with chapter 903 and the applicable rules of
 471 criminal procedure, pending a hearing.

472 (10) The petitioner or the respondent may move the court to
 473 modify or dissolve an injunction at any time.

474 (11) Any law enforcement officer who investigates an
 475 alleged incident of dating violence shall assist the victim to
 476 obtain medical treatment if such is required as a result of the
 477 alleged incident to which the officer responds. Any law
 478 enforcement officer who investigates an alleged incident of
 479 dating violence shall advise the victim of such violence that
 480 there is a domestic violence center from which the victim may
 481 receive services. The law enforcement officer shall give the
 482 victim immediate notice of the legal rights and remedies
 483 available on a standard form developed and distributed by the
 484 Department of Law Enforcement. As necessary, the Department of
 485 Law Enforcement shall revise the Legal Rights and Remedies
 486 Notice to Victims to include a general summary of this section,
 487 using simple English as well as Spanish, and shall distribute
 488 the notice as a model form to be used by all law enforcement
 489 agencies throughout this ~~the~~ state. The notice ~~must shall~~
 490 include:

491 (a) The resource listing, including telephone number, for
 492 the area domestic violence center designated by the Department
 493 of Children and Families; and

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494 (b) A copy of the following statement:

495
 496 "IF YOU ARE THE VICTIM OF DATING VIOLENCE, you may ask
 497 the state attorney to file a criminal complaint. You
 498 also have the right to go to court and file a petition
 499 requesting an injunction for protection from dating
 500 violence which may include, but need not be limited
 501 to, provisions that restrain the abuser from further
 502 acts of abuse; direct the abuser to leave your
 503 household; and prevent the abuser from entering your
 504 residence, school, business, or place of employment."

505
 506 (12) When a law enforcement officer investigates an
 507 allegation that an incident of dating violence has occurred, the
 508 officer shall handle the incident pursuant to the arrest policy
 509 provided in s. 901.15(7), and as developed in accordance with
 510 subsections (13), (14), and (16). Whether or not an arrest is
 511 made, the officer shall make a written police report that is
 512 complete and clearly indicates that the alleged offense was an
 513 incident of dating violence. Such report ~~must shall~~ be given to
 514 the officer's supervisor and filed with the law enforcement
 515 agency in a manner that will permit data on dating violence
 516 cases to be compiled. Such report must include:

517 (a) A description of physical injuries observed, if any.

518 (b) If a law enforcement officer decides not to make an
 519 arrest or decides to arrest two or more parties, the grounds for
 520 not arresting anyone or for arresting two or more parties.

521 (c) A statement indicating which indicates that a copy of
 522 the legal rights and remedies notice was given to the victim.

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Whenever possible, the law enforcement officer shall obtain a written statement from the victim and witnesses concerning the alleged dating violence. The officer shall submit the report to the supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal activity to be made. The law enforcement agency shall, without charge, send a copy of the initial police report, as well as any subsequent, supplemental, or related report, which excludes victim or witness statements or other materials that are part of an active criminal investigation and are exempt from disclosure under chapter 119, to the nearest locally certified domestic violence center within 24 hours after the agency's receipt of the report. The report furnished to the domestic violence center must include a narrative description of the dating violence incident.

(13) Whenever a law enforcement officer determines upon probable cause that an act of dating violence has been committed within the jurisdiction, or that a person has violated a condition of pretrial release as provided in s. 903.047 and the original arrest was for an act of dating violence, the officer may arrest the person or persons suspected of its commission and charge such person or persons with the appropriate crime. The decision to arrest and charge does ~~shall~~ not require consent of the victim or consideration of the relationship of the parties.

(14)(a) When complaints are received from two or more parties, the officers shall evaluate each complaint separately to determine whether there is probable cause for arrest.

(b) If a law enforcement officer has probable cause to

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believe that two or more persons have committed a misdemeanor or felony, or if two or more persons make complaints to the officer, the officer must ~~shall~~ try to determine who was the primary aggressor. Arrest is the preferred response only with respect to the primary aggressor and not the preferred response with respect to a person who acts in a reasonable manner to protect or defend himself or herself or another family or household member from dating violence.

(15) A person who willfully violates a condition of pretrial release provided in s. 903.047, when the original arrest was for an act of dating violence as defined in this section, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and shall be held in custody until his or her first appearance.

(16) A law enforcement officer acting in good faith under this section and the officer's employing agency shall be immune from all liability, civil or criminal, that might otherwise be incurred or imposed by reason of the officer's or agency's actions in carrying out the provisions of this section.

Section 2. Paragraph (a) of subsection (5) of section 44.407, Florida Statutes, is amended to read:

44.407 Elder-focused dispute resolution process.—

(5) QUALIFICATIONS FOR ELDERCARING COORDINATORS.—

(a) The court shall appoint qualified eldercaring coordinators who:

1. Meet one of the following professional requirements:

a. Are licensed as a mental health professional under chapter 491 and hold at least a master's degree in the professional field of practice;

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581 b. Are licensed as a psychologist under chapter 490;
 582 c. Are licensed as a physician under chapter 458 or chapter
 583 459;
 584 d. Are licensed as a nurse under chapter 464 and hold at
 585 least a master's degree;
 586 e. Are certified by the Florida Supreme Court as a family
 587 mediator and hold at least a master's degree;
 588 f. Are a member in good standing of The Florida Bar; or
 589 g. Are a professional guardian as defined in s. 744.102(17)
 590 and hold at least a master's degree.
 591 2. Have completed all of the following:
 592 a. Three years of postlicensure or postcertification
 593 practice;
 594 b. A family mediation training program certified by the
 595 Florida Supreme Court; and
 596 c. An eldercaring coordinator training program certified by
 597 the Florida Supreme Court. The training must total at least 44
 598 hours and must include advanced tactics for dispute resolution
 599 of issues related to aging, illness, incapacity, or other
 600 vulnerabilities associated with elders, as well as elder,
 601 guardianship, and incapacity law and procedures and less
 602 restrictive alternatives to guardianship; phases of eldercaring
 603 coordination and the role and functions of an eldercaring
 604 coordinator; the elder's role within eldercaring coordination;
 605 family dynamics related to eldercaring coordination; eldercaring
 606 coordination skills and techniques; multicultural competence and
 607 its use in eldercaring coordination; at least 6 hours of the
 608 implications of elder abuse, neglect, and exploitation and other
 609 safety issues pertinent to the training; at least 4 hours of

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610 ethical considerations pertaining to the training; use of
 611 technology within eldercaring coordination; and court-specific
 612 eldercaring coordination procedures. Pending certification of a
 613 training program by the Florida Supreme Court, the eldercaring
 614 coordinator must document completion of training that satisfies
 615 the hours and the elements prescribed in this sub-subparagraph.
 616 3. Have successfully passed a Level 2 background screening
 617 as provided in s. 435.04(2) and (3) or are exempt from
 618 disqualification under s. 435.07. The prospective eldercaring
 619 coordinator must submit a full set of fingerprints to the court
 620 or to a vendor, entity, or agency authorized by s. 943.053(13).
 621 The court, vendor, entity, or agency shall forward the
 622 fingerprints to the Department of Law Enforcement for state
 623 processing, and the Department of Law Enforcement shall forward
 624 the fingerprints to the Federal Bureau of Investigation for
 625 national processing. The prospective eldercaring coordinator
 626 shall pay the fees for state and federal fingerprint processing.
 627 The state cost for fingerprint processing shall be as provided
 628 in s. 943.053(3)(e) for records provided to persons or entities
 629 other than those specified as exceptions therein.
 630 4. Have not been a respondent in a final order granting an
 631 injunction for protection against domestic violence, dating
 632 violence, sexual violence, ~~or~~ repeat violence, serious violence
 633 by a known person, or stalking or exploitation of an elder or a
 634 disabled person.
 635 5. Have met any additional qualifications the court may
 636 require to address issues specific to the parties.
 637 Section 3. Paragraph (c) of subsection (2) of section
 638 61.13, Florida Statutes, is amended to read

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639 61.13 Support of children; parenting and time-sharing;
 640 powers of court.—
 641 (2)
 642 (c) The court shall determine all matters relating to
 643 parenting and time-sharing of each minor child of the parties in
 644 accordance with the best interests of the child and in
 645 accordance with the Uniform Child Custody Jurisdiction and
 646 Enforcement Act, except that modification of a parenting plan
 647 and time-sharing schedule requires a showing of a substantial
 648 and material change of circumstances.
 649 1. It is the public policy of this state that each minor
 650 child has frequent and continuing contact with both parents
 651 after the parents separate or the marriage of the parties is
 652 dissolved and to encourage parents to share the rights and
 653 responsibilities, and joys, of childrearing. Unless otherwise
 654 provided in this section or agreed to by the parties, there is a
 655 rebuttable presumption that equal time-sharing of a minor child
 656 is in the best interests of the minor child. To rebut this
 657 presumption, a party must prove by a preponderance of the
 658 evidence that equal time-sharing is not in the best interests of
 659 the minor child. Except when a time-sharing schedule is agreed
 660 to by the parties and approved by the court, the court must
 661 evaluate all of the factors set forth in subsection (3) and make
 662 specific written findings of fact when creating or modifying a
 663 time-sharing schedule.
 664 2. The court shall order that the parental responsibility
 665 for a minor child be shared by both parents unless the court
 666 finds that shared parental responsibility would be detrimental
 667 to the child. In determining detriment to the child, the court

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668 shall consider:
 669 a. Evidence of domestic violence, as defined in s. 741.28;
 670 b. Whether either parent has or has had reasonable cause to
 671 believe that he or she or his or her minor child or children are
 672 or have been in imminent danger of becoming victims of an act of
 673 domestic violence as defined in s. 741.28 or sexual violence as
 674 defined in s. 784.046(1) ~~s. 784.046(1)(e)~~ by the other parent
 675 against the parent or against the child or children whom the
 676 parents share in common regardless of whether a cause of action
 677 has been brought or is currently pending in the court;
 678 c. Whether either parent has or has had reasonable cause to
 679 believe that his or her minor child or children are or have been
 680 in imminent danger of becoming victims of an act of abuse,
 681 abandonment, or neglect, as those terms are defined in s. 39.01,
 682 by the other parent against the child or children whom the
 683 parents share in common regardless of whether a cause of action
 684 has been brought or is currently pending in the court; and
 685 d. Any other relevant factors.
 686 3. The following evidence creates a rebuttable presumption
 687 that shared parental responsibility is detrimental to the child:
 688 a. A parent has been convicted of a misdemeanor of the
 689 first degree or higher involving domestic violence, as defined
 690 in s. 741.28 and chapter 775;
 691 b. A parent meets the criteria of s. 39.806(1)(d); or
 692 c. A parent has been convicted of or had adjudication
 693 withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
 694 at the time of the offense:
 695 (I) The parent was 18 years of age or older.
 696 (II) The victim was under 18 years of age or the parent

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believed the victim to be under 18 years of age.

If the presumption is not rebutted after the convicted parent is advised by the court that the presumption exists, shared parental responsibility, including time-sharing with the child, and decisions made regarding the child, may not be granted to the convicted parent. However, the convicted parent is not relieved of any obligation to provide financial support. If the court determines that shared parental responsibility would be detrimental to the child, it may order sole parental responsibility and make such arrangements for time-sharing as specified in the parenting plan as will best protect the child or abused spouse from further harm. Whether or not there is a conviction of any offense of domestic violence or child abuse or the existence of an injunction for protection against domestic violence, the court shall consider evidence of domestic violence or child abuse as evidence of detriment to the child.

4. In ordering shared parental responsibility, the court may consider the expressed desires of the parents and may grant to one party the ultimate responsibility over specific aspects of the child's welfare or may divide those responsibilities between the parties based on the best interests of the child. Areas of responsibility may include education, health care, and any other responsibilities that the court finds unique to a particular family.

5. The court shall order sole parental responsibility for a minor child to one parent, with or without time-sharing with the other parent if it is in the best interests of the minor child.

6. There is a rebuttable presumption against granting time-

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sharing with a minor child if a parent has been convicted of or had adjudication withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and at the time of the offense:

a. The parent was 18 years of age or older.

b. The victim was under 18 years of age or the parent believed the victim to be under 18 years of age.

A parent may rebut the presumption upon a specific finding in writing by the court that the parent poses no significant risk of harm to the child and that time-sharing is in the best interests of the minor child. If the presumption is rebutted, the court must consider all time-sharing factors in subsection (3) when developing a time-sharing schedule.

7. Access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records, may not be denied to either parent. Full rights under this subparagraph apply to either parent unless a court order specifically revokes these rights, including any restrictions on these rights as provided in a domestic violence injunction. A parent having rights under this subparagraph has the same rights upon request as to form, substance, and manner of access as are available to the other parent of a child, including, without limitation, the right to in-person communication with medical, dental, and education providers.

Section 4. Paragraph (a) of subsection (3) of section 61.1825, Florida Statutes, is amended to read:

61.1825 State Case Registry.—

(3)(a) For the purpose of this section, a family violence indicator must be placed on a record when:

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1. A party executes a sworn statement requesting that a family violence indicator be placed on that party's record which states that the party has reason to believe that release of information to the Federal Case Registry may result in physical or emotional harm to the party or the child; or

2. A temporary or final injunction for protection against domestic violence has been granted pursuant to s. 741.30(6), an injunction for protection against domestic violence has been issued by a court of a foreign state pursuant to s. 741.315, or a temporary or final injunction for protection against repeat violence has been granted pursuant to s. 784.046; or

3. The department has received information on a Title IV-D case from the Domestic Violence, Dating Violence, Sexual Violence, ~~and~~ Repeat Violence, and Serious Violence by a Known Person Injunction Statewide Verification System, established pursuant to s. 784.046(8)(b), that a court has granted a party a domestic violence or repeat violence injunction.

Section 5. Paragraph (e) of subsection (2) of section 394.4597, Florida Statutes, is amended to read:

394.4597 Persons to be notified; patient's representative.—

(2) INVOLUNTARY PATIENTS.—

(e) The following persons are prohibited from selection as a patient's representative:

1. A professional providing clinical services to the patient under this part.

2. The licensed professional who initiated the involuntary examination of the patient, if the examination was initiated by professional certificate.

3. An employee, an administrator, or a board member of the

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facility providing the examination of the patient.

4. An employee, an administrator, or a board member of a treatment facility providing treatment for the patient.

5. A person providing any substantial professional services to the patient, including clinical services.

6. A creditor of the patient.

7. A person subject to an injunction for protection against domestic violence under s. 741.30, whether the order of injunction is temporary or final, and for which the patient was the petitioner.

8. A person subject to an injunction for protection against repeat violence, stalking, sexual violence, ~~or~~ dating violence, or serious violence by a known person under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner.

Section 6. Paragraph (h) of subsection (2) of section 394.4598, Florida Statutes, is amended to read:

394.4598 Guardian advocate.—

(2) The following persons are prohibited from appointment as a patient's guardian advocate:

(h) A person subject to an injunction for protection against repeat violence, stalking, sexual violence, ~~or~~ dating violence, or serious violence by a known person under s. 784.046, whether the order of injunction is temporary or final, and for which the patient was the petitioner.

Section 7. Paragraph (b) of subsection (2) of section 741.313, Florida Statutes, is amended to read:

741.313 Unlawful action against employees seeking protection.—

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813 (2)

814 (b) This section applies if an employee uses the leave from

815 work to:

816 1. Seek an injunction for protection against domestic

817 violence or an injunction for protection in cases of repeat

818 violence, dating violence, ~~or~~ sexual violence, or serious

819 violence by a known person;

820 2. Obtain medical care or mental health counseling, or

821 both, for the employee or a family or household member to

822 address physical or psychological injuries resulting from the

823 act of domestic violence or sexual violence;

824 3. Obtain services from a victim services organization,

825 including, but not limited to, a domestic violence shelter or

826 program or a rape crisis center as a result of the act of

827 domestic violence or sexual violence;

828 4. Make the employee's home secure from the perpetrator of

829 the domestic violence or sexual violence or to seek new housing

830 to escape the perpetrator; or

831 5. Seek legal assistance in addressing issues arising from

832 the act of domestic violence or sexual violence or to attend and

833 prepare for court-related proceedings arising from the act of

834 domestic violence or sexual violence.

835 Section 8. Subsection (1) of section 784.047, Florida

836 Statutes, is amended to read:

837 784.047 Penalties for violating protective injunction

838 against violators.—

839 (1) A person who willfully violates an injunction for

840 protection against repeat violence, sexual violence, ~~or~~ dating

841 violence, or serious violence by a known person issued pursuant

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842 to s. 784.046, or a foreign protection order accorded full faith

843 and credit pursuant to s. 741.315 by:

844 (a) Refusing to vacate the dwelling that the parties share;

845 (b) Going to, or being within 500 feet of, the petitioner's

846 residence, school, place of employment, or a specified place

847 frequented regularly by the petitioner and any named family or

848 household member;

849 (c) Committing an act of repeat violence, sexual violence,

850 ~~or~~ dating violence, or serious violence by a known person

851 against the petitioner;

852 (d) Committing any other violation of the injunction

853 through an intentional unlawful threat, word, or act to do

854 violence to the petitioner;

855 (e) Telephoning, contacting, or otherwise communicating

856 with the petitioner directly or indirectly, unless the

857 injunction specifically allows indirect contact through a third

858 party;

859 (f) Knowingly and intentionally coming within 100 feet of

860 the petitioner's motor vehicle, whether or not that vehicle is

861 occupied;

862 (g) Defacing or destroying the petitioner's personal

863 property, including the petitioner's motor vehicle; or

864 (h) Refusing to surrender firearms or ammunition if ordered

865 to do so by the court,

866

867 commits a misdemeanor of the first degree, punishable as

868 provided in s. 775.082 or s. 775.083, except as provided in

869 subsection (2).

870 Section 9. Subsection (4) of section 784.048, Florida

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871 Statutes, is amended to read:

872 784.048 Stalking; definitions; penalties.—

873 (4) A person who, after an injunction for protection
874 against repeat violence, sexual violence, ~~or~~ dating violence, or
875 serious violence by a known person pursuant to s. 784.046, or an
876 injunction for protection against domestic violence pursuant to
877 s. 741.30, or after any other court-imposed prohibition of
878 conduct toward the subject person or that person's property,
879 knowingly, willfully, maliciously, and repeatedly follows,
880 harasses, or cyberstalks another person commits the offense of
881 aggravated stalking, a felony of the third degree, punishable as
882 provided in s. 775.082, s. 775.083, or s. 775.084.

883 Section 10. Paragraph (m) of subsection (2) of section
884 934.03, Florida Statutes, is amended to read:

885 934.03 Interception and disclosure of wire, oral, or
886 electronic communications prohibited.—

887 (2)

888 (m) It is lawful under this section and ss. 934.04-934.09
889 for a person who is protected under an active temporary or final
890 injunction for repeat violence, sexual violence, ~~or~~ dating
891 violence, or serious violence by a known person under s.
892 784.046; stalking under s. 784.0485; domestic violence under s.
893 741.30; or any other court-imposed prohibition of conduct toward
894 the person to intercept and record a wire, oral, or electronic
895 communication received in violation of such injunction or court
896 order. A recording authorized under this paragraph may be
897 provided to a law enforcement agency, an attorney, or a court
898 for the purpose of evidencing a violation of an injunction or
899 court order if the subject of the injunction or court order

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900 prohibiting contact has been served the injunction or is on
901 notice that the conduct is prohibited. A recording authorized
902 under this paragraph may not be otherwise disseminated or
903 shared.

904 Section 11. For the purpose of incorporating the amendment
905 made by this act to section 784.046, Florida Statutes, in
906 references thereto, paragraphs (a), (c), and (d) of subsection
907 (8) of section 28.2221, Florida Statutes, are reenacted to read:
908 28.2221 Electronic access to official records.—

909 (8)(a) Each county recorder or clerk of the court must make
910 the identity of each respondent against whom a final judgment
911 for an injunction for the protection of a minor under s. 741.30,
912 s. 784.046, or s. 784.0485 is entered, as well as the fact that
913 a final judgment for an injunction for the protection of a minor
914 under s. 741.30, s. 784.046, or s. 784.0485 has been entered
915 against that respondent, publicly available on the county
916 recorder's or clerk of the court's official website, unless the
917 respondent is a minor. The identity and information required
918 under this subsection must be viewable through a searchable
919 database that is available in a clear and conspicuous location
920 on the homepage of the county recorder's or clerk of the court's
921 official website and must be available for search by the general
922 public.

923 (c) Any information specified in this subsection not made
924 available by the county clerk of the court as provided in this
925 subsection before July 1, 2024, must be made publicly available
926 on the county recorder's or clerk of the court's official
927 website if the affected party identifies the information and
928 requests that such information be added for general public

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display. Such request must be in writing and delivered by mail, facsimile, or electronic transmission or in person to the county recorder or clerk of the court. The request must specify the case number assigned to the final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485. A fee may not be charged for the addition of information pursuant to such request.

(d) No later than 30 days after July 1, 2024, notice of the right of any affected party to request the addition of information to the searchable database on the county recorder's or clerk of the court's official website pursuant to this subsection must be conspicuously and clearly displayed by the county recorder or clerk of the court on the county recorder's or clerk of the court's official website on which images or copies of the county's public records are placed and in the office of each county recorder or clerk of the court. Such notice must contain appropriate instructions for making the addition of information request in person, by mail, by facsimile, or by electronic transmission. The notice must state, in substantially similar form, that any person has a right to request that a county recorder or clerk of the court add information to the searchable database on the county recorder's or clerk of the court's official website if that information involves the identity of a respondent against whom a final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485 is entered, unless the respondent is a minor. The notice must also state that the information related to the identity of each respondent against whom a final judgment for an injunction for the protection of a

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minor under s. 741.30, s. 784.046, or s. 784.0485 is entered is available for search by the general public. The notice must include step-by-step instructions detailing how a user can access the searchable database and search for such information. Such request must be made in writing and delivered by mail, facsimile, or electronic transmission or in person to the county recorder or clerk of the court. The request must specify the case number assigned to the final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485. A fee may not be charged for the addition of a document pursuant to such request.

Section 12. For the purpose of incorporating the amendment made by this act to section 784.046, Florida Statutes, in a reference thereto, paragraph (i) of subsection (2) of section 28.35, Florida Statutes, is reenacted to read:

28.35 Florida Clerks of Court Operations Corporation.—

(2) The duties of the corporation shall include the following:

(i) Annually preparing a budget request which, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, provides the anticipated amount necessary for reimbursement pursuant to ss. 40.29(6), 741.30(2)(a), 784.046(3)(b), 784.0485(2)(a), and 825.1035(4)(i). The request for the anticipated reimbursement amount must be submitted in the form and manner prescribed by the Justice Administrative Commission. Such request is not subject to change by the Justice Administrative Commission, except for technical changes necessary to conform to the legislative budget instructions, and must be submitted to the Governor for transmittal to the

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987 Legislature.

988 Section 13. For the purpose of incorporating the amendment
 989 made by this act to section 784.046, Florida Statutes, in a
 990 reference thereto, subsection (8) of section 57.105, Florida
 991 Statutes, is reenacted to read:

992 57.105 Attorney's fee; sanctions for raising unsupported
 993 claims or defenses; exceptions; service of motions; damages for
 994 delay of litigation.—

995 (8) Attorney fees may not be awarded under this section in
 996 proceedings for an injunction for protection pursuant to s.
 997 741.30, s. 784.046, or s. 784.0485, unless the court finds by
 998 clear and convincing evidence that the petitioner knowingly made
 999 a false statement or allegation in the petition or that the
 1000 respondent knowingly made a false statement or allegation in an
 1001 asserted defense, with regard to a material matter as defined in
 1002 s. 837.011(3).

1003 Section 14. For the purpose of incorporating the amendment
 1004 made by this act to section 784.046, Florida Statutes, in a
 1005 reference thereto, subsection (1) of section 61.1827, Florida
 1006 Statutes, is reenacted to read:

1007 61.1827 Identifying information concerning applicants for
 1008 and recipients of child support services.—

1009 (1) Any information that reveals the identity of applicants
 1010 for or recipients of child support services, including the name,
 1011 address, and telephone number of such persons, held by a non-
 1012 Title IV-D county child support enforcement agency is
 1013 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 1014 of the State Constitution. The use or disclosure of such
 1015 information by the non-Title IV-D county child support

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1016 enforcement agency is limited to the purposes directly connected
 1017 with:

1018 (a) Any investigation, prosecution, or criminal or civil
 1019 proceeding connected with the administration of any non-Title
 1020 IV-D county child support enforcement program;

1021 (b) Mandatory disclosure of identifying and location
 1022 information as provided in s. 61.13(7) by the non-Title IV-D
 1023 county child support enforcement agency when providing non-Title
 1024 IV-D services;

1025 (c) Mandatory disclosure of information as required by ss.
 1026 409.2577, 61.181, 61.1825, and 61.1826 and Title IV-D of the
 1027 Social Security Act; or

1028 (d) Disclosure to an authorized person, as defined in 45
 1029 C.F.R. s. 303.15, for purposes of enforcing any state or federal
 1030 law with respect to the unlawful taking or restraint of a child
 1031 or making or enforcing a parenting plan. As used in this
 1032 paragraph, the term "authorized person" includes a parent with
 1033 whom the child does not currently reside, unless a court has
 1034 entered an order under s. 741.30, s. 741.31, or s. 784.046.

1035 Section 15. For the purpose of incorporating the amendment
 1036 made by this act to section 784.046, Florida Statutes, in a
 1037 reference thereto, subsection (2) of section 741.311, Florida
 1038 Statutes, is reenacted to read:

1039 741.311 Hope Card Program for persons issued orders of
 1040 protection.—

1041 (2) Beginning October 1, 2024, a person who has been issued
 1042 a final judgment on injunction for protection under s. 741.30,
 1043 s. 784.046, s. 784.0485, or s. 825.1035 may request a Hope Card
 1044 from the clerk of the court of the circuit in which the order

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for an injunction for protection was entered. A person may request a Hope Card at the time the final judgment on injunction for protection is issued or at any other time before the expiration of the order for protection.

Section 16. For the purpose of incorporating the amendment made by this act to section 784.046, Florida Statutes, in a reference thereto, subsection (2) of section 741.315, Florida Statutes, is reenacted to read:

741.315 Recognition of foreign protection orders.—

(2) Pursuant to 18 U.S.C. s. 2265, an injunction for protection against domestic violence issued by a court of a foreign state must be accorded full faith and credit by the courts of this state and enforced by a law enforcement agency as if it were the order of a Florida court issued under s. 741.30, s. 741.31, s. 784.046, s. 784.047, s. 784.0485, or s. 784.0487, and provided that the court had jurisdiction over the parties and the matter and that reasonable notice and opportunity to be heard was given to the person against whom the order is sought sufficient to protect that person's right to due process. Ex parte foreign injunctions for protection are not eligible for enforcement under this section unless notice and opportunity to be heard have been provided within the time required by the foreign state or tribal law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.

Section 17. For the purpose of incorporating the amendment made by this act to section 784.046, Florida Statutes, in references thereto, paragraph (e) of subsection (2) and paragraph (c) of subsection (3) of section 790.401, Florida

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Statutes, are reenacted to read:

790.401 Risk protection orders.—

(2) PETITION FOR A RISK PROTECTION ORDER.—There is created an action known as a petition for a risk protection order.

(e) A petition must:

1. Allege that the respondent poses a significant danger of causing personal injury to himself or herself or others by having a firearm or any ammunition in his or her custody or control or by purchasing, possessing, or receiving a firearm or any ammunition, and must be accompanied by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a reasonable fear of significant dangerous acts by the respondent;

2. Identify the quantities, types, and locations of all firearms and ammunition the petitioner believes to be in the respondent's current ownership, possession, custody, or control; and

3. Identify whether there is a known existing protection order governing the respondent under s. 741.30, s. 784.046, or s. 784.0485 or under any other applicable statute.

(3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

(c) In determining whether grounds for a risk protection order exist, the court may consider any relevant evidence, including, but not limited to, any of the following:

1. A recent act or threat of violence by the respondent against himself or herself or others, whether or not such violence or threat of violence involves a firearm.

2. An act or threat of violence by the respondent within the past 12 months, including, but not limited to, acts or

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1103 threats of violence by the respondent against himself or herself
1104 or others.

1105 3. Evidence of the respondent being seriously mentally ill
1106 or having recurring mental health issues.

1107 4. A violation by the respondent of a risk protection order
1108 or a no contact order issued under s. 741.30, s. 784.046, or s.
1109 784.0485.

1110 5. A previous or existing risk protection order issued
1111 against the respondent.

1112 6. A violation of a previous or existing risk protection
1113 order issued against the respondent.

1114 7. Whether the respondent, in this state or any other
1115 state, has been convicted of, had adjudication withheld on, or
1116 pled nolo contendere to a crime that constitutes domestic
1117 violence as defined in s. 741.28.

1118 8. Whether the respondent has used, or has threatened to
1119 use, against himself or herself or others any weapons.

1120 9. The unlawful or reckless use, display, or brandishing of
1121 a firearm by the respondent.

1122 10. The recurring use of, or threat to use, physical force
1123 by the respondent against another person or the respondent
1124 stalking another person.

1125 11. Whether the respondent, in this state or any other
1126 state, has been arrested for, convicted of, had adjudication
1127 withheld on, or pled nolo contendere to a crime involving
1128 violence or a threat of violence.

1129 12. Corroborated evidence of the abuse of controlled
1130 substances or alcohol by the respondent.

1131 13. Evidence of recent acquisition of firearms or

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1132 ammunition by the respondent.

1133 14. Any relevant information from family and household
1134 members concerning the respondent.

1135 15. Witness testimony, taken while the witness is under
1136 oath, relating to the matter before the court.

1137 Section 18. For the purpose of incorporating the amendment
1138 made by this act to section 784.046, Florida Statutes, in a
1139 reference thereto, subsection (6) of section 901.15, Florida
1140 Statutes, is reenacted to read:

1141 901.15 When arrest by officer without warrant is lawful.—A
1142 law enforcement officer may arrest a person without a warrant
1143 when:

1144 (6) There is probable cause to believe that the person has
1145 committed a criminal act according to s. 790.233 or according to
1146 s. 741.31, s. 784.047, or s. 825.1036 which violates an
1147 injunction for protection entered pursuant to s. 741.30, s.
1148 784.046, or s. 825.1035 or a foreign protection order accorded
1149 full faith and credit pursuant to s. 741.315, over the objection
1150 of the petitioner, if necessary.

1151 Section 19. For the purpose of incorporating the amendment
1152 made by this act to section 784.046, Florida Statutes, in a
1153 reference thereto, subsection (5) of section 901.41, Florida
1154 Statutes, is reenacted to read:

1155 901.41 Prearrest diversion programs.—

1156 (5) ELIGIBILITY.—A violent misdemeanor, a misdemeanor crime
1157 of domestic violence, as defined in s. 741.28, or a misdemeanor
1158 under s. 741.29, s. 741.31, s. 784.046, s. 784.047, s. 784.048,
1159 s. 784.0487, or s. 784.049 does not qualify for a civil citation
1160 or prearrest diversion program.

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1161 Section 20. For the purpose of incorporating the amendment
 1162 made by this act to section 784.046, Florida Statutes, in a
 1163 reference thereto, paragraph (p) of subsection (6) of section
 1164 921.141, Florida Statutes, is reenacted to read:

1165 921.141 Sentence of death or life imprisonment for capital
 1166 felonies; further proceedings to determine sentence.—

1167 (6) AGGRAVATING FACTORS.—Aggravating factors shall be
 1168 limited to the following:

1169 (p) The capital felony was committed by a person subject to
 1170 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
 1171 foreign protection order accorded full faith and credit pursuant
 1172 to s. 741.315, and was committed against the petitioner who
 1173 obtained the injunction or protection order or any spouse,
 1174 child, sibling, or parent of the petitioner.

1175 Section 21. For the purpose of incorporating the amendment
 1176 made by this act to section 784.046, Florida Statutes, in a
 1177 reference thereto, paragraph (j) of subsection (7) of section
 1178 921.1425, Florida Statutes, is reenacted to read:

1179 921.1425 Sentence of death or life imprisonment for capital
 1180 sexual battery; further proceedings to determine sentence.—

1181 (7) AGGRAVATING FACTORS.—Aggravating factors shall be
 1182 limited to the following:

1183 (j) The capital felony was committed by a person subject to
 1184 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
 1185 foreign protection order accorded full faith and credit pursuant
 1186 to s. 741.315, and was committed against the petitioner who
 1187 obtained the injunction or protection order or any spouse,
 1188 child, sibling, or parent of the petitioner.

1189 Section 22. For the purpose of incorporating the amendment

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1190 made by this act to section 784.046, Florida Statutes, in a
 1191 reference thereto, paragraph (i) of subsection (7) of section
 1192 921.1427, Florida Statutes, is reenacted to read:

1193 921.1427 Sentence of death or life imprisonment for capital
 1194 human trafficking of vulnerable persons for sexual exploitation;
 1195 further proceedings to determine sentence.—

1196 (7) AGGRAVATING FACTORS.—Aggravating factors shall be
 1197 limited to the following:

1198 (i) The capital felony was committed by a person subject to
 1199 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
 1200 foreign protection order accorded full faith and credit pursuant
 1201 to s. 741.315, and was committed against the petitioner who
 1202 obtained the injunction or protection order or any spouse,
 1203 child, sibling, or parent of the petitioner.

1204 Section 23. For the purpose of incorporating the amendment
 1205 made by this act to section 784.046, Florida Statutes, in a
 1206 reference thereto, subsection (3) of section 934.425, Florida
 1207 Statutes, is reenacted to read:

1208 934.425 Installation or use of tracking devices or tracking
 1209 applications; exceptions; penalties.—

1210 (3) For purposes of this section, a person's consent is
 1211 presumed to be revoked if:

1212 (a) The consenting person and the person to whom consent
 1213 was given are lawfully married and one person files a petition
 1214 for dissolution of marriage from the other; or

1215 (b) The consenting person or the person to whom consent was
 1216 given files an injunction for protection against the other
 1217 person pursuant to s. 741.30, s. 741.315, s. 784.046, or s.
 1218 784.0485.

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1219

Section 24. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 68

INTRODUCER: Appropriations Committee on Health and Human Services and Senator Harrell

SUBJECT: Health Care Patient Protection

DATE: February 11, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Looke	Brown	HP	Favorable
2. Barr	McKnight	AHS	Fav/CS
3. Looke	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 68 requires each hospital with an emergency department (ED) to develop and implement policies and procedures specific to the care of pediatric patients in its ED. The bill provides specific items that must be included in such policies and procedures as well as requiring training on the policies and procedures at least annually. Additionally, the bill requires each hospital's ED to designate a pediatric care coordinator and to conduct the National Pediatric Readiness Assessment (NPRA) on a timeframe established by the National Pediatric Readiness Project (NPRP).

The bill also requires the Agency for Health Care Administration (AHCA) to adopt rules to establish minimum standards for pediatric care in hospital EDs and to collect and publish each overall assessment score from the NPRA conducted by each hospital's ED.

This bill has no fiscal impact on state expenditures or revenues. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Hospital Licensure

In Florida, emergency departments (ED) are either located in a hospital or on separate premises of a licensed hospital. Any licensed hospital that has a dedicated ED may provide emergency services in a location separate from the hospital's main premises, known as a hospital-based off-campus emergency department.¹

Current law requires each hospital with an ED to screen, examine, and evaluate a patient who presents to the ED to determine if an emergency medical condition exists and, if it does, provide care, treatment, or surgery to relieve or eliminate the emergency medical condition.² Each hospital with an ED must provide emergency services and care³ 24 hours a day and must have at least one physician on-call and available within 30 minutes.⁴

Inventory of Hospital Emergency Services

Each hospital offering emergency services and care must report to the Agency for Health Care Administration (AHCA) the services which are within the service capability of the hospital.⁵ The AHCA is required to maintain an inventory of hospitals with emergency services, including a list of the services within the service capability of the hospital, to assist emergency medical services providers and the general public in locating appropriate emergency medical care.⁶ If a hospital determines it is unable to provide a service on a 24-hour per day, 7-day per week, basis, either directly or indirectly through an arrangement with another hospital, the hospital must request a service exemption from the AHCA.⁷

Policies and Procedures

Each hospital offering emergency services and care is required to maintain written policies and procedures specifying the scope and conduct of their emergency services. The policies and procedures must be approved by the organized medical staff, reviewed at least annually, and must include:

- A process to designate a physician to serve as the director of the ED;
- A written description of the duties and responsibilities of all other health care personnel providing care within the ED;
- A planned formal training program on emergency access laws for all health care personnel working in the ED; and
- A control register to identify all persons seeking emergency care.⁸

¹ Section 395.002(13), F.S.

² Section 395.1041, F.S.

³ Section 395.002(9), F.S., "emergency services and care" means medical screening, examination, and evaluation by a physician, or, to the extent permitted by applicable law, by other appropriate personnel under the supervision of a physician, to determine if an emergency medical condition exists and, if it does, the care, treatment, or surgery by a physician necessary to relieve or eliminate the emergency medical condition, within the service capability of the facility.

⁴ Fla. Admin. Code R. 59A-3.255(6)(e)(2014).

⁵ Section 395.1041(2), F.S.

⁶ Medical services listed in the inventory include: anesthesia; burn; cardiology; cardiovascular surgery; colon & rectal surgery; emergency medicine; endocrinology; gastroenterology; general surgery; gynecology; hematology; hyperbaric medicine; internal medicine; nephrology; neurology; neurosurgery; obstetrics; ophthalmology; oral/maxilla-facial surgery; orthopedics; otolaryngology; plastic surgery; podiatry; psychiatry; pulmonary medicine; radiology; thoracic surgery; urology; and vascular surgery.

⁷ Fla. Admin. Code R. 59A-3.255(4)(2014).

⁸ Fla. Admin. Code R. 59A-3.255(6)(e)(2014).

Current law does not require EDs to have pediatric-specific policies and procedures.

Equipment and Supplies

Each hospital ED is required to provide diagnostic radiology services and clinical laboratory services and must ensure that an adequate supply of blood is available at all times. Hospital EDs are also required to have certain equipment available for immediate use at all times, including:

- Oxygen and means of administration;
- Mechanical ventilatory assistance equipment, including airways, manual breathing bags, and ventilators;
- Cardiac defibrillators with synchronization capability;
- Respiratory and cardiac monitoring equipment;
- Thoracenteses and closed thoracotomy sets;
- Tracheostomy or cricothyrotomy sets;
- Tourniquets;
- Vascular cutdown sets;
- Laryngoscopes and endotracheal tubes;
- Urinary catheters with closed volume urinary systems;
- Pleural and pericardial drainage sets;
- Minor surgical instruments;
- Splinting devices;
- Emergency obstetrical packs;
- Standard drugs as determined by the facility;
- Common poison antidotes;
- Syringes, needles, and surgical supplies;
- Parenteral fluids and infusion sets;
- Refrigerated storage for biologicals and other supplies; and
- Stable examination tables.⁹

Currently, there are no pediatric-specific equipment or supply standards for EDs.

Comprehensive Emergency Management Plans

All hospitals are required to develop and adopt a comprehensive emergency management plan for emergency care during an internal or external disaster or an emergency.¹⁰ Each hospital must review, update, and submit its plans annually to the respective county office of emergency management. A hospital's comprehensive emergency management plan must include the following:

- Provisions for the management of staff, including the distribution and assignment of responsibilities and functions;
- Education and training of personnel in carrying out their responsibilities in accordance with the adopted plan;

⁹ Fla. Admin. Code R. 59A-3.255(6)(g)(2014).

¹⁰ Section 395.1055(1)(c), F.S.

- Information about how the hospital plans to implement specific procedures outlined in the plan;
- Precautionary measures, including voluntary cessation of hospital admissions, to be taken in preparation and response to warnings of inclement weather, or other potential emergency conditions;
- Provisions for the management of patients, including the discharge of patients in the event of an evacuation order;
- Provisions for coordinating with other hospitals;
- Provisions for the individual identification of patients, including the transfer of patient records;
- Provisions to ensure that relocated patients arrive at designated hospitals;
- Provisions to ensure that medication needs will be reviewed and advance medication for relocated patients will be forwarded to the appropriate hospitals;
- Provisions for essential care and services for patients who may be relocated to the facility during a disaster or an emergency, including staffing, supplies, and identification of patients;
- Provisions for the management of supplies, communications, power, emergency equipment, and security;
- Provisions for coordination with designated agencies including the Red Cross and the county emergency management office; and
- Plans for the recovery phase of the operation.¹¹

Current law does not require hospitals to include any pediatric-specific provisions in their comprehensive emergency management plans.

Pediatric Care in Hospital Emergency Departments

Children represent approximately 25 percent of all ED visits in the U.S. each year.¹² According to a recent study conducted to evaluate the association between ED pediatric readiness and in-hospital mortality,¹³ pediatric patient deaths are 60 percent to 76 percent less likely to occur in an ED with high pediatric readiness. The study included 796,937 pediatric patient visits in 983 EDs over a six-year period (January 1, 2012, through December 31, 2017).

The study used the results of the 2013 National Pediatric Readiness Project Assessment to categorize each hospital ED in one of four levels of pediatric readiness (first quartile 0-58, second quartile 59-72, third quartile 73-87, and fourth quartile 88-100). Hospital EDs with an assessment score of 88-100 were categorized as having high pediatric readiness. The study also concluded that if all 983 EDs had high pediatric readiness, an estimated 1,442 pediatric deaths may have been prevented.¹⁴

¹¹ Fla. Admin. Code R. 59A-3.078(2014).

¹² Remick KE, Hewes HA, Ely M, et al. National Assessment of Pediatric Readiness of US Emergency Departments During the COVID-19 Pandemic. *JAMA Netw Open*. 2023. available at [National Assessment of Pediatric Readiness of US Emergency Departments During the COVID-19 Pandemic | Pediatrics | JAMA Network Open | JAMA Network](#), (last visited Nov. 12, 2025).

¹³ Newgard CD, Lin A, Malveau S, et al. *Emergency Department Pediatric Readiness and Short-term and Long-term Mortality Among Children Receiving Emergency Care*. JAMA Network (January, 2023) available at <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2800400> (last visited Nov. 12, 2025).

¹⁴ *Id.*

General hospital EDs (nonchildren's hospitals) primarily treat adults and may not be prepared to treat children because of low pediatric patient volume.¹⁵ More than 97 percent of EDs caring for children are general hospital EDs, accounting for 82 percent of pediatric ED visits. Most of these hospitals see less than 15 pediatric patients per day.¹⁶ Therefore, according to a joint policy statement issued by the American Academy of Pediatrics (AAP), the American College of Emergency Physicians (ACEP), and the Emergency Nurses Association (ENA), "it is imperative that all hospital EDs have the appropriate resources (medications, equipment, policies, and education) and staff to provide effective emergency care for children."¹⁷

The 2009 joint policy statement also included guidelines for care of children in the emergency department. In 2012, the Emergency Medical Services for Children (EMSC) Program, under the U.S. Department of Health and Human Services, used the guidelines to launch the National Pediatric Readiness Project, in partnership with the AAP, ACEP, and ENA.¹⁸

The National Pediatric Readiness Project

The National Pediatric Readiness Project (NPRP) is a quality improvement initiative offering state partnership grants to state governments and accredited schools of medicine to expand and improve emergency medical services for children in hospital EDs.¹⁹ The NPRP measures the performance of hospital EDs based on the following four metrics and includes program goals for each.²⁰

- Pediatric Readiness Recognition Programs – Program Goal: To increase the percent of hospitals with an ED recognized through a statewide, territorial, or regional standardized program that are able to stabilize and manage pediatric emergencies.
- Pediatric Emergency Care Coordinators – Program Goal: To increase the percent of hospitals with an ED that have a designated nurse, physician, or both who coordinates pediatric emergency care.
- Disaster Plan Resources – Program Goal: To increase the percent of hospitals with an ED that have a disaster plan that addresses the needs of children.
- Weigh and Record Children's Weight in Kilograms – Program Goal: To increase the percent of hospitals with an ED that weigh and record children in kilograms.

¹⁵ *Id.*

¹⁶ The National Pediatric Readiness Project, *Pediatric Readiness Saves Lives*, available at https://media.emscimprovement.center/documents/EMS220628_ReadinessByTheNumbers_220830_ZekNYVF.pdf (last visited Nov. 12, 2025).

¹⁷ American Academy of Pediatrics, Committee on Pediatric Emergency Medicine; American College of Emergency Physicians, Pediatric Committee; Emergency Nurses Association, Pediatric Committee. Joint policy statement--guidelines for care of children in the emergency department (Oct. 2009), available at <https://doi.org/10.1542/peds.2009-1807> (last visited Nov. 12, 2025).

¹⁸ *Id.*

¹⁹ The program is also used to improve emergency medical care for children in prehospital settings and to advance family partnerships and leadership in efforts to improve EMSC systems of care, see <https://www.grants.gov/search-results-detail/340371> (last visited Nov. 12, 2025).

²⁰ EMSC Innovation and Improvement Center, *Performance Measures*, available at <https://emscimprovement.center/programs/partnerships/performance-measures/> (last visited Nov. 12, 2025).

The NPRP particularly focuses on weighing and recording children's weight in kilograms to avoid medication errors. Product labeling for medications with weight-based dosing utilize the metric system. Converting from pounds to kilograms is an error-prone process and can double the number of dosing errors made. Pediatric and neonatal patients are at greater risk for adverse drug events because they are more vulnerable to the effects of an error.²¹

The National Pediatric Readiness Assessment

Emergency department performance is measured based on the National Pediatric Readiness Assessment (NPRA),²² a voluntary survey accessed via invitation from the NPRP. The NPRP has conducted two nationwide assessments. The first NPRA occurred in 2013 and the second was in 2021. According to current Program plans, the expectation is that the NPRA will occur every five years, so the next assessment will be in 2026.²³

Not all hospitals choose to participate in the NPRA. Florida participation rates (58 percent) are below the national average (71 percent), and dropped from 2013 to 2021 (from 61 to 58 percent). Additionally, while over the national average, Florida hospital readiness scores dropped on average between 2013 (78) and 2021 (75).^{24, 25}

Florida Emergency Medical Services for Children State Partnership Program

The Florida Emergency Medical Services for Children (EMSC) State Partnership Program²⁶ (program) is a quality improvement initiative administered by the University of Florida College of Medicine — Jacksonville, and is funded by a state partnership grant from the national EMSC Program.²⁷ The purpose of the program is to expand and improve emergency medical services for children who need treatment for trauma or critical care by partnering with EDs, emergency medical service agencies, and disaster preparedness organizations to enhance pediatric readiness. The program provides outreach and information to hospital EDs to help improve their pediatric

²¹ Emergency Nurses Association, *Weighing all Patients in Kilograms* (2020), available at <https://www.pedsnurses.org/assets/docs/Engage/Position-Statements/Weighing%20All%20Patients%20in%20Kilograms%20Final%20Web.pdf> see also National Coordinating Council for Medication Error Reporting and Prevention, *Recommendations to Weigh Patients and Document Metric Weights to Ensure Accurate Medication Dosing* (Oct. 2018), available at <https://www.nccmerp.org/recommendations-weigh-patients-and-document-metric-weights-ensure-accurate-medication-dosing-adopted> (both last visited Nov. 12, 2025).

²² National Pediatric Readiness Project, Pediatric Readiness Assessment, available at https://www.pedsready.org/home_docs/PedsReady%20Survey-OA%20Assessment.pdf (last visited Nov. 12, 2025).

²³ Emergency Medical Services for Children, National Pediatric Readiness Project Assessment, available at <https://emscdatacenter.org/sp/pediatric-readiness/national-pediatric-readiness-project-nprp-assessment/> (last visited Nov. 12, 2025).

²⁴ Florida versus National Pediatric Readiness Project Results from 2013 Survey, available at <https://www.floridahealth.gov/provider-and-partner-resources/emsc-program/documents/fl-pediatricreadiness-summary091013.pdf> (last visited Nov. 12, 2025).

²⁵ Florida Versus National Pediatric Readiness Project Results from 2021 Survey, available at https://emlrc.org/wp-content/uploads/National-Pediatric-Readiness-Assessment-2021-Results_07.19.2023_Final.pdf (last visited Nov. 12, 2025).

²⁶ Florida Emergency Medical Services for Children State Partnership Program (Florida PEDREADY), available at <https://flemsc.emergency.med.jax.ufl.edu/> (last visited Nov. 12, 2025).

²⁷ EMSC Innovation and Improvement Center, EMSC State Partnership Grants Database, Florida – State Partnership, April 1, 2023 – March 31, 2027, available at <https://emscimprovement.center/programs/grants/236/florida-state-partnership-20230401-20270331-emsc-state-partnership/> (last visited Nov. 12, 2025).

readiness by, among other things, increasing awareness of, and participation in, the NPRP Assessment.

III. Effect of Proposed Changes:

Section 1 amends s. 395.1012, F.S., to require each hospital with an emergency department (ED) to:

- Develop and implement policies and procedures for pediatric patient care in the ED which reflect evidence-based best practices relating to, at a minimum:
 - Triage.
 - Measuring and recording vital signs.
 - Weighing and recording weights in kilograms.
 - Calculating medication dosages.
 - Use of pediatric instruments.
- Conduct training at least annually on the policies and procedures developed for pediatric patient care in the ED. The training must include, at a minimum:
 - The use of pediatric instruments, as applicable to each licensure type, using clinical simulation as defined in s. 464.003, F.S.²⁸
 - Drills that simulate emergency situations. Each ED must conduct drills at least annually.
- Designate a pediatric emergency care coordinator. The pediatric emergency care coordinator must be a physician or a physician assistant licensed under ch. 458 or ch. 459, F.S., a nurse licensed under ch. 464, F.S., or a paramedic licensed under ch. 401, F.S. The pediatric emergency care coordinator is responsible for implementation of and ensuring fidelity to the policies and procedures adopted as required above.
- Conduct the National Pediatric Readiness Assessment (NPRA) developed by the National Pediatric Readiness Program (NPRP), in accordance with timelines established by the NPRP. The bill also authorizes each hospital with an ED to conduct the NPRP's Open Assessment during a year in which the NPRA is not conducted.

Section 2 amends s. 395.1055, F.S., to require the Agency for Health Care Administration (AHCA) to:

- Incorporate the needs of pediatric and neonatal patients in rules requiring an emergency management plan for hospitals and ambulatory surgical centers; and
- Adopt rules, in consultation with the Florida Emergency Medical Services for Children State Partnership Program, that establish minimum standards for pediatric patient care in hospital EDs, including, but not limited to, availability and immediate access to pediatric specific equipment and supplies.

Section 3 amends s. 408.05, F.S., to require the AHCA to:

- Collect the results of the NPRA from the Florida Emergency Medical Services for Children State Partnership Program by December 31, 2026, and each December 31 during a year in which the NPRA is conducted; and
- By April 1, 2027, and each April 1 following a year in which the NPRA is conducted, publish the overall assessment score for each hospital ED and provide a comparison to the

²⁸ Section 464.003(8), F.S., defines "clinical simulation" to mean a strategy used to replicate clinical practice as closely as possible to teach theory, assessment, technology, pharmacology, and skills.

national average score when it becomes available. The bill specifies that only one overall assessment score per hospital, per year, may be collected and published and the comparison must be to the most recently published score.

Section 4 provides the bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will have an indeterminate, negative fiscal impact on hospitals related to incorporating additional requirements specific to pediatric readiness in the hospitals' emergency departments.

C. Government Sector Impact:

The bill has no fiscal impact on state expenditures or revenues.²⁹

VI. Technical Deficiencies:

None.

²⁹ Agency for Health Care Administration, *Senate Bill 68* (Sept. 25, 2025) (on file with Senate Appropriations Committee on Health and Human Services).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 395.1012, 395.1055, and 408.05.

Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Health and Human Services on February 4, 2026:

The committee substitute revises the dates the Agency for Health Care Administration (AHCA) must collect results of the National Pediatric Readiness Assessment (NPRA) from December 31, 2027, to December 31, 2026, and revises the date the AHCA must publish the NPRA assessment scores from April 1, 2028, to April 1, 2027. This aligns the requirements with the biennial administration cycle of the NPRA.

B. Amendments:

None.

By the Appropriations Committee on Health and Human Services;
and Senator Harrell

603-02506-26

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A bill to be entitled

An act relating to health care patient protection;
amending s. 395.1012, F.S.; requiring hospitals with
emergency departments to develop and implement
policies and procedures and conduct training;
requiring hospital emergency departments to designate
a pediatric emergency care coordinator and conduct
specified assessments; authorizing a hospital with an
emergency department to conduct the National Pediatric
Readiness Project's Open Assessment under certain
circumstances; amending s. 395.1055, F.S.; requiring
the Agency for Health Care Administration to adopt
certain rules for comprehensive emergency management
plans; requiring the agency, in consultation with the
Florida Emergency Medical Services for Children State
Partnership Program, to adopt rules that establish
minimum standards for pediatric patient care in
hospital emergency departments; amending s. 408.05,
F.S.; requiring the agency to collect and publish the
results of specified assessments submitted by
hospitals by specified dates; providing requirements
for the collection and publication of the hospitals'
assessment scores; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (6) and (7) are added to section
395.1012, Florida Statutes, to read:
395.1012 Patient safety.—

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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(6) (a) Each hospital with an emergency department shall:

1. Develop and implement policies and procedures for
pediatric patient care in the emergency department which reflect
evidence-based best practices relating to, at a minimum, all of
the following:

a. Triage.

b. Measuring and recording vital signs.

c. Weighing and recording weights in kilograms.

d. Calculating medication dosages.

e. Use of pediatric instruments.

2. Conduct training at least annually on the policies and
procedures developed under this subsection. The training must
include, at a minimum:

a. The use of pediatric instruments, as applicable to each
licensure type, using clinical simulation as defined in s.
464.003.

b. Drills that simulate emergency situations. Each
emergency department must conduct drills at least annually.

(b) Each hospital emergency department shall:

1. Designate a pediatric emergency care coordinator. The
pediatric emergency care coordinator must be a physician or a
physician assistant licensed under chapter 458 or chapter 459, a
nurse licensed under chapter 464, or a paramedic licensed under
chapter 401. The pediatric emergency care coordinator is
responsible for implementation of and ensuring adherence to the
policies and procedures adopted under this subsection.

2. Conduct the National Pediatric Readiness Assessment
developed by the National Pediatric Readiness Project, in
accordance with timelines established by the National Pediatric

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59 Readiness Project.

60 (7) Each hospital with an emergency department may conduct
 61 the National Pediatric Readiness Project's Open Assessment
 62 during a year in which the National Pediatric Readiness
 63 Assessment is not conducted.

64 Section 2. Present subsections (4) through (19) of section
 65 395.1055, Florida Statutes, are redesignated as subsections (5)
 66 through (20), respectively, a new subsection (4) is added to
 67 that section, and paragraph (c) of subsection (1) of that
 68 section is amended, to read:

69 395.1055 Rules and enforcement.—

70 (1) The agency shall adopt rules pursuant to ss. 120.536(1)
 71 and 120.54 to implement the provisions of this part, which shall
 72 include reasonable and fair minimum standards for ensuring that:

73 (c) A comprehensive emergency management plan is prepared
 74 and updated annually. Such standards must be included in the
 75 rules adopted by the agency after consulting with the Division
 76 of Emergency Management. At a minimum, the rules must provide
 77 for plan components that address emergency evacuation
 78 transportation; adequate sheltering arrangements; postdisaster
 79 activities, including emergency power, food, and water;
 80 postdisaster transportation; supplies; staffing; emergency
 81 equipment; individual identification of residents and transfer
 82 of records; ~~and responding to family inquiries~~ and the needs of
 83 pediatric and neonatal patients. The comprehensive emergency
 84 management plan is subject to review and approval by the local
 85 emergency management agency. During its review, the local
 86 emergency management agency shall ensure that the following
 87 agencies, at a minimum, are given the opportunity to review the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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88 plan: the Department of Elderly Affairs, the Department of
 89 Health, the Agency for Health Care Administration, and the
 90 Division of Emergency Management. Also, appropriate volunteer
 91 organizations must be given the opportunity to review the plan.
 92 The local emergency management agency shall complete its review
 93 within 60 days and either approve the plan or advise the
 94 facility of necessary revisions.

95 (4) The agency, in consultation with the Florida Emergency
 96 Medical Services for Children State Partnership Program, shall
 97 adopt rules that establish minimum standards for pediatric
 98 patient care in hospital emergency departments, including, but
 99 not limited to, availability of and immediate access to
 100 pediatric-specific equipment and supplies.

101 Section 3. Paragraph (n) is added to subsection (3) of
 102 section 408.05, Florida Statutes, to read:

103 408.05 Florida Center for Health Information and
 104 Transparency.—

105 (3) HEALTH INFORMATION TRANSPARENCY.—In order to
 106 disseminate and facilitate the availability of comparable and
 107 uniform health information, the agency shall perform the
 108 following functions:

109 (n)1. Collect the overall assessment score of National
 110 Pediatric Readiness Assessments conducted by hospital emergency
 111 departments pursuant to s. 395.1012(6) from the Florida
 112 Emergency Medical Services for Children State Partnership
 113 Program by December 31, 2026, and by December 31 of each year in
 114 in which the National Pediatric Readiness Assessment is
 115 conducted thereafter.

116 2. By April 1, 2027, and by April 1 following each year in

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117 which the National Pediatric Readiness Assessment is conducted
118 thereafter, publish the overall assessment score for each
119 hospital emergency department and provide a comparison to the
120 national average score when it becomes available.

121 3. Collect and publish no more than one overall assessment
122 score per hospital, per year, of assessments conducted pursuant
123 to s. 395.1012(6) and provide a comparison to the hospital
124 emergency department's most recently published score pursuant to
125 subparagraph 2.

126 Section 4. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 210

INTRODUCER: Senator Sharief and others

SUBJECT: Public Records/Petitions for Injunctions for Protection Against Serious Violence by a Known Person

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Favorable
2.	Kolich	Harkness	ACJ	Favorable
3.	Wyant	Siples	FP	Favorable

I. Summary:

SB 210 amends s. 119.0714, F.S., to create a public records exemption for petitions, and the contents thereof, for injunctions for protection against serious violence by a known person if the petition is dismissed without a hearing, dismissed at an ex parte hearing due to failure to state a claim or lack of jurisdiction, or dismissed for any reason having to do with the sufficiency of the petition itself without an injunction being issued.

Additionally, the exemption applies to any information that can be used to identify a petitioner or respondent in a petition for an injunction against serious violence by a known person until the respondent has been personally served with a copy of the petition for injunction, affidavits, notice of hearing, and temporary injunction.

The bill provides a statement of public necessity as required by the State Constitution, and because it creates a new public records exemption it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill takes effect on the same day as SB 32 or any similar legislation. As filed, SB 32 takes effect on July 1, 2026.

II. Present Situation:

Access to Public Records - Generally

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ The right to inspect or copy applies

¹ FLA. CONST. art. I, s. 24(a).

to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the Legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive branch and local government agencies.

Open Government Sunset Review Act – Exceptions for the Judicial Branch

The “Open Government Sunset Review Act” contained in s. 119.15, F.S., provides for the review and repeal or reenactment of an exemption in the 5th year after the enactment of a new exemption or substantial amendment of an existing exemption. However, these requirements do not apply to an exemption that is required by federal law or that applies solely to the Legislature *or the State Court System*.⁵ As such, public records exemptions enacted by the Legislature which apply solely to the State Court System are not subject to the 5 year review.

Injunctions for Protection

Though there are several causes of action for injunctions under Florida law, for example, an injunction for protection against stalking⁶ and an injunction for protection against exploitation of a vulnerable adult,⁷ there does not appear to be a protective injunction for all acts of violence.

Under s. 784.046, F.S., there are three protective injunctions a person may petition for certain types of violence:⁸ an injunction for protection in cases of repeat violence,⁹ an injunction for protection in cases of dating violence,¹⁰ and an injunction for protection in cases of sexual

² *Id.*

³ See Rule 1.48, *Rules and Manual of the Florida Senate*, (2024-2026) and Rules 14.1 and 14.2, *The Rules of the Florida House of Representatives*, Edition 1 (2024-2026).

⁴ Florida Bar, *Florida Rules of Court Procedure*, Rule 2.420, Public Access to and Protection of Judicial Branch Records, pg. 102 available at https://www-media.floridabar.org/uploads/2026/01/2026_07-JAN-Florida-Rules-of-General-Practice-and-Judicial-Administration-1-1-2026-2.pdf (last visited Jan. 19, 2026).

⁵ Section 119.15(2)(b), F.S.

⁶ Section 784.0485, F.S.

⁷ Section 825.1035, F.S.

⁸ “Violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, by a person against any other person. Section 784.046(1)(a), F.S.

⁹ “Repeat violence” means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner’s immediate family member. Section 784.046(1)(b), F.S.

¹⁰ “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of certain factors. Section 784.046(1)(d), F.S.

violence.^{11,12} However, this section is limited dependent on the nature of the relationship or the act of repeated or sexual violence.

III. Effect of Proposed Changes:

The bill amends s. 119.0714, F.S., to create a public records exemption for petitions, and the contents thereof, for the cause of action for a protective injunction for serious violence by a known person (created in SB 32), if the petition is dismissed without a hearing, dismissed at an ex parte hearing due to failure to state a claim or lack of jurisdiction, or dismissed for any reason having to do with the sufficiency of the petition itself without an injunction being issued.

Additionally, the exemption applies to any information that can be used to identify a petitioner or respondent in a petition for an injunction against serious violence by a known person, is confidential and exempt until the respondent has been personally served with a copy of the petition for injunction, affidavits, notice of hearing, and temporary injunction.

The bill provides a statement of public necessity as required by the State Constitution, and because it creates a new public records exemption it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill takes effect the same day SB 32 or any similar legislation does, if it is adopted in the same legislative session or an extension thereof. As filed, SB 32 takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for records pertaining to an injunction for protection against serious violence by a known person; therefore, the bill requires a two-thirds vote of each chamber for enactment.

Public Necessity Statement

¹¹ “Sexual violence” means any one incident of: sexual battery, lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age, luring or enticing a child, sexual performance by a child, or any other forcible felony wherein a sexual act is committed or attempted. Section 784.046(1)(c), F.S.

¹² Section 784.046(2), F.S.

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect victims of serious violence by a known person, and the bill exempts only records pertaining to a petition, and the contents thereof, from the public records requirements. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 119.0714 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Sharief

35-00469-26

2026210__

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0714, F.S.; providing an exemption from public
 4 records requirements for petitions, and the contents
 5 thereof, for injunctions for protection against
 6 serious violence by a known person; providing an
 7 exemption from public records requirements for
 8 information that can be used to identify a petitioner
 9 or respondent in such a petition for an injunction;
 10 providing a statement of public necessity; providing a
 11 contingent effective date.
 12
 13 Be It Enacted by the Legislature of the State of Florida:
 14
 15 Section 1. Paragraph (k) of subsection (1) of section
 16 119.0714, Florida Statutes, is amended to read:
 17 119.0714 Court files; court records; official records.—
 18 (1) COURT FILES.—Nothing in this chapter shall be construed
 19 to exempt from s. 119.07(1) a public record that was made a part
 20 of a court file and that is not specifically closed by order of
 21 court, except:
 22 (k)1. A petition, and the contents thereof, for an
 23 injunction for protection against domestic violence, repeat
 24 violence, dating violence, sexual violence, serious violence by
 25 a known person, stalking, or cyberstalking ~~which that~~ is
 26 dismissed without a hearing, dismissed at an ex parte hearing
 27 due to failure to state a claim or lack of jurisdiction, or
 28 dismissed for any reason having to do with the sufficiency of
 29 the petition itself without an injunction being issued on or

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 after July 1, 2017, is exempt from s. 119.07(1) and s. 24(a),
 31 Art. I of the State Constitution.
 32 2. A petition, and the contents thereof, for an injunction
 33 for protection against domestic violence, repeat violence,
 34 dating violence, sexual violence, stalking, or cyberstalking
 35 ~~which that~~ is dismissed without a hearing, dismissed at an ex
 36 parte hearing due to failure to state a claim or lack of
 37 jurisdiction, or dismissed for any reason having to do with the
 38 sufficiency of the petition itself without an injunction being
 39 issued before July 1, 2017, is exempt from s. 119.07(1) and s.
 40 24(a), Art. I of the State Constitution only upon request by an
 41 individual named in the petition as a respondent. The request
 42 must be in the form of a signed, legibly written request
 43 specifying the case name, case number, document heading, and
 44 page number. The request must be delivered by mail, facsimile,
 45 or electronic transmission or in person to the clerk of the
 46 court. A fee may not be charged for such request.
 47 3. Any information that can be used to identify a
 48 petitioner or respondent in a petition for an injunction against
 49 domestic violence, repeat violence, dating violence, sexual
 50 violence, serious violence by a known person, stalking, or
 51 cyberstalking, and any affidavits, notice of hearing, and
 52 temporary injunction, is confidential and exempt from s.
 53 119.07(1) and s. 24(a), Art. I of the State Constitution until
 54 the respondent has been personally served with a copy of the
 55 petition for injunction, affidavits, notice of hearing, and
 56 temporary injunction.
 57 Section 2. (1) The Legislature finds that it is a public
 58 necessity that a petition, and the contents thereof, for an

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 injunction for protection against serious violence by a known
 60 person which is dismissed without a hearing, dismissed at an ex
 61 parte hearing due to failure to state a claim or lack of
 62 jurisdiction, or dismissed for any reason having to do with the
 63 sufficiency of the petition itself without an injunction being
 64 issued be made exempt from s. 119.07(1), Florida Statutes, and
 65 s. 24(a), Article I of the State Constitution. The Legislature
 66 finds that the existence of, and the unverified allegations
 67 contained in, such a petition may be defamatory to an individual
 68 named in it and cause unwarranted damage to the reputation of
 69 such individual. The Legislature further finds that removing
 70 such a record from public disclosure is the sole means of
 71 protecting the reputation of such an individual.

72 (2) Additionally, the Legislature finds that it is a public
 73 necessity that any information that can be used to identify a
 74 petitioner or respondent in a petition for an injunction against
 75 serious violence by a known person, and any affidavits, notice
 76 of hearing, and temporary injunction, be made confidential and
 77 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
 78 Article I of the State Constitution. The release of such
 79 information before the respondent has been personally served
 80 with a copy of the petition, affidavits, notice of hearing, or
 81 temporary injunction could significantly threaten the physical
 82 safety and security of persons seeking protection through
 83 injunctive proceedings and their families, and of law
 84 enforcement tasked with serving the petition for injunction,
 85 affidavits, notice of hearing, or temporary injunction on the
 86 respondent. The harm that may result from the release of the
 87 information outweighs any public benefit that might result from

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88 public disclosure of the information.

89 Section 3. This act shall take effect on the same date that
 90 SB 32 or similar legislation takes effect, if such legislation
 91 is adopted in the same legislative session or an extension
 92 thereof and becomes a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 246

INTRODUCER: Fiscal Policy Committee and Senators Gruters and Rodriguez

SUBJECT: Specialty License Plates/Ultimate Fighting Championship (UFC)

DATE: February 12, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Favorable
3. Shutes	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 246 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create the following new specialty license plates:

- Ultimate Fighting Championship (UFC);
- Miami Northwestern Alumni Association;
- Outsider;
- St. Petersburg College; and
- First Responders Resiliency.

The bill also revises certain requirements relating to two existing specialty license plates, the Florida Wildflower and Fraternal Order of Police plates.

The bill will have a negative, but insignificant fiscal impact to DHSMV associated with programming and implementation costs.

The bill takes effect October 1, 2026.

II. Present Situation:

Specialty License Plates

According to the DHSMV, as of October 2025, there were 132 specialty license plates authorized by the Legislature. Of these plates, 118 were available for immediate purchase and 14 were in the presale process.¹ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.² The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.³

Authorization of Specialty License Plates

In order to establish a specialty license plate (after the plate is approved by law) s. 320.08053, F.S., requires the following actions within the specified timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.⁴

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers.⁵ Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.⁶

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.⁷

The Department must discontinue the issuance of an approved specialty license plate if the number of valid specialty license plate registrations falls below 3,000 (4,000 for out-of-state college or university specialty license plates), for at least 12 consecutive months and must mail a

¹ DHSMV, *2026 Legislative Bill Analysis: SB 246* (October 21, 2025) at p. 2 (on file with the Senate Committee on Transportation)

² Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), F.S., the annual use fee for a specialty license plate is \$25.

³ Section 320.08058, F.S.

⁴ Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

⁵ Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

⁶ Section 320.08053(2)(b), F.S.

⁷ Section 320.08053(3)(a), F.S.

warning letter to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations is below the minimum number of plates.⁸

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.⁹

Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.¹⁰ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.¹¹

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.¹² Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.¹³

Florida Wildflower Specialty License Plate

Current law provides that the \$15 annual use fee from the sale of the Florida Wildflower specialty license plate shall be distributed to the Florida Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.¹⁴

According to DHSMV, as of December 2025, there were 37,885 total sales of the Florida Wildflower specialty license plate.¹⁵

⁸ Section 320.08056(8)(a), F.S. These requirements do not apply to certain categories of plates, including: a) in-state collegiate license plates established under s. 320.08058(3), F.S.; b) license plates of institutions in the State University System; c) specialty license plates that have statutory eligibility limitations for purchase; d) specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention; or e) Florida Professional Sports Team specialty license plates established under s. 320.08058(9), F.S.

⁹ Section 320.08053(3)(b), F.S.

¹⁰ Section 320.08056(10)(a), F.S.

¹¹ Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

¹² Section 320.08056(10)(a), F.S.

¹³ Section 320.08056(11), F.S.

¹⁴ Section 320.0858(27)(b), F.S.

¹⁵ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited February 12, 2026).

Fraternal Order of Police Specialty License Plate

The Fraternal Order of Police specialty license plate was established in 2009 and has a \$25 annual use fee. The DHSMV may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a lodge member's family, together with other fees and documents required for a specialty license plate.¹⁶

The annual use fees from the sale of the plate are distributed to the Florida State Lodge of the Fraternal Order of the Police. A maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the state Fraternal Order of Police Law Enforcement Memorial. The remaining funds are to be used by the foundation to fund projects, programs, events related to the memorial or to fund improvements, maintenance, or other support of the memorial.¹⁷

According to the DHSMV, as of December 2025, there were 4,756 total sales of the Fraternal Order of Police specialty license plate.¹⁸

Organizations Sponsoring Proposed New Specialty License Plates

UFC Foundation

The UFC Foundation is a Nevada not-for-profit corporation registered with the Nevada Department of State.¹⁹ According to the Foundation's website: "Established in 2021, the UFC Foundation is dedicated to making a positive impact on the community by advocating for youth, arts and education, public service, equality, sustainability, growing the sport of MMA, and those who fight to overcome critical and life-threatening illnesses".²⁰

In 2023-2024, UFC and the UFC Foundation partnered with 148 non-profit organizations in eight countries around the world (U.S., Australia, Brazil, Canada, France, Jamaica, Mexico, and the United Kingdom). By producing a series of fundraising campaigns throughout the year, UFC charitable partners received gifts and direct donations to help further their respective missions and goals.²¹

Miami Northwestern Alumni Association, Inc. and Miami Northwestern Senior High School

Miami Northwestern Senior High School is a four-year public high school with a student population of 1,425 students in grades 9–12 located in the Liberty City neighborhood of

¹⁶ Section 320.08058(67)(a), F.S.

¹⁷ Section 320.08058(67)(b), F.S.

¹⁸ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited February 12, 2026).

¹⁹ Nevada Department of State: Division of Corporations, *UFC Foundation, Inc.* [SilverFlume Nevada's Business Portal to start/manage your business](https://silverflume.com/nevada-business-portal-to-start/manage-your-business/), Entity Number E11683632021-4 (last visited February 12, 2026).

²⁰ UFC Foundation, [UFC Foundation | UFC](https://ufcfoundation.com/), (last visited February 12, 2026).

²¹ *Id.*

Miami.²² The school's website provides that "Miami Northwestern Senior High is dedicated to assisting every student with authoring their page in the Bulls' rich legacy of pride, tradition, and excellence since 1955".²³

The mission of the Performing and Visual Arts Program at Miami Northwestern Senior High School is to "assure that all students have the opportunity to develop their artistic, creative, and physical abilities research-based instructional strategies, technology-infused instruction, career path exploration, community service opportunities, real-world learning, enhanced parental involvement, and programs which include partnerships, talents, skill and abilities in a challenging, safe, and nurturing environment".²⁴

Miami Northwestern Alumni Association, Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.²⁵

Hooper Brothers Foundation, Inc.

The Hooper Brothers Foundation, Inc., is dedicated to enhancing public spaces throughout Florida and its initiatives focus on welcoming environments that foster community connections and showcase the natural beauty of the outdoors.²⁶ The foundations website provides that "By restoring and reimaging gathering areas, we aim to make Florida's outdoor spaces more accessible, vibrant, and interconnected. Through our efforts, we strengthen communities and encourage engagement with nature. Together we are making a lasting impact on our environment and the lives of all Floridians".²⁷

Hooper Brothers Foundation, Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.²⁸

St. Petersburg College

St. Petersburg College Foundation Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.²⁹ The organizations website includes the following statement "The St. Petersburg College (SPC) Foundation supports the vision and mission of SPC. The Foundation promotes the practice of philanthropy through partnerships with the community and

²² Miami Northwestern Senior High School., [Home - School Profile - Miami Northwestern Senior High School](#), (last visited February 12, 2026).

²³ *Id.*

²⁴ *Id.*

²⁵ Florida Department of State: Division of Corporations, *Miami Northwestern Alumni Association, Inc.* Sunbiz.org, Document number N17000004247 (February 12, 2026).

²⁶ Hooper Brothers Foundation, Inc., [About Us | Hooper Brothers Foundation](#), (last visited February 12, 2026).

²⁷ *Id.*

²⁸ Florida Department of State: Division of Corporations, *Hooper Brothers Foundation, Inc.* Sunbiz.org, Document number N25000007736 (February 12, 2026).

²⁹ Florida Department of State: Division of Corporations, *St. Petersburg College Foundation, Inc.* Sunbiz.org, Document number 749635 (February 12, 2026).

accepts and prudently manages all gifts including cash, securities, property, bequests and trusts.”³⁰

First Responders Resiliency

First Responders Resiliency Foundation is a Florida not-for-profit corporation registered with the Florida Department of State.³¹ The foundation’s website includes the following: “The First Responders Resiliency Foundation cares for those who voluntarily sacrifice their physical and mental well-being for others. The Foundation’s aim is to be proactive in providing resources and education to improve the mind and body. We exist to make sure your call for help never goes unanswered”.³² The foundation was created in the aftermath of the Champlain Towers collapse in Surfside on June 24, 2021, by Metro-Dade Firefighters Local 1403 to address the urgent mental health needs of first responders.³³

III. Effect of Proposed Changes:

The bill creates five new specialty license plates and revises certain requirements related to two existing specialty license plates.

Ultimate Fighting Championship (UFC)

The bill directs DHSMV to create a new specialty license plate for the UFC. Proceeds of the sale of the UFC specialty license plate will be distributed to the UFC Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. The remaining proceeds will support charities and nonprofits in the state of Florida that align with the foundation’s mission and goals, such as children’s hospitals, support for first responders and the military, and youth advocacy and mentorship, and to fund the development and operation of youth mentorship programs in partnership with local law enforcement agencies. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “UFC Lives Here” at the bottom of the plate.

Miami Northwestern Alumni Association, Inc.

The bill directs DHSMV to create a new specialty license plate for the Miami Northwestern Alumni Association. Proceeds of the sale of the Miami Northwestern Alumni Association specialty license plate will be distributed to the Miami Northwestern Alumni Association, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be used to fund need-based scholarships, academic programs, and athletic programs for the benefit of Miami Northwestern Senior High School students and the Miami Northwestern Senior High School Performing and Visual Arts Center. The plate must bear the colors and design approved by the DHSMV, with the

³⁰ St. Petersburg College Foundation, Inc., [About the Foundation || St. Petersburg College Foundation, Inc.](#), (last visited February 12, 2026).

³¹ Florida Department of State: Division of Corporations, *First Responders Resiliency Foundation Corp.* Sunbiz.org, Document number N21000012477 (February 12, 2026).

³² First Responders Resiliency Foundation Corp., [About us | FRFF](#), (last visited February 12, 2026).

³³ *Id.*

word “Florida” at the top of the plate and the words “Miami Northwestern Alumni Association” at the bottom of the plate.

Outsider Specialty License Plate

The bill directs DHSMV to create a new Outsider specialty license plate. Proceeds from the sale of the Outsider specialty license plate will be distributed to the Hooper Brothers Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be distributed to the Hooper Brothers Foundation, Inc., to create and restore iconic public destinations across this state. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “Outsider” at the bottom of the plate.

St. Petersburg College

The bill directs DHSMV to create a new specialty license plate for St. Petersburg College. Proceeds of the sale of the St. Petersburg College specialty license plate will be distributed to the St. Petersburg College Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate, 40 percent must be dedicated to funding student scholarships, and 50 percent must be used to fund initiatives that embolden student success. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “St. Petersburg College” at the bottom of the plate.

First Responders Resiliency Specialty License Plates

The bill directs DHSMV to create a new specialty license plate for First Responders Resiliency. Proceeds from the sale of the First Responders Resiliency specialty license plate will be distributed to the First Responders Resiliency Foundation Corp. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be distributed to the First Responders Resiliency Foundation Corp. to fund mental health services to first responders who do not qualify for certain benefits, and to ensure the such first responders have access to certified mental health counselors when in crisis. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “First Responders Resiliency” at the bottom of the plate.

Florida Wildflower Specialty License Plate

The bill amends s. 320.08056, F.S., to increase the annual use fee of the Florida Wildflower specialty license plate from \$15 to \$25, except for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains at \$15 per plate.

The \$25 annual use fee is consistent with the amount established in s. 320.08056(3)(d), F.S., which is applicable to all new specialty license plates.

Fraternal Order of Police Specialty License Plate

The bill amends s. 320.08058(67), F.S., to delete the requirement that applicants provide a notarized membership verification letter from the Fraternal Order of Police in order to purchase the Fraternal Order of Police specialty license plate. The elimination of the membership verification will significantly expand the eligibility for the purchase of the specialty plate.

The bill redistributes the funds from the sale of the specialty license plate to the Florida State Lodge Fraternal Order of Police Memorial Foundation, Inc., and specifies that those funds must be used in accordance with the foundation's articles of incorporation. The bill also eliminates the stipulation that a maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the Fraternal Order of Police Law Enforcement Memorial.

The bill takes effect October 1, 2026.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

If the specialty license plates are produced, the organizations authorized to receive the distributions will receive the annual use fees associated with sales of the plates.

C. Government Sector Impact:

If the annual use fee increases from \$15 to \$25, the Florida Wildflowers Foundation, Inc., will experience an indeterminate positive fiscal impact associated with increased revenues available to the foundation.

The bill will significantly expand the number of persons eligible to purchase the Fraternal Order of Police specialty license plate, which will have an indeterminate, positive fiscal impact on the recipient organization.

The estimated fiscal impact associated with creating each new specialty license plate is \$8,160.³⁴

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 320.08058 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Fiscal Policy on February 12, 2026:

The committee substitute creates the following new specialty license plates:

- Miami Northwestern Alumni Association;
- Outsider;
- St. Petersburg College; and
- First Responders Resiliency.

The committee substitute revises certain requirements related to the following existing specialty license plates:

- Florida Wildflower; and
- Fraternal Order of Police.

³⁴ DHSMV, *supra* note 1.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



322646

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (p) of subsection (4) of section
320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

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

(p) Florida Wildflower license plate, \$25, except that for



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an owner purchasing the specialty plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$15 per plate.

Section 2. Subsection (67) of section 320.08058, Florida Statutes, is amended, and subsections (136), (137), and (138) are added to that section, to read:

320.08058 Specialty license plates.—

(67) FRATERNAL ORDER OF POLICE LICENSE PLATES.—

(a)~~1.~~ The department shall develop a Fraternal Order of Police license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Fraternal Order of Police" must appear at the bottom of the plate.

~~2. The department may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a lodge member's family, together with other fees and documents required for a specialty plate.~~

(b) The annual use fees shall be distributed to the Florida State Lodge ~~of the~~ Fraternal Order of Police Memorial Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. The ~~which shall retain all proceeds until the startup costs to develop and establish the plate have been recovered. Thereafter, the proceeds shall be distributed to the Florida State Lodge Memorial foundation shall distribute the proceeds for use according to the foundation's articles of incorporation of the Fraternal Order of Police and used as~~



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follows:

~~1. A maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the state Fraternal Order of Police Law Enforcement Memorial.~~

~~2. The remaining proceeds shall be used by the foundation to fund projects, programs, or events related to the memorial or to fund improvements, maintenance, or other support for the memorial.~~

(136) ULTIMATE FIGHTING CHAMPIONSHIP (UFC) LICENSE PLATES.-

(a) The department shall develop an Ultimate Fighting Championship (UFC) license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "UFC Lives Here" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the UFC Foundation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds to promote and market the plate. The UFC Foundation shall use the remainder of the proceeds to support charities and nonprofits in this state that align with the foundation's mission and goals, such as children's hospitals, support for first responders and the military, and youth advocacy and mentorship, and to fund the development and operation of youth mentorship programs in partnership with local law enforcement agencies.

(137) MIAMI NORTHWESTERN ALUMNI ASSOCIATION LICENSE



322646

69 PLATES.—

70 (a) The department shall develop a Miami Northwestern
71 Alumni Association license plate as provided in this section and
72 s. 320.08053. The plate must bear the colors and design approved
73 by the department. The word "Florida" must appear at the top of
74 the plate, and the words "Miami Northwestern Alumni Association"
75 must appear at the bottom of the plate.

76 (b) The annual use fees from the sale of the plate must be
77 distributed to the Miami Northwestern Alumni Association, Inc.,
78 which may use up to 10 percent of the fees for administrative
79 costs and marketing of the plate. The balance of the fees must
80 be used by the Miami Northwestern Alumni Association, Inc., to
81 fund academic programs, athletic programs, and need-based
82 scholarships for the benefit of Miami Northwestern Senior High
83 School students and the Miami Northwestern Senior High School
84 Performing and Visual Arts Center.

85 (138) OUTSIDER LICENSE PLATES.—

86 (a) The department shall develop an Outsider license plate
87 as provided in this section and s. 320.08053. The plate must
88 bear the colors and design approved by the department. The word
89 "Florida" must appear at the top of the plate, and the word
90 "OUTSIDER" must appear at the bottom of the plate.

91 (b) The annual use fees from the sale of the plate must be
92 distributed to the Hooper Brothers Foundation, Inc., a nonprofit
93 corporation under s. 501(c)(3) of the Internal Revenue Code,
94 which may use up to 10 percent of the proceeds for
95 administrative costs and marketing of the plate. The Hooper
96 Brothers Foundation, Inc., shall use the remainder of the
97 proceeds to create and restore iconic public destinations across



322646

this state.

Section 3. This act shall take effect October 1, 2026.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to specialty license plates; amending
s. 320.08056, F.S.; increasing the annual use fee for
the Florida Wildflower license plate and providing a
discount for owners purchasing the plate for more than
a specified number of vehicles; amending s. 320.08058,
F.S.; deleting a restriction on who may be issued the
Fraternal Order of Police license plate; revising the
distribution and use of annual use fees collected from
sales of the Fraternal Order of Police license plate;
directing the Department of Highway Safety and Motor
Vehicles to develop specified specialty license
plates; providing for distribution and use of fees
collected from the sale of the plates; providing an
effective date.



268954

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Rodriguez) recommended the following:

Senate Amendment to Amendment (322646) (with directory amendment)

Between lines 98 and 99
insert:

(139) ST. PETERSBURG COLLEGE LICENSE PLATES.—

(a) The department shall develop a St. Petersburg College license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the



268954

11 plate, and the words "St. Petersburg College" must appear at the
12 bottom of the plate.

13 (b) The annual use fees from the sale of the plate must be
14 distributed to the St. Petersburg College Foundation, Inc., and
15 allocated as follows:

16 1. Ten percent may be used for administrative costs related
17 to the promotion and marketing of the plate.

18 2. Forty percent must be dedicated to funding student
19 scholarships to ensure access to quality education for students
20 in need.

21 3. Fifty percent must be used to fund initiatives that
22 embolden student success, particularly in emerging technologies
23 and workforce development programs, to prepare students for
24 high-demand careers and the future economy.

25 (140) FIRST RESPONDERS RESILIENCY LICENSE PLATES.—

26 (a) The department shall develop a First Responders
27 Resiliency license plate as provided in this section and s.
28 320.08053. The plate must bear the colors and design approved by
29 the department. The word "Florida" must appear at the top of the
30 plate, and the words "First Responders Resiliency" must appear
31 at the bottom of the plate.

32 (b) The annual use fees from the sale of the plate must be
33 distributed to the First Responders Resiliency Foundation Corp,
34 which may use up to 10 percent of the fees for administrative
35 costs and marketing of the plate. The balance of the fees must
36 be used by the First Responders Resiliency Foundation Corp to
37 fund mental health services for first responders who do not
38 qualify for benefits under s. 112.1815(5), to ensure that such
39 first responders have access to certified mental health



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40 counselors when in crisis.
41
42 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====
43 And the directory clause is amended as follows:
44 Delete line 15
45 and insert:
46 Statutes, is amended, and subsections (136) through (140)



134440

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/12/2026	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Rodriguez) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 32 and 33
insert:

(137) ST. PETERSBURG COLLEGE LICENSE PLATES.—

(a) The department shall develop a St. Petersburg College license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "St. Petersburg College" must appear at the



134440

bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the St. Petersburg College Foundation, Inc., and allocated as follows:

1. Ten percent may be used for administrative costs related to the promotion and marketing of the plate.

2. Forty percent must be dedicated to funding student scholarships to ensure access to quality education for students in need.

3. Fifty percent must be used to fund initiatives that embolden student success, particularly in emerging technologies and workforce development programs, to prepare students for high-demand careers and the future economy.

(138) FIRST RESPONDERS RESILIENCY LICENSE PLATES.—

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

(b) The annual use fees from the sale of the plate must be distributed to the First Responders Resiliency Foundation Corp, which may use up to 10 percent of the fees for administrative costs and marketing of the plate. The balance of the fees must be used by the First Responders Resiliency Foundation Corp to fund mental health services for first responders who do not qualify for benefits under s. 112.1815(5), to ensure that such first responders have access to certified mental health counselors when in crisis.



134440

40
41 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====
42 And the directory clause is amended as follows:
43 Delete line 12
44 and insert:
45 Section 1. Subsections (136), (137), and (138) are added to
46 section 320.08058,
47
48 ===== T I T L E A M E N D M E N T =====
49 And the title is amended as follows:
50 Delete lines 4 - 7
51 and insert:
52 Highway Safety and Motor Vehicles to develop certain
53 specialty license plates; providing for distribution
54 and use of fees collected from the sale of the plates;
55 providing an effective

By Senator Gruters

22-00369A-26

2026246

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop an Ultimate Fighting Championship (UFC) license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (136) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(136) ULTIMATE FIGHTING CHAMPIONSHIP (UFC) LICENSE PLATES.—

(a) The department shall develop an Ultimate Fighting Championship (UFC) license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "UFC Lives Here" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the UFC Foundation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds to promote and market the plate. The UFC Foundation shall use the remainder of the proceeds to support charities and nonprofits in this state that align with the foundation's mission and goals, such as children's hospitals, support for first responders and the military, and

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-00369A-26

2026246

youth advocacy and mentorship, and to fund the development and operation of youth mentorship programs in partnership with local law enforcement agencies.

Section 2. This act shall take effect October 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

2/12/26

Meeting Date

Fiscal Policy

Committee

246

Bill Number or Topic

268954

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name

Manny Reyes

Phone

305-560-5344

Address

118 N. Monroe St. #321

Street

Email

manny@pereirareyes.com

Tallahassee

City

FL

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Representing: Metro Dade Fire Fighters Local 1403

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

2/12/26

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

246

Bill Number or Topic

322646

Amendment Barcode (if applicable)

Name **Matt Puckett**

Phone **8506816788**

Address **119 South Monroe St., Suite 202**

Street

Tallahassee

City

FL

State

32301

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Wildflower Foundation

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

246

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Lisa Henning

Phone

850-766-8808

Address

242 Office Plaza

Email

lphlegislative@aol.com

Street

Tallahassee FL 32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Fraternal Order of Police

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 302

INTRODUCER: Appropriations Committee on Agriculture, Environment, and General Government;
Environment and Natural Resources Committee; and Senator Garcia

SUBJECT: Nature-based Coastal Resilience

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	Fav/CS
2.	Reagan	Betta	AEG	Fav/CS
3.	Barriero	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 302 creates several provisions related to using nature-based methods to improve coastal resiliency. Specifically, the bill:

- Requires the Department of Environmental Protection (DEP) to initiate rulemaking to establish a statewide permitting process for such nature-based methods.
- Requires the DEP to develop design guidelines and standards for using green or hybrid green-gray infrastructure to address coastal resiliency.
- Requires the DEP and local governments to promote public awareness and education of the value of nature-based solutions for coastal resiliency.
- Authorizes structures to be erected for nature-based solutions to improve coastal resiliency in all state preserves.
- Authorizes dredging and filling of submerged lands and placement of living shorelines and seawalls in Biscayne Bay Aquatic Preserve for coastal resiliency purposes.

The rulemaking requirements may have a negative fiscal impact on the DEP. These costs can be absorbed within existing resources. **See Section V., Fiscal Impact Statement.**

The bill has an effective date of July 1, 2026.

II. Present Situation:

Aquatic Preserves

The Florida Aquatic Preserve Act of 1975 preserves the state-owned submerged lands in areas with exceptional biological, aesthetic, and scientific value for the benefit of future generations.¹ Aquatic preserves provide many benefits, including protecting vital coastal and freshwater ecosystems.² The Department of Environmental Protection's (DEP) Office of Resilience and Coastal Protection manages the Aquatic Preserve Program and oversees Florida's 43 aquatic preserves.³ Florida's 43 aquatic preserves encompass 2.9 million acres of submerged lands.⁴ For the purposes of maintaining aquatic preserves, current law establishes a number of provisions to which the Board of Trustees of the Internal Improvement Trust Fund (Board) is subject. The Board may not approve any further sale, lease, or transfer of sovereignty submerged lands unless the action is in public interest.⁵ The Board may also not approve the waterward relocation or setting of bulkhead lines waterward of the line of mean high water within the preserve except when public road and bridge construction projects have no reasonable alternative and it is shown to not be contrary to the public interest.⁶

Additionally, current law limits when the Board may approve any further dredging or filling of submerged lands in aquatic preserves, only allowing this to occur in specified circumstances, such as:

- Dredging and spoiling as may be authorized for public navigation projects.
- Dredging and spoiling as may be authorized for the creation and maintenance of marinas, piers, and docks and their attendant navigation channels.
- Other alteration of physical conditions as may, in the opinion of the trustees, be necessary to enhance the quality or utility of the preserve or the public health generally.
- Other maintenance dredging as may be required for existing navigation channels. Reasonable improvements as may be necessary for public utility installation or expansion.
- Installation and maintenance of oil and gas transportation facilities, provided such facilities are properly marked with marine aids to navigation as prescribed by federal law.⁷

Current law also prohibits structures being erected within a preserve, except in certain circumstances. Such circumstances include:

- Private residential docks for reasonable ingress or egress of riparian owners.

¹ See [s. 258.35, F.S.](#) and [s. 258.36, F.S.](#) Section [258.37\(1\), F.S.](#), defines the term "aquatic preserve" as an exceptional area of submerged lands and its associated waters set aside to be maintained in its natural condition.

² Department of Environmental Protection, [Florida Aquatic Preserves](#) (last visited Feb. 5, 2026).

³ Department of Environmental Protection, [Office of Resilience and Coastal Protection](#) (last visited Feb. 5, 2026).

⁴ Department of Environmental Protection, [Florida Aquatic Preserves](#) (last visited Feb. 5, 2026). Four aquatic preserves are inland near springs and rivers. See Department of Environmental Protection, [Office of Resilience and Coastal Protection: Resilience and Coastal Protection Programs](#) (last visited Feb. 5, 2026).

⁵ Section [258.42\(1\)\(a\), F.S.](#) "Public interest" means demonstrable environmental, social, and economic benefits which would accrue to the public at large as a result of a proposed action, and which would clearly exceed all demonstrable environmental, social, and economic costs of the proposed action. In determining the public interest in a request for use, sale, lease, or transfer of interest in sovereignty lands or severance of materials from sovereignty lands, the Board shall consider the ultimate project and purpose to be served by said use, sale, lease, or transfer of lands or materials. Rule 18-20.003(46), F.A.C

⁶ Section [258.42\(2\), F.S.](#)

⁷ Section [258.42\(3\)\(a\), F.S.](#)

- Private residential multislip docks located within a reasonable distance of a publicly maintained navigation channel, or a natural channel of adequate depth and width to allow operation of the watercraft for which the docking facility is designed without the craft having an adverse impact on marine resources.
- Commercial docking facilities shown to be consistent with the use or management criteria of the preserve, if the facilities are located within a reasonable distance of a publicly maintained navigation channel, or a natural channel of adequate depth and width to allow operation of the watercraft for which the docking facility is designed without the craft having an adverse impact on marine resources.
- Structures for shore protection, including restoration of seawalls at their previous location or upland of or within 18 inches waterward of their previous location, approved navigational aids, or public utility crossings.⁸

Biscayne Bay Aquatic Preserve

Current law designates Biscayne Bay, located in Miami-Dade and Monroe counties, as an aquatic preserve.⁹ Established in 1974, the Biscayne Bay Aquatic Preserve encompasses 64,607 acres of submerged lands extending the length of Biscayne Bay from the headwaters of the Oleta River south to Card Sound near Key Largo.¹⁰ The preserve excludes the waters of Biscayne Bay National Park.¹¹ The preserve allows for a number of recreational activities, such as boating, fishing, and swimming, and hosts approximately 16 million visitors annually.¹²

Coastal Resilience, Green Infrastructure, and Nature-Based Solutions

Resilience is the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions.¹³ Resilience planning includes preparing for hazard events, risk mitigation, and post-event recovery and should be proactive, continuous, and integrated into other community goals and plans.¹⁴

Green infrastructure and nature-based solutions are increasingly being integrated into resilience planning. Green infrastructure uses vegetation, soils, and natural processes to manage and treat stormwater runoff water, often in urban environments.¹⁵ The scale of green infrastructure ranges from urban installations, such as rain gardens and green roofs, to large tracts of undeveloped natural lands.¹⁶ The interconnected network of green infrastructure can enhance the resiliency of

⁸ [Section 258.42\(3\)\(e\), F.S.](#)

⁹ [Section 258.397\(1\), F.S.](#)

¹⁰ Department of Environmental Protection, [Aquatic Preserves: Biscayne Bay Aquatic Preserve](#), <https://floridaaquaticpreserves.org/BBAP> (last visited Feb. 5, 2026).

¹¹ *Id.*

¹² *Id.*

¹³ Federal Emergency Management Agency (FEMA), *National Risk Index: Community Resilience*, <https://hazards.fema.gov/nri/community-resilience> (last visited Nov. 20, 2025).

¹⁴ National Institute of Standards and Technology, U.S. Dep't of Commerce, *Community Resilience Planning Guide for Buildings and Infrastructure Systems*, 1 (2016), available at <https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1190v1.pdf>.

¹⁵ U.S. Environmental Protection Agency (EPA), *Improving Community Resiliency with Green Infrastructure*, 1 (2014), available at https://www.epa.gov/sites/default/files/2014-06/documents/gi_resiliency.pdf.

¹⁶ *Id.*

infrastructure and communities by increasing water supplies, reducing flooding, providing climate adaptability, and improving water quality.¹⁷

Similarly, nature-based solutions integrate natural features and processes into the built environment to promote resilient communities.¹⁸ Coastal nature-based solutions can stabilize shorelines, reduce erosion, and buffer coastal areas from the impacts of storms, sea level rise, and flooding.¹⁹ Examples of green infrastructure and nature-based solutions include:

- Land conservation;
- Tree canopy preservation;
- Floodplain and wetland restoration;
- Bioretention (e.g., planter boxes, bioswales, rain gardens, green roofs);
- Permeable pavement; and
- Living shorelines and oyster reefs.²⁰



Stormwater Planter, Permeable Pavement, Living Shoreline, and Bioretention²¹

¹⁷ *Id.*

¹⁸ FEMA, *Building Community Resilience with Nature-based Solutions*, 4 (2020), available at https://www.fema.gov/sites/default/files/2020-07/fema_bric_nature-based-solutions-guide_2020.pdf.

¹⁹ FEMA, *Building Community Resilience with Nature-based Solutions* at 5. See generally EPA, *Green Infrastructure and Extreme Weather*, <https://www.epa.gov/green-infrastructure/climate-resiliency-and-green-infrastructure> (last visited Nov. 20, 2025); EPA, *Green Infrastructure Opportunities that Arise During Municipal Operations*, 1 (2015), available at https://www.epa.gov/sites/default/files/2015-09/documents/green_infrastructure_roadshow.pdf.

²⁰ FEMA, *Building Community Resilience with Nature-based Solutions* at 6-8; EPA, *Types of Green Infrastructure*, <https://www.epa.gov/green-infrastructure/types-green-infrastructure> (last visited Nov. 20, 2025).

²¹ EPA, *Types of Green Infrastructure*, <https://www.epa.gov/green-infrastructure/types-green-infrastructure> (last visited Nov. 20, 2025).

Living Shorelines and Seawalls

A living shoreline is a nature-based solution that consists of strategically placing natural materials such as plants and stones along a coastal edge.²² Living shorelines promote and rely on the growth of natural vegetation over time to help reduce erosion, increase resiliency, and filter runoff.²³ This natural infrastructure helps maintain the shoreline ecosystem while being an innovative coastal management technique.²⁴ Research indicates that living shorelines are more resilient than bulkheads in protecting against the effects of hurricanes.²⁵

A living seawall is designed to encourage underwater habitats and usually consists of naturalistic concrete, rock, and/or shell structures designed to attract fish, oysters, and other living things, absorb wave energy without causing erosion, and improve aesthetics.²⁶

Mangroves

Florida's estimated 600,000 acres of mangrove forests contribute to the overall health of the state's southern coastal zone and beyond.²⁷ Mangroves stabilize coastlines, slow the movement of tides, store carbon, and help protect against erosion and damage from storm surges.²⁸ According to one study by the Nature Conservancy, mangroves prevented \$1.5 billion in direct flood damages and protected over half a million people in Florida during Hurricane Irma in 2017, reducing damages by nearly 25 percent in counties with mangroves.²⁹ In Collier County, some regions immediately behind the county's mangroves receive annual risk reduction benefits

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ National Oceanic and Atmospheric Administration (NOAA), *What is a living shoreline?*, <https://oceanservice.noaa.gov/facts/living-shoreline.html> (last visited Nov. 20, 2025). See also NOAA, *Understanding Living Shorelines*, <https://www.fisheries.noaa.gov/insight/understanding-living-shorelines#what-is-a-living-shoreline> (last visited Nov. 20, 2025).

²⁶ Mote Marine Laboratory and Aquarium, *Mote scientists to study Sarasota's new 'living seawall,'* <https://mote.org/news/mote-scientists-to-study-sarasotas-new-living-seawall/> (last visited Nov. 20, 2025). See also Port of San Francisco, *Living Seawall Pilot*, <https://www.sfport.com/wrp/living-seawall> (last visited Nov. 20, 2025).

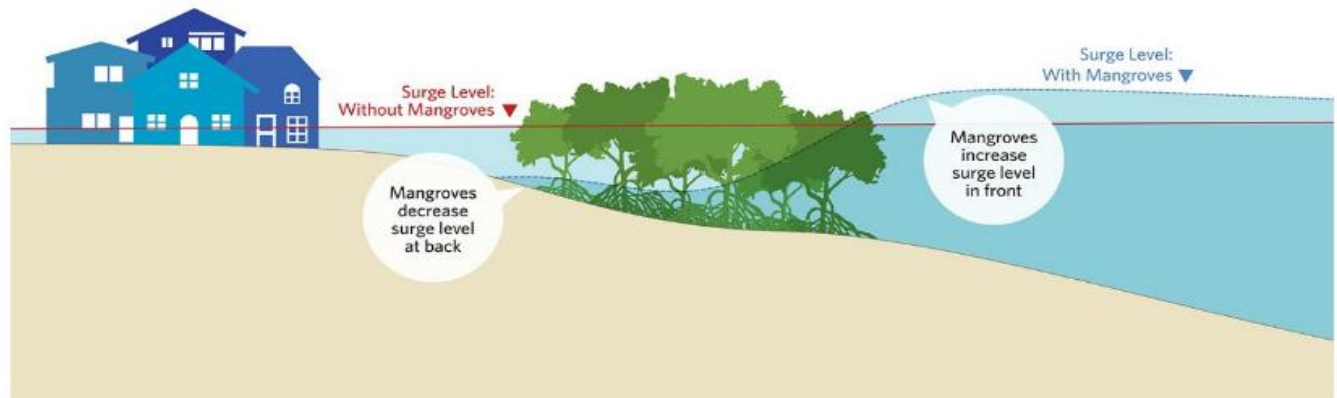
²⁷ DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves> (last visited Nov. 20, 2025).

Mangroves are gaining ground along their northern Florida habitat limits, and as winter cold snaps decrease, mangroves are expected to expand further north into new territory. Kristen Minogue & Heather Dewar, Smithsonian Environmental Research Center, *With Fewer Hard Frosts, Tropical Mangroves Push North*, 1 (2013), available at <https://sercblog.si.edu/with-fewer-hard-frosts-tropical-mangroves-push-north/>.

²⁸ NASA, *Mangroves Are Losing Their Resilience*, <https://landsat.gsfc.nasa.gov/article/mangroves-are-losing-their-resilience/> (last visited Nov. 20, 2025). See also, DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves>; NASA, *NASA Study Maps the Roots of Global Mangrove Loss*, available at <https://www.nasa.gov/feature/goddard/2020/nasa-study-maps-the-roots-of-global-mangrove-loss>. Mangroves reduce wave heights by 31 percent on average. Siddharth Narayan et al., *The Effectiveness, Costs and Coastal Protection Benefits of Natural and Nature-Based Defenses*, Plos One, 4 (2016), available at <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0154735>.

²⁹ Siddharth Narayan et al., The Nature Conservancy, *Valuing the Flood Risk Reduction Benefits of Florida's Mangroves*, 2, available at https://www.nature.org/content/dam/tnc/nature/en/documents/Mangrove_Report_digital_FINAL.pdf.

of over \$1 million.³⁰ Another study found that without the mangroves on Florida's coast, the storm surge of Hurricane Wilma would have extended up to 70 percent further inland.³¹



MANGROVE BENEFITS Surge is reduced behind mangroves, helping ease flooding to land and properties. © The Nature Conservancy

The amount of protection afforded by mangroves depends on the width of the forest. A narrow fringe of mangroves offers limited protection, while a wide fringe can considerably reduce wave and flood damage to landward areas by enabling overflowing water to be absorbed into the expanse of forest.³² Notably, the Legislature has found that many areas of mangroves in Florida occur as narrow riparian fringes that do not provide all the functions of mangrove forests or provide such functions to a lesser degree.³³

Mangroves also play an important ecological role as a habitat for various species of marine and estuarine vertebrates, invertebrates, and other wildlife,³⁴ including endangered and threatened species such as the manatee, hawksbill sea turtle, American crocodile, Key deer, and Florida panther.³⁵ Mangrove branches act as bird rookeries and nesting areas for coastal wading birds, and their intricate root systems provide critical nursery habitats for fish, crustaceans, shellfish, and other marine life.³⁶ The roots also make ideal underwater perches for barnacles, oysters, crabs, and other marine organisms.³⁷ These organisms provide food for juvenile fish, birds, reptiles, and other wildlife.³⁸ Florida's important recreational and commercial fisheries would drastically decline without healthy mangrove forests.³⁹

³⁰ *Id.* at 10. Worldwide, mangroves reduce risk to more than 15 million people and prevent more than \$65 billion in property damages each year. Tiffany Duong, World Economic Forum, *Why planting mangroves can help save the planet* (2021), available at <https://www.weforum.org/agenda/2021/08/planting-mangroves-helps-the-planet/>.

³¹ Keqi Zhang et al., *The role of mangroves in attenuating storm surges*, *Estuarine, Coastal and Shelf Science*, vols. 102-103, 11, 23 (2012), available at <https://www.sciencedirect.com/science/article/abs/pii/S0272771412000674>.

³² *Id.*

³³ Section 403.9322(3), F.S.

³⁴ Section 403.9322(2), F.S.

³⁵ Florida Museum, University of Florida, *South Florida Aquatic Environments: Mangrove Life*, <https://www.floridamuseum.ufl.edu/southflorida/habitats/mangroves/mangrove-life/> (last visited Nov. 20, 2025).

³⁶ *Id.*; DEP, *Florida's Mangroves*; Tiffany Duong, World Economic Forum, *Why planting mangroves can help save the planet* (2021), available at <https://www.weforum.org/agenda/2021/08/planting-mangroves-helps-the-planet/>.

³⁷ Hannah Waters, Smithsonian Institution, *Mangrove Restoration: Letting Mother Nature Do the Work* (2016), available at <https://ocean.si.edu/ocean-life/plants-algae/mangrove-restoration-letting-mother-nature-do-work>.

³⁸ *Id.*

³⁹ DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves>.

Human activities such as coastal development are responsible for destroying more mangrove forests worldwide than any other type of coastal habitat.⁴⁰ Rising sea levels and more intense droughts and storms could increase the rate of mangrove loss.⁴¹

National Flood Insurance Program Community Rating System

The National Flood Insurance Program (NFIP) was created by the passage of the National Flood Insurance Act of 1968.⁴² The NFIP is administered by the Federal Emergency Management Agency (FEMA) and enables homeowners, business owners, and renters in flood-prone areas to purchase flood insurance protection from the federal government.⁴³ Participation in the NFIP is voluntary.⁴⁴ To join, a community must:

- Complete an application;
- Adopt a resolution of intent to participate and cooperate with the FEMA; and
- Adopt and submit a floodplain management ordinance that meets or exceeds the minimum NFIP criteria.⁴⁵

The NFIP's Community Rating System (CRS) is a voluntary incentive program that rewards communities for implementing floodplain management practices that exceed the minimum requirements of the NFIP.⁴⁶ Property owners within communities that participate in the CRS program receive discounts on flood insurance premiums.⁴⁷ Premium discounts range from five to 45 percent based on a community's CRS credit points.⁴⁸ Communities earn credit points by implementing FEMA-approved activities or programs, such as:

- Flood damage reduction programs that reduce the flood risk to existing development;
- Public outreach programs advising people about flood hazards, flood insurance, and ways to reduce flood damage;
- Mapping and regulations limiting floodplain development or providing increased protection to new and existing development; or
- Warning and response programs that provide early flood warnings to the public and incorporate substantial damage assessments into flood response operations.⁴⁹

⁴⁰ Florida Fish and Wildlife Conservation Commission, *Mangrove Forests*, <https://myfwc.com/research/habitat/coastal-wetlands/mangroves/> (last visited Nov. 20, 2025).

⁴¹ Miriam C. Jones et al., *Rapid inundation of southern Florida coastline despite low relative sea-level rise rates during the late-Holocene*, *Nature Communications*, 1, 10 (2019), available at <https://www.nature.com/articles/s41467-019-11138-4>; Xiucheng Yang et al., *Tracking mangrove condition changes using dense Landsat time series*, *Remote Sensing of Environment*, vol. 15, 1 (2024), available at <https://www.sciencedirect.com/science/article/pii/S0034425724004875?via%3Dihub>.

⁴² The National Flood Insurance Act, Pub. L. 90-448, 82 Stat. 572 (codified as amended at 42 U.S.C. 4001 et seq.). See also FEMA, *Flood Insurance Rules and Regulations*, <https://www.fema.gov/flood-insurance/rules-legislation> (last visited Feb. 7, 2025).

⁴³ See FEMA, *Flood Insurance*, <https://www.fema.gov/flood-insurance> (last visited Nov. 20, 2025).

⁴⁴ FEMA, *Participation in the NFIP*, <https://www.fema.gov/about/glossary/participation-nfip> (last visited Nov. 20, 2025).

⁴⁵ *Id.*

⁴⁶ FEMA, *Community Rating System*, <https://www.fema.gov/floodplain-management/community-rating-system> (last visited Nov. 20, 2025).

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ FEMA, *Community Rating System: A Local Official's Guide to Saving Lives, Preventing Property Damage, and Reducing the Cost of Flood Insurance*, 3-6 (2018), available at https://www.fema.gov/sites/default/files/documents/fema_community-rating-system_local-guide-flood-insurance-2018.pdf.

Resilient Florida Grant Program

The Resilient Florida Grant Program provides grants to counties and municipalities to fund community resilience planning, including, among other things, vulnerability assessments that identify or address risks of flooding and sea level rise, comprehensive plan amendments, and feasibility studies and permitting costs for nature-based solutions that reduce the impact of flooding and sea level rise.⁵⁰ Water management districts are also eligible to receive grants under the Resilient Florida Grant Program to assist local government adaptation planning.⁵¹

Workforce Development Capitalization Incentive Grant Program

The Workforce Development Capitalization Incentive Grant Program was created to provide grants to school districts and Florida College System institutions to fund costs associated with the creation or expansion of career and technical education programs that lead to industry certifications included on the CAPE Industry Certification Funding List.⁵² The programs may serve secondary students or postsecondary students if the postsecondary career and technical education program also serves secondary students.⁵³

Grant funds may be used for instructional and laboratory equipment, supplies, personnel, student services, or other expenses associated with the creation or expansion of a career and technical education program that serves secondary students.⁵⁴ In ranking applications, the State Board of Education must consider the statewide geographic dispersion of grant funds and give priority to applications from education agencies that are making maximum use of their workforce development funding by offering high-performing, high-demand programs.⁵⁵

Environmental Resource Permitting (ERP)

Part IV of ch. 373, F.S., and chapter 62-330 of the Florida Administrative Code regulate the statewide ERP program, which is the primary tool used by the DEP and the water management districts for preserving natural resources and fish and wildlife, minimizing degradation of water resources caused by stormwater discharges, and providing for the management of water and related land resources. The program governs the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and other works such as docks, piers, structures, dredging, and filling located in, on, or over wetlands or other surface waters.⁵⁶

Projects that are in, on, or over surface waters and wetlands are subject to additional permitting requirements. For example, if a proposed activity significantly degrades or is within an

⁵⁰ Section 380.093(3)(b)1., F.S.

⁵¹ Section 380.093(3)(b)2., F.S. Such funding must support the Florida Flood Hub and DEP's efforts related to data creation, collection, modeling, and statewide standards implementation.

⁵² Section 1011.801, F.S.

⁵³ *Id.*

⁵⁴ Section 1011.801(1), F.S.

⁵⁵ Section 1011.801(2), F.S.

⁵⁶ Fla. Admin. Code R. 62-330.010(2).

Outstanding Florida Water,⁵⁷ the ERP applicant must provide reasonable assurance that the proposed activity will be clearly in the public interest.⁵⁸ In determining whether an activity is clearly in the public interest, the water management district or the DEP must consider and balance the following criteria:

- Whether the activity will adversely affect the public health, safety, or welfare or the property of others;
- Whether the activity will adversely affect the conservation of fish and wildlife, including endangered or threatened species, or their habitats;
- Whether the activity will adversely affect navigation or the flow of water or cause harmful erosion or shoaling;
- Whether the activity will adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity;
- Whether the activity will be of a temporary or permanent nature;
- Whether the activity will adversely affect or will enhance significant historical and archaeological resources; and

The current condition and relative value of functions being performed by areas affected by the proposed activity.⁵⁹

III. Effect of Proposed Changes:

Section 1 amends s. 258.397, F.S., to allow minimum dredging and filling in the Biscayne Bay Aquatic Preserve as may be authorized for the restoration and enhancement of natural systems, including the management of substrate for vegetation planting and restoration for mangroves, salt marshes, seagrasses, and oyster reefs, to enhance the quality and utility of the preserve and coastal resiliency.

Section 2 amends s. 258.42, F.S., to authorize structures to be erected within aquatic preserves if they are erected for nature-based solutions to improve coastal resiliency, including living seawalls, shoreline and vegetation planting, seagrass planting, wave attenuation devices, and green or hybrid green-gray stormwater infrastructure, which are sited to provide the most appropriate benefit.

Section 3 creates s. 380.0938, F.S., regarding nature-based solutions for improving coastal resilience.

The bill requires the Department of Environmental Protection (DEP), by January 1, 2027, to develop design guidelines and standards for optimal combinations of nature-based methods for using green or hybrid green-gray infrastructure to address coastal resiliency, including local mitigation strategies for erosion control, sea level rise, and storm surge.

⁵⁷ An Outstanding Florida Water is a water designated worthy of special protection because of its natural attributes. DEP, *Outstanding Florida Waters*, <https://floridadep.gov/dear/water-quality-standards/content/outstanding-florida-waters> (last visited Nov. 20, 2025); see Fla. Admin. Code R. 62-302.700(2) and (9).

⁵⁸ Section 373.414(1), F.S.

⁵⁹ Section 373.414(1)(a), F.S.

The bill directs the DEP, by January 1, 2027, to initiate rulemaking to establish a statewide permitting process for nature-based solutions to improve coastal resilience. The rules must address the following:

- Criteria and thresholds for permits, including monitoring, inspection, and reporting requirements.
- Procedures for permit application review, including notices, duration and modification of permits, permit transfers, and operational requirements.
- Provisions for emergencies, abandonment and removal of systems, and significant erosion in areas of critical state concern.
- Exemptions and general permits that do not allow significant adverse impacts to occur.
- Improvement of coastal resilience using nature-based solutions, including living seawalls, shoreline and vegetation planting, seagrass planting, wave attenuation devices, green or hybrid green-gray stormwater infrastructure, beach renourishment, dune and wetland restoration, reinforced dunes, reef restoration, and ecologically sound building materials.
- Protecting and maintaining access to the Florida Intracoastal Waterway marked channel and right-of-way.
- Incentives for using new strategies and technologies for coastal protection.
- Incentives to encourage local governmental entities to create projects using nature-based solutions for coastal protection through the Resilient Florida Grant Program.
- Guidelines to determine when a nature-based solution project is in the public interest and safety.
- Permitting processes for after designated storm events or disasters to replace failed coastal infrastructure with nature-based or hybrid green-gray infrastructure that follows such guidelines established by the DEP under the bill.
- Specific ways local governments can participate in coastal resiliency, including mangrove replanting and hydrological restoration programs; restoration of oyster reefs, salt marshes, seagrass beds, and coral reefs; identification and monitoring of threats to mangroves; and protection of barrier and spoil islands.

The bill requires the DEP and local governments to promote public awareness and education of the value of nature-based solutions for coastal resiliency, including the preservation and restoration of wetlands, floodplains, seagrasses, mangroves, and other natural systems along the coastline.

Section 3 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate negative fiscal impact on the Department of Environmental Protection (DEP) related to the bill's rulemaking requirements and the feasibility study. This cost can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 380.0938 of the Florida Statutes.

This bill amends sections 258.397 and 258.42 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Appropriations Committee on Agriculture, Environment, and General Government on February 4, 2026:**

The committee substitute creates several provisions related to using nature-based methods to improve coastal resiliency. Specifically, the CS:

- Requires the Department of Environmental Protection (DEP) to initiate rulemaking to establish a statewide permitting process for such nature-based methods.
- Requires the DEP to develop design guidelines and standards for using green or hybrid green-gray infrastructure to address coastal resiliency.
- Requires the DEP and local governments to promote public awareness and education of the value of nature-based solutions for coastal resiliency.
- Authorizes structures to be erected for nature-based solutions to improve coastal resiliency in all state preserves.
- Authorizes dredging and filling of submerged lands and placement of living shorelines and seawalls in Biscayne Bay Aquatic Preserve for coastal resiliency purposes.

CS by Environment and Natural Resources on December 2, 2025:

Clarified that the term “hybrid infrastructure” means the combination of gray and green infrastructure and is not limited to infrastructure that is more effective than either approach alone.

B. Amendments:

None.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Environment and Natural Resources; and Senator Garcia

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1 A bill to be entitled
 2 An act relating to nature-based coastal resiliency;
 3 amending s. 258.397, F.S.; authorizing certain
 4 dredging and filling of submerged lands and placement
 5 of certain shorelines and seawalls within the Biscayne
 6 Bay Aquatic Preserve; amending s. 258.42, F.S.;
 7 authorizing the erection of certain structures within
 8 aquatic preserves; creating s. 380.0938, F.S.;
 9 requiring the Department of Environmental Protection,
 10 by a specified date, to develop guidelines and
 11 standards for nature-based methods to address coastal
 12 resiliency and to adopt rules, subject to legislative
 13 ratification, for a statewide permitting process for
 14 such coastal resiliency; providing requirements for
 15 such rules; requiring the department and local
 16 governments to promote public awareness and education
 17 on nature-based solutions for coastal resiliency;
 18 providing an effective date.
 19
 20 Be It Enacted by the Legislature of the State of Florida:
 21
 22 Section 1. Paragraphs (b) and (e) of subsection (3) of
 23 section 258.397, Florida Statutes, are amended to read:
 24 258.397 Biscayne Bay Aquatic Preserve.—
 25 (3) AUTHORITY OF TRUSTEES.—The Board of Trustees of the
 26 Internal Improvement Trust Fund is authorized and directed to
 27 maintain the aquatic preserve hereby created pursuant and
 28 subject to the following provisions:
 29 (b) No further dredging or filling of submerged lands of

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30 the preserve shall be approved or tolerated by the board of
 31 trustees except:
 32 1. Such minimum dredging and spoiling as may be authorized
 33 for public navigation projects or for such minimum dredging and
 34 spoiling as may be constituted as a public necessity or for
 35 preservation of the bay according to the expressed intent of
 36 this section.
 37 2. Such other alteration of physical conditions, including
 38 the placement of riprap, as may be necessary to enhance the
 39 quality and utility of the preserve.
 40 3. Such minimum dredging and filling as may be authorized
 41 for the creation and maintenance of marinas, piers, and docks
 42 and their attendant navigation channels and access roads. Such
 43 projects may only be authorized upon a specific finding by the
 44 board of trustees that there is assurance that the project will
 45 be constructed and operated in a manner that will not adversely
 46 affect the water quality and utility of the preserve. This
 47 subparagraph shall not authorize the connection of upland canals
 48 to the waters of the preserve.
 49 4. Such dredging as is necessary for the purpose of
 50 eliminating conditions hazardous to the public health or for the
 51 purpose of eliminating stagnant waters, islands, and spoil
 52 banks, the dredging of which would enhance the aesthetic and
 53 environmental quality and utility of the preserve and be clearly
 54 in the public interest as determined by the board of trustees.
 55 5. Such minimum dredging and filling as may be authorized
 56 for the restoration and enhancement of natural systems,
 57 including the management of substrate for vegetation planting
 58 and restoration for mangroves, salt marshes, seagrasses, and

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oyster reefs, to enhance the quality and utility of the preserve
and coastal resiliency.

Any dredging or filling under this subsection or improvements
under subsection (5) shall be approved only after public notice
as provided by s. 253.115.

(e) Notwithstanding other provisions of this section, the
board of trustees may, respecting lands lying within Biscayne
Bay:

1. Enter into agreements for and establish lines
delineating sovereignty and privately owned lands.

2. Enter into agreements for the exchange of, and exchange,
sovereignty lands for privately owned lands.

3. Accept gifts of land within or contiguous to the
preserve.

4. Negotiate for, and enter into agreements with owners of
lands contiguous to sovereignty lands for, any public and
private use of any of such lands.

5. Take any and all actions convenient for, or necessary
to, the accomplishment of any and all of the acts and matters
authorized by this paragraph.

6. Conduct restoration and enhancement efforts in Biscayne
Bay and its tributaries.

7. Stabilize eroding shorelines of Biscayne Bay and its
tributaries that are contributing to turbidity by planting
natural vegetation to the greatest extent feasible and by the
placement of riprap and living shorelines and seawalls, as
determined by Miami-Dade County in conjunction with the
Department of Environmental Protection.

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8. Request the South Florida Water Management District to
enter into a memorandum of understanding with the Department of
Environmental Protection, the Biscayne National Park Service,
the Miami-Dade County Department of Environmental Resources
Management and, at their option, the Corps of Engineers to
include enhanced marine productivity in Biscayne Bay as an
objective when operating the Central and Southern Florida Flood
Control projects consistently with the goals of the water
management district, including flood protection, water supply,
and environmental protection.

Section 2. Paragraph (e) of subsection (3) of section
258.42, Florida Statutes, is amended to read:

258.42 Maintenance of preserves.—The Board of Trustees of
the Internal Improvement Trust Fund shall maintain such aquatic
preserves subject to the following provisions:

(3)

(e) Structures may not be erected within the preserve,
except:

1. Private residential docks may be approved for reasonable
ingress or egress of riparian owners. Slips at private
residential single-family docks which contain boat lifts or
davits that do not float in the water when loaded may not, in
whole or in part, be enclosed by walls, but may be roofed if the
roof does not overhang more than 1 foot beyond the footprint of
the lift and the boat stored at the lift. Such roofs are not
included in the square-footage calculation of a terminal
platform.

2. Private residential multislip docks may be approved if
located within a reasonable distance of a publicly maintained

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navigation channel, or a natural channel of adequate depth and width to allow operation of the watercraft for which the docking facility is designed without the craft having an adverse impact on marine resources. The distance shall be determined in accordance with criteria established by the trustees by rule, based on the depth of the water, nature and condition of bottom, and presence of manatees.

3. Commercial docking facilities shown to be consistent with the use or management criteria of the preserve may be approved if the facilities are located within a reasonable distance of a publicly maintained navigation channel, or a natural channel of adequate depth and width to allow operation of the watercraft for which the docking facility is designed without the craft having an adverse impact on marine resources. The distance shall be determined in accordance with criteria established by the trustees by rule, based on the depth of the water, nature and condition of bottom, and presence of manatees.

4. Structures for shore protection, including restoration of seawalls at their previous location or upland of or within 18 inches waterward of their previous location, approved navigational aids, or public utility crossings authorized under paragraph (a) may be approved.

5. Nature-based solutions to improve coastal resiliency, including living seawalls, shoreline and vegetation planting, seagrass planting, wave attenuation devices, and green or hybrid green-gray stormwater infrastructure, which are sited to provide the most appropriate benefit.

A structure under this paragraph or chapter 253 may not be

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prohibited solely because the local government fails to adopt a marina plan or other policies dealing with the siting of such structures in its local comprehensive plan.

Section 3. Section 380.0938, Florida Statutes, is created to read:

380.0938 Nature-based methods for improving coastal resiliency.—

(1) By January 1, 2027, the department shall develop design guidelines and standards for optimal combinations of nature-based methods for using green or hybrid green-gray infrastructure to address coastal resiliency, including local mitigation strategies for erosion control, sea-level rise, and storm surge.

(2) By January 1, 2027, the department must initiate rulemaking, subject to legislative ratification, to provide for a clear and consistent statewide permitting process under s. 373.4131 for nature-based methods for improving coastal resiliency and to address all of the following:

(a) Criteria and thresholds for permits to implement nature-based methods, including monitoring, inspection, and reporting requirements.

(b) Procedures governing the review of applications and notices, duration and modification of permits, operational requirements, and transfers of permits.

(c) Provisions for emergencies, abandonment and removal of systems, and significant erosion in areas of critical state concern.

(d) Exemptions and general permits that do not allow significant adverse impacts to occur individually or

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175 cumulatively.

176 (e) Improvement of coastal resiliency using nature-based
 177 solutions, including living seawalls, shoreline and vegetation
 178 planting, seagrass planting, wave attenuation devices, green or
 179 hybrid green-gray stormwater infrastructure, beach
 180 renourishment, dune and wetland restoration, reinforced dunes,
 181 reef restoration, and ecologically sound building materials.

182 (f) Protection and maintenance of access to and navigation
 183 of the marked channel and the right-of-way of the Florida
 184 Intracoastal Waterway as defined in s. 327.02.

185 (g) Creation of permitting incentives for the use of new
 186 strategies and technologies, such as 3D printing and other forms
 187 of manufacturing, for living shorelines and nature-based
 188 features for coastal protection.

189 (h) Incentives to encourage local governmental entities to
 190 create projects using nature-based solutions for coastal
 191 protection through the Resilient Florida Grant Program pursuant
 192 to s. 380.093(3)(b)1.d.

193 (i) Guidelines for determining when a nature-based
 194 solutions project is clearly in the public interest and safety
 195 under s. 373.414(1)(a).

196 (j) Development of a clear and efficient permitting process
 197 after designated storm events or disasters to replace failed
 198 coastal infrastructure with nature-based or green or hybrid
 199 green-gray infrastructure that follows established guidelines in
 200 subsection (1).

201 (k) Identification of ways local governmental entities can
 202 participate in coastal resiliency, including:

203 1. Mangrove replanting and hydrological restoration

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204 programs.

205 2. Restoration of oyster reefs, salt marshes, seagrass
 206 beds, and coral reefs.

207 3. Identification and monitoring of threats to mangroves.

208 4. Protection of barrier and spoil islands.

209 (3) The department and local governments shall promote
 210 public awareness and education on the value of nature-based
 211 solutions for coastal resiliency, including the preservation and
 212 restoration of wetlands, floodplains, seagrasses, mangroves, and
 213 other natural systems along the coastline.

214 Section 4. This act shall take effect July 1, 2026.

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2.12.26

Meeting Date

Fiscal Policy

Committee

Name Steve Schale

Address 204 S Monroe St

Street

Tallahassee

City

Florida

State

32301

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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302

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something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 340

INTRODUCER: Health Policy Committee and Senators Harrell and Davis

SUBJECT: Human Trafficking Education for Nurse Licensure

DATE: February 11, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Smith	Brown	HP	Fav/CS
2. Gerbrandt	McKnight	AHS	Favorable
3. Smith	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 340 requires graduates of professional and practical nursing programs to complete a two-hour course on human trafficking to be eligible to sit for the National Council Licensure Examination (NCLEX), a prerequisite for full licensure. This requirement applies to students who apply to take the NCLEX on or after July 1, 2027.

The bill has no fiscal impact on state expenditures or revenues. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Human Trafficking

Human trafficking is a form of modern-day slavery in which people are exploited through force, fraud, or coercion for sexual exploitation or forced labor.¹ The two primary types of trafficking are sex trafficking and labor trafficking.

Sex trafficking is defined as a commercial sex act induced by force, fraud, or coercion, or any commercial sex act involving a child under 18, including prostitution or pornography, used to

¹ Section 787.06, F.S.

generate money for a trafficker.² Labor trafficking involves recruiting, harboring, transporting, providing, or obtaining a person for labor or services through force, fraud, or coercion, for purposes such as involuntary servitude, debt bondage, or slavery.³ Florida criminalizes human trafficking for commercial sexual activity or for labor or services under s. 787.06, F.S.

Statewide efforts such as the Florida Statewide Council on Human Trafficking,⁴ the direct-support organization Florida Alliance to End Human Trafficking,⁵ and the annual Human Trafficking Summit⁶ are designed to coordinate statewide prevention, victim identification, and response strategies among law enforcement, education, health care, and social-services stakeholders.

Reporting of Human Trafficking; Hotlines

Suspected human trafficking may be reported to several hotlines that serve different but complementary purposes.

- The National Human Trafficking Hotline (1-888-373-7888, or by texting “HELP” or “INFO” to 233733) is a confidential, toll-free, 24/7 resource operated by a nongovernmental organization with financial support from the Administration for Children and Families within the U.S. Department of Health and Human Services.⁷ The hotline is a specialized, victim-centered resource that provides crisis assistance, confidential support, service referrals, and help in identifying potential trafficking situations. It is not an emergency first responder or a law enforcement agency, but it may refer cases to appropriate authorities when warranted. According to data from the National Human Trafficking Hotline, Florida ranks third in the nation in human trafficking cases reported.⁸
- Suspected trafficking in this state may be reported directly to law enforcement through the Florida Human Trafficking Hotline at 1-855-FLA-SAFE (1-855-352-7233), a statewide toll-free number operated by the Florida Department of Law Enforcement.⁹
- Additionally, the U.S. Department of Homeland Security, through Homeland Security Investigations, operates a separate 24/7 tip line (1-866-DHS-2-ICE) to receive reports of a wide range of federal crimes, including human trafficking. Although not specific to

² Department of Children and Families, What is Human Trafficking?, available at <https://www.myflfamilies.com/services/abuse/what-human-trafficking> (last visited Jan. 14, 2026).

³ *Id.*

⁴ Section 16.617, F.S. Florida Office of the Attorney General, Statewide Council on Human Trafficking, available at <https://www.myfloridalegal.com/human-trafficking/council> (last visited Jan. 14, 2026).

⁵ Section 16.618, F.S. Florida Alliance to End Human Trafficking, available at <https://www.floridaallianceendht.com/> (last visited Jan. 14, 2026).

⁶ Section 16.617(4)(d), F.S., Florida Alliance to End Human Trafficking, Human Trafficking Summit, available at <https://www.humantraffickingsummit.com> (last visited Jan. 14, 2026).

⁷ National Human Trafficking Hotline, Human Trafficking Hotline, available at <https://humantraffickinghotline.org/en> (last visited Jan. 14, 2026).

⁸ *Id.*

⁹ According to the Attorney General’s website, Attorney General Moody worked with FDLE to designate the statewide trafficking hotline after learning that the National Human Trafficking Hotline was not always sending tips directly to law enforcement. Information reported to the state hotline is directly sent to the law enforcement authority in the state best suited to provide assistance. Florida Office of the Attorney General, VIDEO: Florida Launches Statewide Human Trafficking Hotline After Radical CEO Demands National Hotline Stop Giving Timely Information to Police (May 16, 2024), available at <https://www.myfloridalegal.com/newsrelease/video-florida-launches-statewide-human-trafficking-hotline-after-radical-ceo-demands> (last visited Jan. 14, 2026).

trafficking, this line is intended for reporting suspected criminal activity that may warrant federal investigation, particularly cases involving cross-border trafficking, immigration-related exploitation, or organized criminal networks.¹⁰

Biennial Human Trafficking Continuing Education for Licensed Nurses

Section 464.013, F.S., requires all nurses licensed under part I of ch. 464, F.S., to complete a two-hour continuing education course on human trafficking as a condition of license renewal every two years. This includes Licensed Practical Nurses (LPNs), Registered Nurses (RNs), and Advanced Practice Registered Nurses (APRNs).

The course must include:

- Data and information on the types of human trafficking, such as labor and sex, and the extent of human trafficking;
- Factors that place a person at greater risk of being a victim of human trafficking; public and private social services available for rescue, food, clothing, and shelter referrals;
- Hotlines for reporting human trafficking which are maintained by the National Human Trafficking Resource Center and the U.S. Department of Homeland Security;
- Validated assessment tools for identifying a human trafficking victim and general indicators that a person may be a victim of human trafficking;
- Procedures for sharing information related to human trafficking with a patient; and
- Referral options for legal and social services.¹¹

There are approximately 55 of these courses available to licensees with prices ranging from \$0.00 to \$30.00.¹²

Signage Requirements for other Health Care Practitioners

Section 456.0341, F.S., establishes human trafficking training and workplace notice requirements for certain licensed health care practitioners. The section applies to each person licensed or certified under:

- Chapter 457, F.S. (acupuncture).
- Chapter 458, F.S. (allopathic medicine).
- Chapter 459, F.S.(osteopathic medicine).
- Chapter 460, F.S. (chiropractic medicine).
- Chapter 461, F.S. (podiatric medicine).
- Chapter 463, F.S. (optometry).
- Chapter 465, F.S. (pharmacy).
- Chapter 466, F.S. (dentistry).

¹⁰ U.S. Department of State, Domestic Trafficking Hotlines, available at <https://www.state.gov/domestic-trafficking-hotlines> (last visited Jan. 14, 2026).

¹¹ Section 464.013(3)(c), F.S.

¹² Department of Health, Senate Bill 340 Legislative Analysis (Nov. 10, 2025) (on file with the Senate Committee on Health Policy).

- Part II, part III, part V, or part X of ch. 468, F.S. (including, among others, speech-language pathology and audiology, nursing home administration, dietetics and nutrition, and respiratory therapy).
- Chapter 480, F.S. (massage therapy).¹³
- Chapter 486, F.S. (physical therapy).

Section 456.0341(1), F.S., requires that, by January 1, 2021, each licensee or certificate-holder must complete a one-hour continuing education course on human trafficking that is board-approved, or the DOH-approved if there is no board.¹⁴ The course must address both sex trafficking and labor trafficking, how to identify individuals who may be victims, how to report suspected cases, and available victim resources. Any board that requires completion of the course must count this hour within the total continuing education hours otherwise required for that profession, rather than as an additional requirement.

Section 456.0341(3), F.S., requires that, by January 1, 2025, licensees or certificate-holders post in their place of work, in a conspicuous area accessible to employees, a sign at least 11 by 15 inches, printed in a clearly legible font of at least 32-point type, stating in English and Spanish¹⁵ the specific human-trafficking notice language set out in the statute:

“If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity, call the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”

While this requirement does not apply to persons licensed under ch. 464, F.S., nurses commonly practice in health care settings such as hospitals, clinics, physician offices, and other facilities, with licensees who are subject to the notice requirement. As a result, nurses are likely to work in environments where the human trafficking notice required by s. 456.0341(3), F.S., is displayed.

III. Effect of Proposed Changes:

The bill amends s. 464.008, F.S., to add an additional requirement for licensure as a practical or professional nurse by examination. Specifically, the bill requires graduates of professional and practical nursing programs to complete a two-hour course on human trafficking, in addition to the other requirements specified in that subsection, to be eligible to sit for the National Council Licensure Examination (NCLEX), a prerequisite for full licensure. This requirement applies to students who apply to take the NCLEX on or after July 1, 2027.

¹³ Section 480.043, F.S., imposes additional requirements on massage establishments relating to human trafficking.

¹⁴ Under s. 456.001(1), F.S., the term “board” is defined as any board, commission, or other statutorily created entity, to the extent such entity is authorized to exercise regulatory or rulemaking functions within DOH or, in some cases, within DOH’s Division of Medical Quality Assurance (MQA).

¹⁵ The Department of Health has also provided Mandarin translations of signs for use in offices where those languages are spoken. Florida Department of Health, *Human Trafficking*, FLHealthSource.gov, available at <https://flhealthsource.gov/humantrafficking/> (last visited Jan. 14, 2026).

The two-hour course must include the content required for the human trafficking continuing education course under s. 464.013(3)(c), F.S., which is required for biennial licensure renewal. Required topics include types of trafficking, risk factors, indicators, screening, communication, and referral options. *See “Present Situation: Biennial Human Trafficking Continuing Education for Licensed Nurses.”* As a result, graduates applying to take the NCLEX could satisfy the requirement by completing one of the many on-line human trafficking continuing education courses already available.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None identified.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

Applicants for nursing licensure by examination will need to complete a human trafficking course that meets the bill’s requirements. Associated costs are expected to be modest, given the existing body of human trafficking training materials available to health care providers.¹⁶

¹⁶ CE Broker, course search results for “human trafficking” – Florida advanced practice registered nurse, available at <https://courses.cebroke.com/search/fl/advanced-practice-registered-nurse?coursePageIndex=1&term=human%20trafficking> (last visited Jan. 14, 2026).

C. Government Sector Impact:

The bill has no fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 464.008 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on January 20, 2026:

The committee substitute shifts the training requirement to the person pursuing nursing licensure by examination instead of mandating that a nursing education program must provide the course as part of its core curriculum. The bill eliminates the underlying bill's requirement that the Board of Nursing must approve the courses, which enables applicants for licensure to complete one of the many on-line human trafficking continuing education courses that already exist.

B. Amendments:

None.

By the Committee on Health Policy; and Senators Harrell and Davis

588-02052-26

2026340c1

A bill to be entitled

An act relating to human trafficking education for nurse licensure; amending s. 464.008, F.S.; revising requirements for initial licensure as a registered nurse or licensed practical nurse, beginning on a specified date, to include completion of a certain course on human trafficking; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) is added to subsection (1) of section 464.008, Florida Statutes, to read:

464.008 Licensure by examination.—

(1) Any person desiring to be licensed as a registered nurse or licensed practical nurse shall apply to the department to take the licensure examination. The department shall examine each applicant who:

(e) Beginning July 1, 2027, has completed a 2-hour course on human trafficking. The course must include the content required for the human trafficking continuing education course required under s. 464.013(3)(c).

Section 2. This act shall take effect July 1, 2026.

1105

The Florida Senate

APPEARANCE RECORD

340

Meeting Date

Bill Number or Topic

2/12/26
Fiscal PolicyDeliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Florida Parent Teacher Association
Karen Mazzola

Phone

407-855-7604

Address

1747 Orlando Central Parkway

Email

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Street

Orlando FL

32809

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information**OR**Waive Speaking: ☒ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☒I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 418

INTRODUCER: Senators Jones and Smith

SUBJECT: Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder

DATE: February 11, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	Favorable
2. Kolich	Harkness	ACJ	Favorable
3. Vaughan	Siples	FP	Favorable

I. Summary:

SB 418 creates s. 320.021, F.S., to create the “Blue Envelope Program” within the Department of Highway Safety and Motor Vehicles (HSMV) to improve communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions by January 1, 2027.

The blue envelope will identify the individual as having Autism Spectrum Disorder (ASD), the envelopes will include communication guidelines for officers and will be available by request from the HSMV or local tax collector beginning January 1, 2027.

The bill amends s. 943.1727, F.S., to create joint training with the Criminal Justice Standards and Training Commission (CJSTC) and an organization that advocates on behalf of, and offers training to law enforcement officers on interactions with, individuals with ASD. The training must include all of the following:

- Recognizing ASD symptoms.
- Interview/interrogation techniques.
- Locating missing individuals with ASD.
- Techniques for recognizing the agency of an individual with ASD while identifying potential abusive or coercive situations.
- De-escalation strategies.
- Differentiating ASD behaviors from belligerence and understanding the law as it related to the use of the Baker Act on an individual with ASD.
- Impact of officer interactions on ASD individuals.
- Information about the blue envelope program and “SAFE” designation.

The bill requires that initial certification includes in-person instruction and online or in-person for continued employment training or education.

The bill requires that each basic skills course required for law enforcement officers to obtain initial certification includes the required training by July 1, 2028. By July 1, 2029, each law enforcement officer must successfully complete such training as part of continued training or education.

The bill has an insignificant negative fiscal impact to the Florida Department of Law Enforcement (FDLE) related to programmatic changes needed to implement the bill. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Criminal Justice Standards and Training Commission (CJSTC)

The CJSTC is established under s. 943.11, F.S within the Florida Department of Law Enforcement (FDLE). The commission is an independent policy making body that ensures that Florida's criminal justice officers are ethical, qualified, and well-trained. The CJSTC is responsible for creating entry-level curricula and certification testing for criminal justice officers in Florida, establishing minimum standards for employment and certification, and revoking the certification of officers who fail to maintain these minimum standards of conduct.¹

Minimum Qualifications

An individual must be at least 19 years of age to become a certified law enforcement officer or a certified correctional probation officer and must be at least 18 years of age to become a certified correctional officer. Additionally, the individual must be a citizen of the United States, not have been convicted of a felony after a specified date or received a dishonorable discharge from the military, pass a physical exam, and have good moral character as determined by a background investigation. Certification as a law enforcement officer or correctional officer requires a high school diploma or equivalent (GED). Certification as a correctional probation officer requires a bachelor's degree.^{2,3}

Autism Training

In 2017, s. 943.1727, F.S., was amended to establish autism training for law enforcement officers. This training may be counted toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer under s. 943.135, F.S.⁴

¹ Florida Department of Law Enforcement, Criminal Justice Professionalism Division, *Overview of the Professionalism Division*, <https://www.fdle.state.fl.us/CJSTC/Overview.aspx> (last visited January 27, 2026).

² Florida Department of Law Enforcement, *Department of Law Enforcement Criminal Justice Professionalism Services*, <https://www.fdle.state.fl.us/cjstc/officer-requirements/how-to-become-an-officer> (last visited January 27, 2026).

³ Section 943.13, F.S.

⁴ The commission shall, by rule, adopt a program that requires all officers, as a condition of continued employment or appointment as officers, to receive periodic commission-approved continuing training or education. Such continuing training or education shall be required at the rate of 40 hours every 4 years. No officer shall be denied a reasonable opportunity by the employing agency to comply with this section. The employing agency must document that the continuing training or education is job-related and consistent with the needs of the employing agency. The employing agency must maintain and

Section 627.6686(2)(b), F.S., defines “autism spectrum disorder” to mean any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

- Autistic disorder.
- Asperger’s syndrome.
- Pervasive developmental disorder not otherwise specified.⁵

The Florida Law Enforcement Academy Basic Recruit Training Program requires a total of 770 hours of instruction time, including a lesson on topics relating to the autism spectrum disorder. Training includes information on interviewing people with autism spectrum disorder and responding to missing persons incidents involving people with autism spectrum disorder.

There is a 4-hour CJSTC specialized course, Autism Spectrum Disorder and Awareness, which is currently under revision but will be up for approval by the CJSTC in May of 2026. Additionally, the FDLE offers two online courses related to autism which can be taken as part of an officer’s mandatory retraining. These are Autism Awareness Telecommunicator and Autism Spectrum Disorders (ASD) and Interviews. While these two courses can be counted toward mandatory retraining, they were not developed by the CJSTC.⁶

III. Effect of Proposed Changes:

The bill creates s. 320.021, F.S., to create the “Blue Envelope Program” within the Department of Highway Safety and Motor Vehicles (HSMV) to improve communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions by January 1, 2027.

The blue envelope will identify the individual as having Autism Spectrum Disorder (ASD) and will include communication guidelines for officers during interactions with these individuals. The blue envelopes will be available by request from the HSMV or local tax collector beginning January 1, 2027.

The bill amends s. 943.1727, F.S., to create joint training with the CJSTC and an organization that advocates on behalf of, and offers training to, law enforcement officers in this state on interactions with individuals with ASD. The training must include:

- Recognizing ASD symptoms,
- Interview/interrogation techniques,
- Locating missing individuals with ASD,
- Techniques for recognizing the agency of an individual with ASD while identifying potential abusive or coercive situations,
- De-escalation strategies,

submit, or electronically transmit, the documentation to the commission, in a format approved by the commission.

Section 943.135, F.S.

⁵ Section 627.6686, F.S.

⁶ Florida Department of Law Enforcement, 2026 Agency Legislative Bill Analysis, *SB 418-Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder*, December 6, 2025 (on file with the Senate Committee on Criminal Justice).

- Differentiating ASD behaviors from belligerence and understanding the law as it related to the use of the Baker Act on an individual with ASD,
- Impact of officer interactions on ASD individuals and
- Information about the Blue Envelope Program and “SAFE” designation.

The bill requires that initial certification includes in-person instruction and online or in-person for continued employment training or education.

The bill requires that each basic skills course required for law enforcement officers to obtain initial certification includes the required training by July 1, 2028. By July 1, 2029, each law enforcement officer must successfully complete such training as part of continued training or education.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDLE estimated in their agency bill analysis that the cost to make changes in the Automated Training Management System (ATMS) would be \$64,000 and would take approximately four months and the cost to update the curriculum is indeterminate but insignificant. The costs of both requirements can be absorbed within existing resources.⁷ The HSMV will be able to absorb the cost of creating the Blue Envelope Program within existing resources.

VI. Technical Deficiencies:

The FDLE recommends that the effective date be amended to January 1, 2027, to allow time to complete necessary programmatic changes to the ATMS system.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 943.1727 of the Florida Statutes.

This bill creates section 320.021 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁷ *Id.*

By Senator Jones

34-00167B-26

2026418__

1 A bill to be entitled
 2 An act relating to law enforcement officer
 3 interactions with individuals with autism spectrum
 4 disorder; creating s. 320.021, F.S.; requiring the
 5 Department of Highway Safety and Motor Vehicles to
 6 establish a program to improve communication between
 7 individuals with autism spectrum disorder and law
 8 enforcement officers under certain circumstances;
 9 requiring the department to develop and make available
 10 to individuals with autism spectrum disorder a certain
 11 envelope by a specified date; providing requirements
 12 for the envelope; authorizing persons with autism
 13 spectrum disorder to request the envelope from the
 14 department or a tax collector's office, beginning on a
 15 specified date; amending s. 943.1727, F.S.; defining
 16 the terms "agency" and "autism spectrum disorder";
 17 requiring the Criminal Justice Standards and Training
 18 Commission within the Department of Law Enforcement to
 19 establish an employment training component relating to
 20 individuals with autism spectrum disorder; requiring
 21 that such employment training component be developed
 22 jointly by the commission and an organization that
 23 meets certain requirements; providing requirements for
 24 training law enforcement officers on interacting with
 25 individuals with autism spectrum disorder; requiring
 26 the commission to adopt certain rules requiring such
 27 training as part of basic recruit training and as part
 28 of the required instruction for continued employment
 29 and appointment as law enforcement officers; providing

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 an effective date.
 31
 32 Be It Enacted by the Legislature of the State of Florida:
 33
 34 Section 1. Section 320.021, Florida Statutes, is created to
 35 read:
 36 320.021 Blue envelope program.-
 37 (1) The department shall establish a blue envelope program
 38 for the purpose of improving communication between individuals
 39 with autism spectrum disorder and law enforcement officers
 40 during motor vehicle-related interactions.
 41 (2) By January 1, 2027, the department shall develop and
 42 make available to individuals with autism spectrum disorder a
 43 blue envelope that is intended to hold a copy of an individual's
 44 driver license and his or her vehicle registration, proof of
 45 insurance, and emergency contact information, which envelope may
 46 be provided by the individual to a law enforcement officer
 47 during a motor vehicle-related interaction. The exterior of the
 48 blue envelope must identify the individual as an individual with
 49 autism spectrum disorder and include communication guidelines
 50 intended to assist law enforcement officers during interactions
 51 with drivers with autism spectrum disorder.
 52 (3) Beginning January 1, 2027, an individual with autism
 53 spectrum disorder may request a blue envelope from the
 54 department or a tax collector's office.
 55 Section 2. Section 943.1727, Florida Statutes, is amended
 56 to read:
 57 943.1727 ~~Continued~~ Employment training relating to autism
 58 spectrum disorder.-

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

(a) "Agency" means the ability to make independent decisions and act in one's own best interests.

(b) "Autism spectrum disorder" has the same meaning as in s. 627.6686(2).

(2) The ~~commission department~~ shall establish an a continued employment training component relating to individuals with autism spectrum disorder. Such training component must be developed jointly by the commission and an organization that advocates on behalf of, and offers training to law enforcement officers in this state on interactions with, individuals with autism spectrum disorder as defined in s. 627.6686. The training component shall include, but need not be limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to an individual exhibiting such symptoms and characteristics. Completion of the training component counts may ~~count~~ toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer required under s. 943.135.

(3) The employment training component for law enforcement officers which relates to interactions with individuals with autism spectrum disorder must include in-person instruction for initial certification and online or in-person instruction for continued employment training or education required under s. 943.135(1) in all of the following:

(a) The nature and manifestation of autism spectrum disorder.

(b) Techniques for interviewing or interrogating an

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individual with autism spectrum disorder, including techniques to ensure the legality of statements made by the individual and techniques used to protect the rights of the individual.

(c) Techniques for locating an individual with autism spectrum disorder who has run away and is in danger and for returning that individual while causing as little stress as possible to the individual.

(d) Techniques for recognizing the agency of an individual with autism spectrum disorder while identifying potential abusive or coercive situations.

(e) Techniques for de-escalating a potentially dangerous situation to maximize the safety of both the officer and the individual with autism spectrum disorder.

(f) Techniques for differentiating an individual with autism spectrum disorder from an individual who is belligerent, uncooperative, or otherwise displaying traits similar to the characteristics of an individual with autism spectrum disorder and for understanding the law as it relates to the use of the Baker Act on an individual with autism spectrum disorder.

(g) The impact of an interaction with officers on individuals with autism spectrum disorder.

(h) Information about the blue envelope program established under s. 320.021 and the "SAFE" designation included in the motor vehicle record pursuant to s. 320.02(15).

(4) All recruits must complete the employment training component relating to individuals with autism spectrum disorder. Such training component may be taught as part of other relevant components of the training.

(5) The commission shall by rule require that each law

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117 enforcement officer receive instruction in the techniques and
118 procedures described in subsection (3) as part of basic recruit
119 training and as part of the required instruction for continued
120 employment or appointment as such an officer.

121 (a) By July 1, 2028, each basic skills course required for
122 law enforcement officers to obtain initial certification, as
123 required under s. 943.13(9), must incorporate such training.

124 (b) By July 1, 2029, each law enforcement officer must
125 successfully complete such training, as required under s.
126 943.131(4) (a) and as part of continued training or education
127 required under s. 943.135(1).

128 Section 3. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2/12/2026
Meeting Date

SB 418
Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Donna Lorman

Phone 407-616-6201

Address 4743 Hearthside Dr.
Street

Email dlorman@asgo.org

Orlando FL 32837
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 418

Bill Number or Topic

2/12/24

Meeting Date

Fiscal Policy

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

Monica Carretero

Phone

787-486-9530

Address

1764 Prairie View Ln

Email

monica-carretero@hotmail.com

Street

Duiedo

FL

32765

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/12/26
Meeting Date

FISCAL Policy
Committee

SB 418
Bill Number or Topic

Amendment Barcode (if applicable)

Name Maia Hann Phone 909-289-3406

Address 132 Rainbow St. Email Maia@REACTforHope.org
Street
Meritt Is., FL 32952
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

REACT: Research & Education for
Autistic Children's treatment

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 418

02/12/26

Meeting Date

Criminal Justice

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Susan Farris

Phone 804-605-7101

Address 545 Oxford Ave

Email susanacfarris@gmail.com

Street

Melbourne

City

FL

State

32935

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 428

INTRODUCER: Senator Yarborough and others

SUBJECT: Swimming Lesson Voucher Program

DATE: February 11, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Looke	Brown	HP	Favorable
2. Gerbrandt	McKnight	AHS	Favorable
3. Looke	Siples	FP	Favorable

I. Summary:

SB 428 amends s. 514.073, F.S., relating to the Swimming Lesson Voucher Program (SLVP), to revise the eligibility requirements for the program from children 4 years of age or younger to children between 1 and 7 years of age.

The bill revises eligibility requirements for the SLVP, but does not impact the amount of funding that is available to the program which is subject to an appropriation. Therefore the bill has no fiscal impact on state expenditures or revenues. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

The Danger of Drowning

Drowning is one of the leading causes of accidental death among children. For all ages, the current annual global estimate is 295,000 drowning deaths, although this figure is thought to underreport fatal drownings, in particular boating and disaster related drowning mortality.

Drowning disproportionately impacts children and young people, with over half of all drowning deaths occurring among people younger than 25 years old. In many countries, children under five years of age record the highest rate of fatal and non-fatal drowning, with incidents commonly occurring in swimming pools and bathtubs in high income countries and in bodies of water in and around a home in low-income contexts.¹

¹ Peden AE, Franklin RC. Learning to Swim: An Exploration of Negative Prior Aquatic Experiences among Children. Int J Environ Res Public Health, May 19, 2020, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7277817/> (last visited Jan. 14, 2026).

Drowning Deaths in Florida

Drowning deaths in Florida have consistently ranged between 350 and 500 deaths per year in the state from 2005 to present at an average rate of approximately two deaths per 100,000 population.² Children aged four and under, however, drown nearly three times as often with a rate of approximately six per 100,000 population.³ Comparably, children between the ages of one and seven drown at a rate of approximately five per 100,000 population and made up 87 out of 452, or nearly 20 percent, of the drowning deaths in Florida in 2024.⁴

Formal Swimming Lessons and Drowning Prevention

Learning to swim has been found to be an effective drowning prevention strategy and has been proposed by the World Health Organization as one of ten key strategies for global drowning prevention. Participation in formal swimming lessons has been shown to reduce drowning risk among children aged 1-19 years, and a recent review of evidence suggests that teaching aquatic competencies to young children causes no increased risk, particularly when combined with the additional drowning prevention strategies of supervision, restricting access to water, and caregiver training in cardiopulmonary resuscitation (CPR).⁵ Swimming lessons have been found to be particularly effective in protecting children age 0-4 from drowning with one study showing that formal swimming lessons were associated with an 88 percent reduction in the risk for drowning for that population.⁶

Florida's Swimming Lesson Voucher Program (SLVP)

In 2024, the Florida Legislature passed SB 544,⁷ which created the SLVP. The SLVP is administered by the Department of Health (DOH) and provides vouchers for swimming lessons to families who have an income of 200 percent of federal poverty level or lower, who are Florida residents, and have one or more children aged four and under.⁸ To ensure that the vouchers are accepted, the SLVP also requires the DOH to establish a network of swimming lesson providers where the vouchers may be used. Eligible families who apply for, and receive, a voucher through the SLVP can exchange the voucher for swimming lessons through any swimming lesson provider who is part of the DOH's network.⁹

The SLVP initially received \$500,000 in funds from the state for Fiscal Year 2024-2025.¹⁰ The DOH secured an additional \$200,000 in grant funding from the Consumer Product Safety

² Florida Health Charts, *Deaths from Unintentional Drowning*, available at <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=Death.DataViewer&cid=0105>, (last visited Jan. 14, 2026).

³ *Id.* (Rate type changed to “crude” and age range selected from “0 to 4”).

⁴ *Id.*

⁵ Florida Health Charts, *Deaths from Unintentional Drowning*.

⁶ Brenner RA, Taneja GS, Haynie DL, Trumble AC, Qian C, Klinger RM, Klebanoff MA., *Association between swimming lessons and drowning in childhood: a case-control study*, Arch Pediatr Adolesc Med. 2009 Mar;163(3):203-10. doi: 10.1001/archpediatrics.2008.563. PMID: 19255386; PMCID: PMC4151293, available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC4151293/> (last visited Jan. 31, 2026).

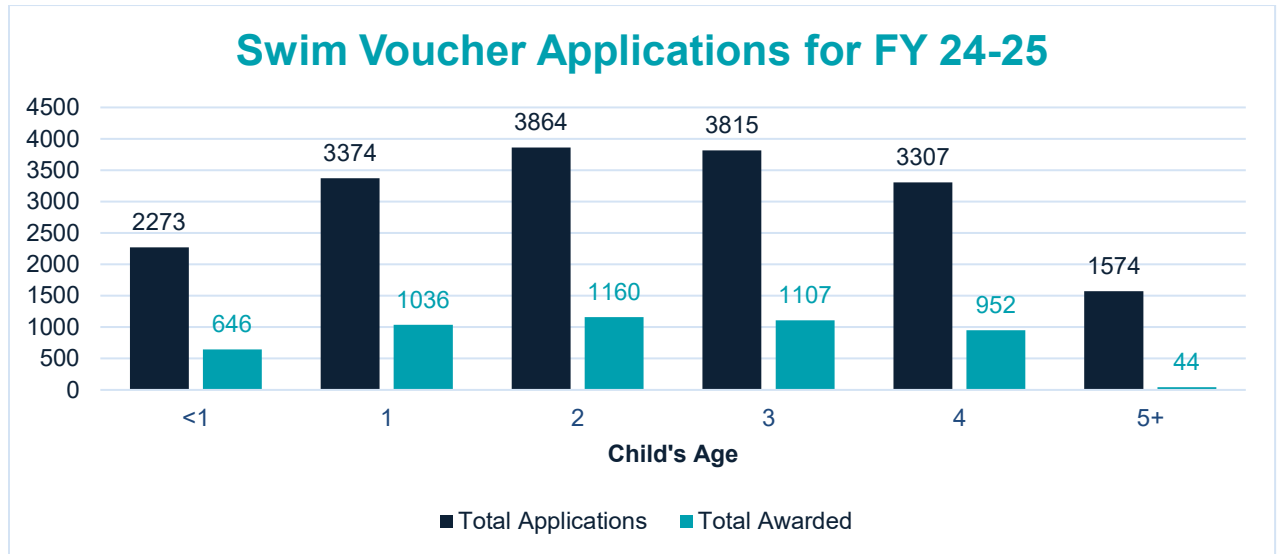
⁷ Chapter 2024-89, L.O.F.

⁸ Section 514.073, F.S.

⁹ A list of swimming lesson providers who are part of the network, and the requirements that such providers must meet, are available at [WaterSmartFL](https://www.water-smart-fl.com/), (last visited Jan. 14, 2026).

¹⁰ Chapter 2024-89, s. 2, L.O.F.

Commission, and several county health departments contributed \$143,400 in discretionary funds to supplement the state funds, bringing the total funding available to \$843,400 for lessons provided through June 30, 2025.¹¹ For Fiscal Year 2024-2025, the DOH received 16,663 applications for swimming lesson vouchers and awarded 4,945.¹² See below for a chart of the distribution of voucher applications and awards by age:



For Fiscal Year 2025-2026, the Legislature increased the state funding for the SLVP to \$1 million in recurring funds and required the DOH to prioritize the dissemination of vouchers to eligible families who are active military or whose eligible child has autism.¹³

III. Effect of Proposed Changes:

The bill amends the Swimming Lesson Voucher Program to revise the eligibility requirements for children who participate in the program from four years of age or younger to between the ages of one and seven.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹¹ Swimming Lesson Voucher Program Legislative Report 2025, p. 8, on file with Senate Health Policy Committee staff.

¹² *Id.* at p. 10.

¹³ *Id.* at p. 12.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

SB 428 may have a positive fiscal impact on families seeking swimming lessons for children aged five to seven who will qualify for a voucher under the changes made by the bill. The bill may have a negative fiscal impact on families with children not yet one year old who will no longer qualify for a voucher.

C. Government Sector Impact:

The bill revises eligibility requirements for the SLVP but does not impact the amount of funding that is available for the program which is subject to an appropriation.¹⁴ Therefore the bill has no fiscal impact on state expenditures or revenues.¹⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 514.073 of the Florida Statutes.

¹⁴ Section 514.073(2), F.S.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Yarborough

4-00451-26

2026428__

1 A bill to be entitled
 2 An act relating to the Swimming Lesson Voucher
 3 Program; amending s. 514.073, F.S.; revising the age
 4 requirements for children receiving a voucher through
 5 the Swimming Lesson Voucher Program; providing an
 6 effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Subsection (1) and paragraph (b) of subsection
 11 (2) of section 514.073, Florida Statutes, are amended to read:
 12 514.073 Swimming Lesson Voucher Program.—
 13 (1) There is created within the department the Swimming
 14 Lesson Voucher Program. The purpose of the program is to
 15 increase water safety in this state by offering vouchers for
 16 swimming lessons at no cost to families with an income of no
 17 more than 200 percent of the federal poverty level who have one
 18 or more children between 1 and 7 4 years of age ~~or younger~~.
 19 (2) The department shall do all of the following to
 20 implement the program:
 21 (b) Establish a method for members of the public to apply
 22 for swimming lesson vouchers and for determining an applicant's
 23 eligibility. The department shall establish eligibility criteria
 24 necessary for a family to receive one or more vouchers from the
 25 program, including, but not limited to, the following:
 26 1. The age of each child for whom a voucher is being
 27 sought, who must be between 1 and 7 ~~may be no more than 4~~ years
 28 of age.
 29 2. The family income level, which may be up to 200 percent

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

4-00451-26

2026428__

30 of the federal poverty level.
 31 3. The family's address of residency in this state.
 32 Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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2/12/25

Meeting Date

Senate Fiscal Policy

Committee

SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Will Moffett

Phone

904-295-9799

Address

130 Corridor Rd, #564

Email

willm.moffett@gmail.com

Street

Ponte Vedra

City

FL

State

32082

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



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compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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(travel, meals, lodging, etc.),
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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~~2/12/24~~ 2/12/24

Meeting Date

fiscal

Committee

SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Maia Hahn

Phone

909-289-3406

Address

132 Rainbow St

Street

Email

Maia@REACTforHope.org

Meritt Is

City

FL

State

32952

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

REACT - research & Education for autistic
children's treatment

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S-001 (08/10/2021)

The Florida Senate

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Meeting Date

Fiscal Policy

Committee

SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Rick Howard

Phone

227 239 5177

Address

1436 Rosetree Ct

Street

Clearwater

City

FL

State

33764

Zip

Email

Flapoolguy1@yahoo.com

Reset Form

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

2/12/26

Meeting Date

The Florida Senate
APPEARANCE RECORD

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SB 428

Bill Number or Topic

Committee

Mitchell Fox

Amendment Barcode (if applicable)

Name

Phone

954 6571504

Address

1885 SIKES LAKE

Email

GLOBALPOOL@MAIL.COM

Street

WESTON

FL

33327

City

State

Zip

Reset Form

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

Feb. 12, 2026

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 428

Bill Number or Topic

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Senate Fiscal Policy

Committee

Name

Cora Merritt

Phone

850-758-5209

Address

4235 Marsh Landing

Email

cora.merritt@nemours.org

nemours.org

Street

Jacksonville

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Nemours Children's Health

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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2/12/26

Meeting Date

Fiscal Policy

Committee

428

Bill Number or Topic

Amendment Barcode (if applicable)

Name Florida Parent Teacher Karen Mazzola Phone 407-855-7604
Association

Address 1747 Orlando Central Pkwy Email vp.leadership@floridapta.org
Street

Orlando FL 32809
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2/12/26

Meeting Date

Fiscal Policy

Committee

SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dallas Thiesen

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Swimming
Pool Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

2-12-26

Meeting Date

SB 428

Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

Mickey Sigman

Phone

772-519-3310

Address

4795 Christensen Rd

Email

poolproinc@yahoo.com

Street

Ft Pierce

FL

34981

City

State

Zip

Reset Form

Speaking:

☐ For☐ Against☐ Information

OR

Waive Speaking:

☒ In Support☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 606

INTRODUCER: Fiscal Policy Committee; Health Policy Committee; Senator Smith and others

SUBJECT: Drowning Prevention Education

DATE: February 12, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Looke	Brown	HP	Fav/CS
2. Gerbrandt	McKnight	AHS	Favorable
3. Looke	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 606 creates s. 383.3363, F.S., to require the Department of Health (DOH) to develop educational materials on drowning prevention safety measures and safe bathing practices and provides minimum requirements for what must be included in such materials. The bill requires hospitals, birth centers, and home birth providers to provide the educational materials to parents and caregivers of newborns as part of their postpartum education and care and requires childbirth educators to provide the materials to parents and caregivers receiving childbirth education.

The bill has an insignificant negative fiscal impact on DOH; however, such impact can be absorbed within existing resources. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

The Danger of Drowning

Drowning is one of the leading causes of accidental death among children. For all ages, the current annual global estimate is 295,000 drowning deaths, although this figure is thought to underreport fatal drownings, in particular boating and disaster-related drowning mortality.

Drowning disproportionately impacts children and young people, with over half of all drowning deaths occurring among people younger than 25 years old. In many countries, children under five years of age record the highest rate of fatal and non-fatal drowning, with incidents commonly occurring in swimming pools and bathtubs in high income countries and in bodies of water in and around a home in low income contexts.¹

Drowning Deaths in Florida

Drowning deaths in Florida have consistently ranged between 350 and 500 deaths per year in the state from 2005 to present at an average rate of approximately two deaths per 100,000 population.² Children aged four and under, however, drown nearly three times as often with a rate of approximately six per 100,000 population.³ Comparably, children between the ages of one and seven drown at a rate of approximately five per 100,000 population and made up 87 out of 452, or nearly 20 percent, of the drowning deaths in Florida in 2024.⁴

Drowning Prevention

The National Drowning Prevention Alliance (NDPA) recommends five steps for protecting children from drowning, which the NDPA refers to as “5 layers of protection.”⁵ These layers are: barriers and alarms, supervision, water competency, life jackets, and emergency preparation.

Barriers and Alarms

The NDPA cites that 70 percent of child drownings happen during non-swim times.⁶ Many types of fences can help prevent children from accessing a pool area when the children are not being supervised. Additionally, certain covers and safety nets can prevent children from falling into a pool. Lastly, many types of alarms exist that can alert parents when the pool area or the pool itself has been accessed without permission and supervision.⁷

Supervision

The NDPA provides several recommendations for supervision of children around pools and bodies of water. These include having general house rules about not leaving children unattended and reminding guests, babysitters, and caregivers about pool hazards and the need for constant supervision. Lastly, the NDPA recommends active supervision while swimming and participating in water activities and using a water watcher, i.e. a person whose sole responsibility

¹ Peden AE, Franklin RC. Learning to Swim: An Exploration of Negative Prior Aquatic Experiences among Children. Int J Environ Res Public Health, May 19, 2020, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7277817/> (last visited Jan. 14, 2026).

² Florida Health Charts, Deaths from Unintentional Drowning, available at <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=Death.DataViewer&cid=0105>, (last visited Jan. 14, 2026).

³ *Id.* (To see this result, change “rate type” to “crude” and select the age range from “0 to 4”).

⁴ *Id.*

⁵ National Drowning Prevention Alliance, *Learn the 5 Layers of Protection*, <https://ndpa.org/layers/> (last visited Jan. 15, 2026).

⁶ National Drowning Prevention Alliance, *The Five Layers of Protection*, p. 2, available at <https://ndpa.org/wp-content/uploads/2022/09/FINAL-LOP-Brochure.pdf>, (last visited Jan. 15, 2026).

⁷ *Id.* at pp. 3-6.

is watching over the children in and near the water, or a lifeguard during water-centered gatherings.⁸

Water Competency

The American Academy of Pediatrics recommends starting swim lessons as early as age one. Research shows that children ages one through four can reduce their drowning risk up to 88 percent if enrolled in formal lessons. The NDPA recommends making sure that the swim instruction includes water safety and survival education at the appropriate developmental level.⁹

Life Jackets

The NDPA recommends that everyone wear a life jacket or personal flotation device (PFD) approved by the U.S. Coast Guard (USCG) whenever boating or in a natural or open body of water. The NDPA indicates it is important that the life jacket is USCG approved and fitted for the individual. Not all devices sold by retailers are tested and approved flotation devices. Devices that are not tested and approved cannot be considered a safe layer of protection and should not be part of a family's water safety plan, according to the NDPA.¹⁰

Emergency Readiness

The NDPA recommends that adults participating in water activities when children are involved have an emergency plan, including keeping a phone near the pool or swimming area with the ability to call 911 for help if needed. Additionally, parents and others who live in homes with pools should learn and practice cardiopulmonary resuscitation (CPR) and there should be at least one person who knows CPR at any large gathering where water is involved. Lastly, pool owners and operators may enroll in water safety courses that teach proper rescue techniques.¹¹

III. Effect of Proposed Changes:

The bill creates s. 383.3363, F.S., to require the Department of Health to develop educational materials on drowning prevention safety measures and safe bathing practices to be distributed to parents and caregivers as part of postpartum or childbirth education provided by hospitals, birth centers, home birth providers, and childbirth educators. The materials, at a minimum, must include:

- The increased risk of drowning for infants and toddlers in bathtubs, pools, and other water sources, citing available data on such drownings;
- Water safety measures parents can employ to prevent drowning, emphasizing the importance of constant supervision of infants and children while they are around water and the benefits of early childhood swimming lessons and water competency programs as an added layer of protection from drownings; and
- Additional safety hazards in the home setting and evidence-based safe bathing practices.

⁸ *Id.* at p. 2.

⁹ *Id.* at p. 8.

¹⁰ National Drowning Prevention Alliance, *Life Jackets*, <https://ndpa.org/life-jackets/> (last visited Jan. 15, 2026).

¹¹ National Drowning Prevention Alliance, *The Five Layers of Protection* at p. 10.

The bill requires each hospital, birth center, and home birth provider providing maternity, prenatal, and newborn services to provide the educational materials to the parents or caregivers of a newborn as part of its postpartum education and care. Additionally, childbirth educators must provide the educational materials to parents or caregivers who receive childbirth education from the educator.

The bill also amends ss. 383.318 and 395.1053, F.S., to include the educational requirements established by the bill in the licensure acts for birth centers and hospitals, respectively.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have a negative fiscal impact on hospitals, birth centers, and home birth providers who are required to provide the drowning prevention educational materials to parents and caregivers under the bill.

C. Government Sector Impact:

The bill requires the DOH to develop educational materials on drowning safety measures and safe bathing practices. These costs can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 383.318 and 395.1053.

This bill creates section 383.3363 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on January 20, 2026:

The committee substitute removes the underlying bill's requirement that home birth providers would have to maintain a record of compliance with the requirements of the bill and make such records available to the AHCA upon request.

CS by Fiscal Policy on February 12, 2026:

The committee substitute removes the requirement that hospitals and birth centers maintain proof of compliance with the educational requirements established by the bill.

B. Amendments:

None.



236920

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Smith) recommended the following:

Senate Amendment (with title amendment)

Delete lines 49 - 86
and insert:
postpartum education and care.

(3) Childbirth educators shall provide the educational materials developed under subsection (1) to the parents or caregivers receiving childbirth education.

Section 2. Paragraph (j) is added to subsection (4) of section 383.318, Florida Statutes, to read:



236920

383.318 Postpartum care for birth center clients and infants.—

(4) The birth center shall provide a postpartum evaluation and followup care that includes all of the following:

(j) Provision of the educational materials on drowning prevention safety measures and safe bathing practices developed by the Department of Health under s. 383.3363.

Section 3. Section 395.1053, Florida Statutes, is amended to read:

395.1053 Postpartum education.—A hospital that provides birthing services shall provide each parent with postpartum education on the care of newborns, which must include all of the following:

(1) ~~incorporate~~ Information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death. ~~into the hospital's postpartum instruction on the care of newborns and provide to each parent~~

(2) Provision of the informational pamphlet on infant and childhood eye and vision disorders created by the department pursuant to s. 383.14(3)(h).

(3) Provision of the educational materials on drowning prevention safety measures and safe bathing practices developed by the department under s. 383.3363.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete lines 10 - 15
and insert:
their postpartum education and care; requiring



236920

40

childbirth educators to provide the

By the Committee on Health Policy; and Senators Smith,
Yarborough, Davis, and Berman

588-02060-26

2026606c1

A bill to be entitled

An act relating to drowning prevention education; creating s. 383.3363, F.S.; requiring the Department of Health to develop educational materials on drowning prevention safety measures and safe bathing practices for specified purposes; providing requirements for such materials; requiring hospitals, birth centers, and home birth providers to provide the educational materials to new parents and caregivers as part of their postpartum education and care; requiring hospitals and birth centers to maintain proof of compliance with the required distribution of the educational materials and make such records available to the Agency for Health Care Administration upon request; requiring childbirth educators to provide the informational materials to parents or caregivers receiving childbirth education from them; amending ss. 383.318 and 395.1053, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 383.3363, Florida Statutes, is created to read:

383.3363 Education on drowning prevention safety measures and safe bathing practices.—

(1) The Department of Health shall develop educational materials on drowning prevention safety measures and safe bathing practices to be distributed to parents or caregivers as

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

588-02060-26

2026606c1

part of postpartum or childbirth education provided by hospitals, birth centers, home birth providers, and childbirth educators in this state. The materials must include, but need not be limited to, instruction on all of the following:

(a) The increased risk of drowning for infants and toddlers in bathtubs, pools, and other water sources, citing available data on such drownings.

(b) Water safety measures parents can employ to prevent drowning, emphasizing the importance of constant supervision of infants and children while they are around water and the benefits of early childhood swimming lessons and water competency programs as an added layer of protection from drownings.

(c) Additional safety hazards in the home setting and evidence-based safe bathing practices.

(2) Each hospital, birth center, and home birth provider providing maternity, prenatal, and newborn services shall provide the educational materials developed under subsection (1) to the parents or caregivers of a newborn as part of its postpartum education and care. Hospitals and birth centers shall maintain proof of compliance with this subsection and make such records available to the Agency for Health Care Administration upon request.

(3) Childbirth educators shall provide the educational materials developed under subsection (1) to the parents or caregivers receiving childbirth education.

Section 2. Paragraph (j) is added to subsection (4) of section 383.318, Florida Statutes, to read:

383.318 Postpartum care for birth center clients and

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

588-02060-26

2026606c1

59 infants.-

60 (4) The birth center shall provide a postpartum evaluation
61 and followup care that includes all of the following:

62 (j) Provision of the educational materials on drowning
63 prevention safety measures and safe bathing practices developed
64 by the Department of Health under s. 383.3363. Birth centers
65 shall maintain proof of compliance with the requirements of this
66 paragraph and make such records available to the Agency for
67 Health Care Administration upon request.

68 Section 3. Section 395.1053, Florida Statutes, is amended
69 to read:

70 395.1053 Postpartum education.-

71 (1) A hospital that provides birthing services shall
72 provide each parent with postpartum education on the care of
73 newborns, which must include all of the following:

74 (a) ~~incorporate~~ Information on safe sleep practices and the
75 possible causes of Sudden Unexpected Infant Death. ~~into the~~
76 ~~hospital's postpartum instruction on the care of newborns and~~
77 ~~provide to each parent~~

78 (b) Provision of the informational pamphlet on infant and
79 childhood eye and vision disorders created by the department
80 pursuant to s. 383.14(3)(h).

81 (c) Provision of the educational materials on drowning
82 prevention safety measures and safe bathing practices developed
83 by the department under s. 383.3363.

84 (2) Hospitals shall maintain proof of compliance with the
85 requirements of this section and make such records available to
86 the agency upon request.

87 Section 4. This act shall take effect July 1, 2026.

2/12/26

Meeting Date

Fiscal Policy

Committee

Name Dallas Thiesen

Address

Street

City

State

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 606

Bill Number or Topic

236920

Amendment Barcode (if applicable)

Phone

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Swimming
Pool Association

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Address

Street

City

State

Zip

Phone

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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SB 606

Bill Number or Topic

Amendment Barcode (if applicable)

787-486-9530

Name

Monica Carretero - Autism Society of Florida

Phone

Address

1764 Prairie View Ln

Email

monica-carretero@hotmail.com

Street

Orlando FL

State

3275

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

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something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

2/12/26

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

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606

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Richard Smith

Phone

407-234-2761

Address

520 Bernasek Dr.

Email

richard.smith@sunsmart
engineering.com

Reset Form

Street

DeBary, FL 32713

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2-12-26

Meeting Date

SB 606

Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

Belkis Vigil

Phone

305-562-7010

Address

13201 S.W. 209 street

Email

belkys1868@gmail.com

Street

miami

FL

33177

City

State

Zip

Reset Form

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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606
Bill Number or Topic

02/12/26
Meeting Date
Fiscal Policy
Committee

Name Florida Parent Teacher Karen Mazzda Association Phone 407-855-7604

Address 1747 Orlando Central PKwy Email vp.leadership@floridapta.org
Street
Orlando FL 32809
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLPTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 628

INTRODUCER: Senator Gaetz

SUBJECT: Transportation Facility Designations/Warrior Sacrifice Way

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Favorable
2.	Griffin	Nortelus	ATD	Favorable
3.	Johnson	Siples	FP	Favorable

I. Summary:

SB 628 designates that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The FDOT estimates its cost to install the designation markers is \$2,400. See Section V., Fiscal Impact Statement below for details.

The bill takes effect July 1, 2026.

II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes or to distinguish a particular facility. Such designations may not be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.¹

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated and to erect any other markers it deems appropriate for the transportation facility.²

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the

¹ Section 334.071(1), F.S.

² Section 334.071(2), F.S.

designated road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before the installation of the markers.³

Warrior Sacrifice Way

Warrior Sacrifice Way honors the victims of the terrorist attack at Naval Air Station Pensacola on December 6, 2019, where three men were killed and eight others were injured.⁴

III. Effect of Proposed Changes:

Section 1 creates an undesignated section of Florida law designating that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs the FDOT to erect suitable markers.

Section 2 provides that the bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

³ Section 334.071(3), F.S.

⁴ NBC News, *Suspected shooter at Naval Air Station Pensacola was Saudi Air Force member*, December 6, 2019, <https://www.nbcnews.com/news/us-news/active-shooter-reported-naval-air-station-pensacola-n1096966> (last visited January 5, 2026).

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDOT estimates that its cost to erect the designation markers required by this bill to be \$2,400. This assumes that a minimum of two markers are required at the FDOT's cost of no less than \$1,200 each.⁵ This estimate includes labor, materials, manufacturing, and installation. The FDOT expects to absorb this cost within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁵ Email from Jack Rogers, Legislative Affairs Director, Florida Department of Transportation, RE. Transportation Facility Designation Costs, December 9, 2024. (On file with Senate Committee on Transportation). Confirmed by an email from Jack Rogers, RE SB 174 – Charlie Kirk Designation, October 22, 2025. (On file with Senate Committee on Transportation).

By Senator Gaetz

1-01092-26

2026628__

A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Warrior Sacrifice Way designated; Department of Transportation to erect suitable markers.-

(1) That portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County is designated as "Warrior Sacrifice Way."

(2) The Department of Transportation is directed to erect suitable markers designating Warrior Sacrifice Way as described in subsection (1).

Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 636

INTRODUCER: Appropriations Committee on Agriculture, Environment and General Government and
Senator Leek

SUBJECT: Beach Management

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Favorable</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Fav/CS</u>
3.	<u>Barriero</u>	<u>Siples</u>	<u>FP</u>	<u>Favorable</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 636 provides that, in designating beaches as critically eroded, the Department of Environmental Protection (DEP) must review data related to beaches that have been preemptively and repeatedly repaired to avoid complete erosion and for which private funding, local government funding, and state and federal grants have been expended to stop or mitigate such erosion.

The bill also provides that, if a local government with jurisdiction over a beach has a financial plan that ensures funding for inclusion in the state strategic beach management plan, such beach must be designated as critically eroded if: (1) there is a perpetual easement requiring the local government to maintain shoreline parcels and ensure high value inland developments are protected; and (2) the beach has geological features that result in repeated inland flooding or structural damage.

The bill allows the DEP to require coastal local governments to develop local strategic beach management plans and specifies what must be included in such plans.

In addition, the bill expands the types of areas that may be designated as an area of critical state concern to include low elevation sections immediately inland of the dune and beach which have been repeatedly breached or overtopped by seawater flowing into an interconnected stormwater system or which have been designated in a local emergency declaration for a prolonged period.

The bill has no fiscal impact on state expenditures or revenue. See Section V., Fiscal Impact Statement.

The bill has an effective date of July 1, 2026.

II. Present Situation:

Florida's Beaches

Beaches are dynamic landforms subject to both natural and human-induced erosion.¹ Sand moves along the shore due to wave-driven currents and tides. Coastal erosion is caused in part by the creation and maintenance of inlets, where the sand has historically been removed from the coastal system by dredging, and the natural drift of sand along the shore is blocked by jetties, trapped in channels, or moved into ebb and flood shoals. The development and the placement of infrastructure near the shore can also contribute to coastal erosion by limiting the amount of sand stored in dunes and hardening the shore for protection of upland property. Storms and changing sea levels can also contribute to coastal erosion along Florida's coastline. Coastal communities will need to plan for community resiliency in low-lying coastal zones to be prepared for coastal flooding, extreme high tides, sea level rise, or storm surges.²

Florida depends on its 825 miles of sandy beaches as a natural resource for the enjoyment of its residents and tourists.³ Beaches are Florida's primary tourist attraction, generating millions of dollars annually for Florida's economy. Nourished beaches contribute to the expanding federal, state, and local tax bases; increase sales, income, and employment opportunities from resident and visitor spending; and enhance property values by protecting the developed shorefront from storm surges, preventing loss of upland property, and protecting wildlife habitat. Beaches also provide habitat for many species, including endangered and threatened marine turtles, birds, and mammals.⁴

Critically Eroded Beaches

A critically eroded shoreline is a segment of the shoreline where natural processes or human activity have caused or contributed to erosion and recession of the beach or dune system to such a degree that upland development, recreational interests, wildlife habitat, or important cultural resources are threatened or lost.⁵ Critically eroded shorelines may also include peripheral segments or gaps between identified critically eroded areas which, although they may be stable or slightly erosional now, their inclusion is necessary for continuity of management of the coastal system or for the design integrity of adjacent beach management projects.⁶

¹ Department of Environmental Protection (DEP), *Strategic Beach Management Plan: Introduction*, 1 (2023), available at https://floridadep.gov/sites/default/files/SBMP_Introduction_2023_2.pdf.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Fla. Admin. Code R. 62B-36.002(5).

⁶ *Id.*

To determine whether a segment of shoreline is critically eroded, the DEP's coastal engineering staff investigates an area of concern using both qualitative assessments and quantitative data and analyses.⁷ When data are limited at the time of an investigation, staff utilizes professional engineering judgment based upon reasonably accepted standards and practices in evaluating the erosion condition of a shoreline. When new data is available, the DEP updates the analysis accordingly. The type of quantitative data and analyses considered includes beach and offshore



profiles, upland topography, nearshore and offshore bathymetry, historical shoreline position changes, storm tide frequency, beach and dune erosion, recent storm damage, design adequacy, and proximity of upland development, infrastructure, wildlife habitat, and important cultural resources to the anticipated effects of a 25-year storm event.⁸

Many designated critically eroded beaches have been restored through the placement of beach and dune fill material.⁹ These shorelines have improved compared to their pre-project condition

⁷ DEP, *Critically Eroded Beaches in Florida*, 6 (2025), available at https://floridadep.gov/sites/default/files/FDEP_Critically%20Eroded%20Beaches_08-2025_FINAL_1.pdf.

⁸ *Id.*

⁹ DEP, *Critically Eroded Beaches in Florida*, 1 (2025), available at https://floridadep.gov/sites/default/files/FDEP_Critically%20Eroded%20Beaches_08-2025_FINAL_1.pdf.

when they were designated as being critically eroded. Although these beach management projects and their subsequent maintenance have mitigated the original critical erosion conditions, these shorelines retain their critical erosion designation in order to retain their state of Florida funding eligibility for long-term management and beach project maintenance and monitoring.¹⁰ Roughly half of the designated critically eroded beaches are currently managed.¹¹ Many areas have significant historic or contemporary erosion conditions, yet the erosion processes do not currently threaten public or private interests. These areas are therefore designated as *non-critically* eroded beaches and require close monitoring in case the conditions become critical.¹²

As of August 2025, 55 percent (approximately 451 miles) of the state's sandy shorelines are designated as critically eroded.¹³ An additional 88.9 miles are designated as non-critically eroded.¹⁴

Beach Management

Beach management activities in Florida are governed by the Dennis L. Jones Beach and Shore Preservation Act.¹⁵ The DEP is the beach and shore preservation authority for the state and is charged with identifying beaches which are critically eroding and developing a comprehensive long-term management plan for their restoration.¹⁶ The DEP's long-term management plan has several components, including a critically eroded beaches report, a statewide long-range budget plan, and a strategic beach management plan.¹⁷

The DEP's strategic beach management plan identifies and recommends appropriate measures for the state's critically eroded beaches and incorporates plans prepared at the regional level, taking into account areas of greatest need and probable federal and local funding.¹⁸ The plan also describes the historical and current beach nourishment activities taken to restore and manage Florida's beaches to protect upland property, restore habitat for wildlife, and provide recreational opportunities.¹⁹ The plan contains strategies to:

- Maximize the infusion of beach-quality sand into the coastal system;
- Implement those projects that contribute most significantly to addressing the state's beach erosion problems;
- Promote inlet sand bypassing to replicate the natural flow of sand interrupted by improved, modified or altered inlets and ports;
- Extend the life of beach restoration projects and reduce the frequency of nourishment;
- Encourage regional approaches to ensure the geographic coordination and sequencing of projects; and

¹⁰ *Id.*

¹¹ *Id.* at 1.

¹² *Id.*

¹³ DEP, *Critically Eroded Beaches Report* at 20.

¹⁴ *Id.*

¹⁵ DEP, *Strategic Beach Management Plan: Introduction*, 2 (2023), available at https://floridadep.gov/sites/default/files/SBMP_Introduction_2023_2.pdf. See chapter 161, F.S.

¹⁶ See section 161.101(1) and (2), F.S., and DEP, *Strategic Beach Management Plan* at 2.

¹⁷ DEP, *Strategic Beach Management Plan* at 2; section 161.161(2), F.S.

¹⁸ Section 161.161(2)(a), F.S.

¹⁹ DEP, *Strategic Beach Management Plan* at 40.

- Reduce equipment mobilization and demobilization costs.²⁰

The statewide plan includes seven separate regional plans.²¹ Such regional plans, along with the long-range budget plan, serve as the basis for state funding decisions.²² The state, through the DEP, may authorize appropriations to pay up to 75 percent of the actual costs for restoring and nourishing a critically eroded beach.²³ The local government in which such a beach is located is responsible for the balance of such costs.²⁴ In order to receive state funds, a project must provide for adequate public access, protect natural resources, and provide protection for endangered and threatened species.²⁵ The DEP will not fund projects that provide only recreational benefits; all funded activities must have an identifiable beach erosion control or beach preservation benefit directed toward maintaining or enhancing sand in the system.²⁶

Areas of Critical State Concern

The Areas of Critical State Concern Program was created by the Florida Environmental Land and Water Management Act of 1972.²⁷ The program is intended to protect resources and public facilities of major statewide significance within designated geographic areas from uncontrolled development that would cause substantial deterioration of such resources.²⁸ State law specifies which areas may be considered for designation and establishes the process for doing so.

The Administration Commission²⁹ may designate an area of critical state concern for the following areas:

- An area containing, or having a significant impact upon, environmental or natural resources of regional or statewide importance. This includes state or federal parks, forests, wildlife refuges, wilderness areas, aquatic preserves, major rivers and estuaries, state environmentally endangered lands, Outstanding Florida Waters, and aquifer recharge areas, the uncontrolled private or public development of which would cause substantial deterioration of such resources.³⁰
- An area containing, or having a significant impact upon, historical or archaeological resources, sites, or statutorily defined historical or archaeological districts, the private or

²⁰ DEP, *Strategic Beach Management Plan* at 2; section 161.091(2), F.S.

²¹ See DEP, *Strategic Planning and Coordination*, <https://floridadep.gov/rcp/beaches-inlets-ports/content/strategic-planning-and-coordination#SBMP> (last visited Dec. 17, 2025).

²² Section 161.161(2)(a), F.S.

²³ Section 161.101(1), F.S.

²⁴ *Id.* DEP is authorized to pay up to 100 percent of the costs of approved beach erosion control projects when construction and maintenance are on lands of which the state is the upland riparian owner. Section 161.101(10), F.S.

²⁵ Section 161.101(12), F.S.

²⁶ Section 161.101(13), F.S.

²⁷ Florida Department of Commerce, *Areas of Critical State Concern Program*, <https://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/areas-of-critical-state-concern> (last visited Dec. 17, 2025). See also Ch. 72-317, s. 5, Laws of Fla.; section 380.05, F.S.

²⁸ Florida Department of Commerce, *Areas of Critical State Concern Program*. The term “development” means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. Section 380.04(1), F.S.

²⁹ The Administration Commission consists of the Governor and the Cabinet. Section 380.031(1), F.S.

³⁰ Section 380.05(2)(a), F.S.

public development of which would cause substantial deterioration or complete loss of such resources, sites, or districts.³¹

- An area having a significant impact upon, or being significantly impacted by, an existing or proposed major public facility or other area of major public investment, such as highways, ports, airports, energy facilities, and water management projects.³²

The Florida Department of Commerce, the state land planning agency,³³ may recommend an area for designation as an area of critical state concern.³⁴ In its recommendations, the department must include:

- Recommendations for the purchase of land within the boundaries of the proposed area as environmentally endangered lands and outdoor recreation lands under the Land Conservation Program;
- Any report or recommendation of a resource planning and management committee;³⁵
- The dangers that would result from uncontrolled or inadequate development of the area and the advantages of developing the area in a coordinated manner;
- A detailed boundary description of the proposed area;
- Specific principles for guiding development within the area;³⁶
- An inventory of lands owned by the federal, state, and local governments within the proposed area; and
- A list of the state agencies with programs that affect the purpose of the designation.³⁷

If the Administration Commission adopts a recommendation, it will designate the area of critical state concern and applicable principles for guiding development by rule.³⁸ Such rules must be submitted to the Legislature for review.³⁹

Following the designation of the area of critical state concern, any local government that is wholly or partially located within the area must conform its previously adopted comprehensive plan to the principles for guiding development of the area of critical state concern.⁴⁰ In addition, all state agencies with rulemaking authority for programs that affect a designated area of critical state concern must review those programs for consistency with the purpose of the designation and principles for guiding development, and must adopt specific permitting standards and criteria

³¹ Section 380.05(2)(b), F.S.

³² Section 380.05(2)(c), F.S.

³³ Section 380.031(18), F.S.

³⁴ Local governments and regional planning agencies may submit recommendations to the department the areas within their jurisdictions that meet the statutory criteria for designation. Section 380.05(3), F.S.

³⁵ Prior to recommending the designation of an area of critical state concern, the Governor, acting as chief planning officer of the state, must appoint a resource planning and management committee for the area under study by the Florida Department of Commerce. The committee must organize a voluntary, cooperative resource planning and management program to resolve any problems which might endanger the area's resources and facilities. Section 380.045(1), F.S.

³⁶ The department must recommend actions which state and regional agencies and local governments must accomplish to implement these principles, such as revisions of the local comprehensive plan and adoption of land development regulations, density requirements, and special permitting requirements. Section 380.05(1)(a), F.S.

³⁷ Section 380.05(1)(a), F.S.

³⁸ Section 380.05(1)(b), F.S.

³⁹ Section 380.05(1)(c), F.S. The Legislature may reject, modify, or take no action relative to the adopted rule. *Id.*

⁴⁰ Section 380.05(14), F.S.

applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.⁴¹

The current designated areas of critical state concern include:

- Big Cypress Area (portions of Collier, Miami-Dade, and Monroe Counties);⁴²
- Green Swamp Area (portions of Polk and Lake Counties);⁴³
- City of Key West and the Florida Keys Areas (Monroe County);⁴⁴
- Apalachicola Bay Area (Franklin County);⁴⁵ and
- Brevard Barrier Island Area (portions of Brevard and Indian River Counties).⁴⁶

III. Effect of Proposed Changes:

Section 1 amends s. 161.101, F.S., regarding state and local participation in authorized projects and studies on beach management and erosion control. The bill provides that, in designating beaches as critically eroded, the Department of Environmental Protection (DEP) must review data related to beaches that have been preemptively and repeatedly repaired to avoid complete erosion and for which private funding, local government funding, and state and federal grants have been expended to stop or mitigate such erosion.

The bill also provides that, if a local government with jurisdiction over a beach that possesses all of the following features has a financial plan that ensures the preservation of funding for inclusion in the state strategic beach management plan, such beach must be designated as critically eroded:

- The local government possesses a perpetual easement that contains language stating that the local government must assume maintenance responsibilities for shoreline parcels and must develop and implement a design whereby shoreline retreat is sufficiently managed to protect high value inland developments; and
- Geological features of the dune, beach, and seabed combined with insufficient spacing between the erosion control line to upland assets, which results in repeated inland flooding or structural damage.

The bill provides that the secretary of the DEP may, as he or she deems necessary, require coastal local governments to develop local strategic beach management plans. Local strategic beach management plans must include, but are not limited to, an identification of the most visited shoreline recreational facilities, university research centers, and shoreline protection areas and an analysis of all of the following:

- Compound flooding near the county's beaches.
- Assessed values of upland properties and developments.
- Environmentally sensitive lands and waters.

⁴¹ Section 380.05(22), F.S.

⁴² Section 380.055, F.S.

⁴³ Section 380.0551, F.S.

⁴⁴ Section 380.0552, F.S.

⁴⁵ Section 380.0555, F.S.

⁴⁶ Section 380.0553, F.S. *See also* Department of Commerce, *Areas of Critical State Concern Program*, <https://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/areas-of-critical-state-concern> (last visited Dec. 17, 2025).

- Any recommendation from a certified coastal engineer or coastal engineering specialist.
- Any recommendation from the United States Army Corps of Engineers.

Section 2 amends s. 161.161, F.S., regarding the procedure for approval of projects in the DEP's long-term beach management plans. The bill provides that the DEP's strategic beach management plan may incorporate local strategic beach management plans.

Section 3 amends s. 380.05, F.S., regarding areas of critical state concern. The bill expands the types of areas that may be designated as an area of critical state concern to include low elevation sections immediately inland of the dune and beach which have been repeatedly breached or overtopped by seawater flowing into an interconnected stormwater system or which have been designated in a local emergency declaration for a prolonged period.

Section 4 reenacts s. 380.045, F.S., relating to resource planning and management committees and objectives and procedures, for the purpose of incorporating the amendment made by this bill to s. 380.05, F.S.

Section 5 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 161.101, 161.161, 380.05, and 380.045.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Agriculture, Environment, and General Government on February 4, 2026:

The committee substitute makes a technical adjustment.

B. Amendments:

None.

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Leek

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A bill to be entitled

An act relating to beach management; amending s. 161.101, F.S.; requiring the Department of Environmental Protection to review certain data when designating certain beaches as critically eroded and in need of restoration and nourishment; requiring that certain beaches, whose local government preserved funds for a certain purpose and which possess specified features, be designated as critically eroded; authorizing the secretary of the department to require coastal local governments to develop local strategic beach management plans; requiring that such plans include an analysis of certain information; making a technical change; amending s. 161.161, F.S.; conforming a provision to changes made by the act; amending s. 380.05, F.S.; revising the list of areas that may receive designation as an area of critical state concern; reenacting s. 380.045(1), (3), and (5), F.S., relating to resource planning and management committees and objectives and procedures, to incorporate the amendment made to s. 380.05, F.S., in references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 161.101, Florida Statutes, are amended to read:
161.101 State and local participation in authorized projects and studies relating to beach management and erosion

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control.—

(1) (a) The Legislature recognizes that beach erosion is a statewide problem that does not confine its effects to local governmental jurisdictions and that beach erosion can be adequately addressed most efficiently by a state-initiated program of beach restoration and beach nourishment. However, since local beach communities derive the primary benefits from the presence of adequate beaches, a program of beach restoration and beach nourishment should not be accomplished without a commitment of local funds to combat the problem of beach erosion.

(b) Accordingly, the Legislature declares that the state, through the department, shall determine those beaches which are critically eroded and in need of restoration and nourishment and may authorize appropriations to pay up to 75 percent of the actual costs for restoring and nourishing a critically eroded beach. The local government in which such a beach is located is responsible for the balance of such costs. In designating beaches as critically eroded, the department shall review data related to beaches that have been preemptively and repeatedly repaired to avoid complete erosion and for which private funding, local government funding, and state and federal grants have been expended to stop or mitigate such erosion.

(c) If a local government with jurisdiction over a beach that possesses all of the following features has a financial plan that ensures the preservation of funding for inclusion in the state strategic beach management plan, such beach must be designated as critically eroded:

1. The local government possesses a perpetual easement that

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contains language stating the local government must assume maintenance responsibilities for shoreline parcels and must develop and implement a design whereby shoreline retreat is sufficiently managed to protect high value inland developments; and

2. Geological features of the dune, beach, and seabed combined with insufficient spacing between the erosion control line to upland assets, which results in repeated inland flooding or structural damage The local government in which the beach is located shall be responsible for the balance of such costs.

(2)(a) To carry out the beach and shore preservation programs, the department is hereby constituted as the beach and shore preservation authority for the state. In this capacity, the secretary of the department may at his or her own initiative take all necessary steps as soon as practicable and desirable to implement the provisions of this chapter.

(b) The secretary of the department may, as he or she deems necessary, require coastal local governments to develop local strategic beach management plans. Local strategic beach management plans must include, but are not limited to, an identification of the most visited shoreline recreational facilities, university research centers, and shoreline protection areas and an analysis of all of the following:

1. Compound flooding near the county's beaches.
2. Assessed values of upland properties and developments.
3. Environmentally sensitive lands and waters.
4. Any recommendation from a certified coastal engineer or coastal engineering specialist.
5. Any recommendation from the United States Army Corps of

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Engineers.

Section 2. Paragraph (a) of subsection (2) of section 161.161, Florida Statutes, is amended to read:

161.161 Procedure for approval of projects.—

(2) The comprehensive long-term management plan developed and maintained by the department pursuant to subsection (1) must include, at a minimum, a strategic beach management plan, a critically eroded beaches report, and a statewide long-range budget plan. The long-range budget plan must include a 3-year work plan for beach restoration, beach nourishment, and inlet management projects that lists planned projects for each of the 3 fiscal years addressed in the work plan.

(a) The strategic beach management plan must identify and recommend appropriate measures for all of the state's critically eroded sandy beaches and may incorporate plans prepared at the regional level, including plans developed pursuant to s. 161.101(2)(b), taking into account areas of greatest need and probable federal and local funding. Upon approval in accordance with this section, such ~~regional~~ plans, along with the 3-year work plan identified in subparagraph (c)1., must serve as the basis for state funding decisions. Before finalizing the strategic beach management plan, the department shall hold a public meeting in the region for which the plan is prepared or hold a publicly noticed webinar.

Section 3. Paragraph (a) of subsection (2) of section 380.05, Florida Statutes, is amended to read:

380.05 Areas of critical state concern.—

(2) An area of critical state concern may be designated only for:

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(a) An area containing, or having a significant impact upon, environmental or natural resources of regional or statewide importance, including, but not limited to, state or federal parks;~~;~~ forests;~~;~~ wildlife refuges;~~;~~ wilderness areas;~~;~~ aquatic preserves;~~;~~ major rivers and estuaries;~~;~~ state environmentally endangered lands;~~;~~ Outstanding Florida Waters;~~;~~ low elevation sections immediately inland of the beach-dune system which have been repeatedly breached or overtopped by seawater flowing into an interconnected stormwater system or which have been designated in a local emergency declaration for a prolonged period; and aquifer recharge areas, the uncontrolled private or public development of which would cause substantial deterioration of such resources. Specific criteria which must ~~shall~~ be considered in designating an area under this paragraph include:

1. Whether the economic value of the area, as determined by the type, variety, distribution, relative scarcity, and condition of the environmental or natural resources within the area, is of substantial regional or statewide importance.

2. Whether the ecological value of the area, as determined by the physical and biological components of the environmental system, is of substantial regional or statewide importance.

3. Whether the area is a designated critical habitat of any state or federally designated threatened or endangered plant or animal species.

4. Whether the area is inherently susceptible to substantial development due to its geographic location or natural aesthetics.

5. Whether any existing or planned substantial development

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within the area will directly, significantly, and deleteriously affect any ~~or all~~ of the environmental or natural resources of the area which are of regional or statewide importance.

Section 4. For the purpose of incorporating the amendment made by this act to section 380.05, Florida Statutes, in references thereto, subsections (1), (3), and (5) of section 380.045, Florida Statutes, are reenacted to read:

380.045 Resource planning and management committees; objectives; procedures.—

(1) Prior to recommending an area as an area of critical state concern pursuant to s. 380.05, the Governor, acting as the chief planning officer of the state, shall appoint a resource planning and management committee for the area under study by the state land planning agency. The objective of the committee shall be to organize a voluntary, cooperative resource planning and management program to resolve existing, and prevent future, problems which may endanger those resources, facilities, and areas described in s. 380.05(2) within the area under study by the state land planning agency.

(3) Not later than 12 months after its appointment by the Governor, the committee shall either adopt a proposed voluntary resource planning and management program for the area under study or recommend that a voluntary resource planning and management program not be adopted. The proposed voluntary resource planning and management program shall contain the committee findings with respect to problems that endanger those resources, facilities, and areas described in s. 380.05(2) and shall contain detailed recommendations for state, regional, and local governmental actions necessary to resolve current and

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175 prevent future problems identified by the committee. A major
 176 objective of the proposed voluntary resource planning and
 177 management program shall be the effective coordination of state,
 178 regional, and local planning; program implementation; and
 179 regulatory activities for comprehensive resource management. The
 180 committee shall submit the proposed voluntary resource planning
 181 and management program to the head of the state land planning
 182 agency, who shall transmit the program along with the
 183 recommendations of the agency for monitoring and enforcing the
 184 program, as well as any other recommendations deemed
 185 appropriate, to the Administration Commission.

186 (5) The state land planning agency shall report to the
 187 Administration Commission within 12 months of the approval of
 188 the program by the commission concerning the implementation and
 189 the effects of the approved voluntary resource planning and
 190 management program. The report shall include, but shall not be
 191 limited to:

192 (a) An assessment of state agency compliance with the
 193 program, including the degree to which the program
 194 recommendations have been integrated into agency planning,
 195 program implementation, regulatory activities, and rules;

196 (b) An assessment of the compliance by each affected local
 197 government with the program;

198 (c) An evaluation of state, regional, and local monitoring
 199 and enforcement activities and recommendations for improving
 200 such activities; and

201 (d) A recommendation as to whether or not all or any
 202 portion of the study area should be designated an area of
 203 critical state concern pursuant to s. 380.05.

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204
 205 The state land planning agency may make such other reports to
 206 the commission as it deems necessary, including recommending
 207 that all or any portion of the study area be designated an area
 208 of critical state concern because of special circumstances in
 209 the study area or in the implementation of the approved
 210 voluntary resource planning and management program.

211 Section 5. This act shall take effect July 1, 2026.

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2/12/26

Meeting Date

FP

Committee

SB 636

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Pepper Uchino

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City

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State

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Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FL Shore & Beach
Preservation Assoc.

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 1028

INTRODUCER: Fiscal Policy Committee; Banking and Insurance Committee; and Senator Gruters

SUBJECT: Citizens Property Insurance Corporation

DATE: February 16, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Knudson	Knudson	BI	Fav/CS
2. Sanders	Betta	AEG	Favorable
3. Knudson	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1028 requires Citizens Property Insurance Corporation (Citizens) to amend its plan of operation and establish a commercial lines clearinghouse for soliciting offers of coverage from authorized insurers and a separate commercial lines clearinghouse for soliciting offers of coverage from approved surplus lines insurers. The commercial clearinghouses must be established by January 1, 2027. The bill provides detailed requirements for the new commercial lines clearinghouse for surplus lines insurance offers. Other than this authorization and language providing that current Citizens eligibility standards would apply to offers from authorized insurers, the bill generally does not create new standards for establishing a commercial lines clearinghouse for authorized insurers, though many of the existing standards for the personal lines clearinghouse would apply to the commercial lines clearinghouse for authorized insurers. The bill provides an exception to the requirement that Citizens must establish the commercial lines clearinghouses by providing that Citizens need not establish any component of a commercial lines clearinghouse for which there is insufficient commercial support.

Citizens must establish and maintain the operational systems and procedures necessary to implement the commercial lines clearinghouses. Citizens shall, in creating the commercial lines clearinghouse for offers of surplus lines coverage, establish criteria to determine that capabilities necessary for the commercial lines clearinghouse administrator. For facilitating offers of surplus lines coverage, such criteria must include confirmed expertise in the surplus lines market, at least five years of publicly available audited financial statements, the ability to facilitate all approved

surplus lines clearinghouse insurers to participate in the commercial lines clearinghouse on terms established by the corporation, and other criteria that the corporation determines necessary.

To establish the commercial clearinghouse by January 1, 2027, for offers of surplus lines insurance, Citizens may engage in single-source procurement without receiving competitive bids as allowed by s. 287.057(3)(c), F.S., for situations when commodities or services are available only from a single source. The result of the procurement will be to establish a commercial lines clearinghouse administrator to provide administrative or professional services to administer the commercial lines clearinghouse. Citizens must select a commercial lines clearinghouse administrator within 90 days of the effective date of this bill (upon becoming law).

Citizens may allow the commercial lines clearinghouse administrator to establish procedures and account clearance requirements the commercial lines clearinghouse administrator deems necessary to ensure an orderly process for offers of coverage to be provided by approved surplus lines clearinghouse insurer. The commercial lines clearinghouse administrator may charge approved surplus lines clearinghouse insurers and surplus lines agents participating in the program reasonable transaction, technology, administration, and other fees.

The bill allows “approved surplus lines clearinghouse insurers” to make offers of surplus lines coverage to current Citizens policyholders and applicants to Citizens for coverage of commercial residential and commercial nonresidential risks. An “approved surplus lines clearinghouse insurer” is defined as an eligible surplus lines insurer that has a financial strength rating of “A-” or higher and a financial size category of at least “A-VII” from A.M. Best Company and that the commercial clearinghouse administrator recommends for participation in the commercial lines clearinghouse. Such recommendation is submitted to the Office of Insurance Regulation (OIR), which has five days to verify that the surplus lines insurer meets the standards for approval.

An offer of coverage by an authorized insurer to provide commercial residential coverage renders the risk ineligible for Citizens if:

- The authorized insurer offers coverage that is comparable to coverage provided by Citizens; and
- The premium for the coverage offered by the authorized insurer is not more than 20 greater than the Citizens premium (or the Citizens renewal premium if a Citizens policyholder receives the offer at renewal).

An offer of coverage by an approved surplus lines clearinghouse insurer has no effect on the eligibility of a commercial residential or commercial nonresidential risk for Citizens coverage.

If an offer of commercial residential or commercial nonresidential coverage from an approved surplus lines clearinghouse insurer is rejected in favor of accepting new or renewed Citizens coverage, Citizens must impose an equalization adjustment on such policy equal to the amount by which the total cost of insurance coverage offered by the approved surplus lines clearinghouse insurer exceeds the total cost of insurance coverage from Citizens if:

- The approved surplus lines clearinghouse insurer offers coverage that has material terms and conditions that are substantially equivalent to or better than coverage from Citizens as to all aspects of such coverage, as determined by Citizens; and

- The total cost for the coverage offered by the approved surplus lines clearinghouse insurer is not more than 20 percent greater than total cost of the Citizens premium (or the Citizens renewal premium if a Citizens policyholder receives the offer at renewal). Total cost includes, but is not limited to, premiums, fees, surcharges, and applicable taxes.

If a risk receives multiple clearinghouse offers from approved surplus lines clearinghouse insurers, the offer for the lowest total cost is applied for purposes of applying requirements related to a equalization adjustment.

Any equalization adjustment is only applied for one policy term.

Most of the bill is directed to creating new commercial lines clearinghouses, but one revision affects both the existing personal lines clearinghouse and the new commercial lines clearinghouses. The bill revises the standard used when determining whether offers of coverage through the clearinghouses are “comparable coverage” to Citizens coverage and thus may implicate (if the total cost of coverage for the offer is not more than 20 percent greater than Citizens Coverage) whether the risk remains eligible for Citizens upon receiving such an offer (if made by an authorized insurer) or is subject to an equalization adjustment (if made by an approved surplus lines insurer). The bill defines “comparable coverage” to mean coverage that has material terms and conditions substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by Citizens. The effect of this change will be that private market insurers will need to offer coverage as that is at least as robust as that offered by Citizens, or the insurer’s offer of coverage will not render the offered risk ineligible for Citizens coverage (if the offer is from an authorized insurer) or require application of a equalization adjustment (if the offer is from an approved surplus lines clearinghouse insurer).

The bill does not have an impact on state revenues or expenditures, but will have an indeterminate impact on Citizens. *See Section V., Fiscal Impact Statement.*

The bill is effective upon becoming law.

II. Present Situation:

Regulation of Insurance in Florida

The Office of Insurance Regulation (OIR) regulates specified insurance products, insurers and other risk bearing entities in Florida.¹ As part of their regulatory oversight, the OIR may suspend or revoke an insurer’s certificate of authority under certain conditions.² The OIR is responsible for examining the affairs, transactions, accounts, records, and assets of each insurer that holds a certificate of authority to transact insurance business in Florida.³ As part of the examination

¹ Section 20.121(3)(a), F.S. The Financial Services Commission, composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, serves as agency head of the Office of Insurance Regulation for purposes of rulemaking. Further, the Financial Services Commission appoints the commissioner of the Office of Insurance Regulation.

² Section 624.418, F.S.

³ Section 624.316(1)(a), F.S.

process, all persons being examined must make available to the OIR the accounts, records, documents, files, information, assets, and matters in their possession or control that relate to the subject of the examination.⁴ The OIR is also authorized to conduct market conduct examinations to determine compliance with applicable provisions of the Insurance Code.⁵

Insurance companies that transact insurance in Florida or that have offices located in the state are required to obtain a certificate of authority (COA) issued by the OIR pursuant to s. 624.401, F.S. These companies, referred to as authorized or admitted insurers,⁶ are broadly regulated by the OIR under the Insurance Code as to reserves, surplus as to policyholders, solvency, rates and forms, market conduct, permissible investments, and affiliate relationships.⁷ Authorized insurers are also required to participate in a variety of government mandated insurance programs and pay assessments levied by state guaranty funds in the event of insurer insolvencies.⁸

Surplus Lines Insurance

Surplus lines insurance is the market of last resort for difficult to place commercial and personal lines risks in Florida.⁹ Typically, surplus lines insurers write policies for unusual, high-risk situations that include hazardous materials transporters, commercial trucking enterprises, day care centers, older homes located in coastal areas, professional athletes, hospitals, expensive boats and cars, and medical malpractice. Surplus lines insurance is coverage provided by a company that is not licensed in Florida but is allowed to transact insurance in the state as an “eligible” insurer¹⁰ under the surplus lines law (ss. 626.913-626.937, F.S.). Under this law, insurance may only be purchased from a surplus lines carrier if the necessary amount of coverage cannot be procured from authorized insurers.¹¹

Rates charged by a surplus lines carrier must not be lower than the rate applicable and in use by the majority of the authorized insurers writing similar coverages on similar risks in Florida.¹² Likewise, a surplus lines policy contract form must not be more favorable to the insured as to the coverage or rate offered by the majority of authorized carriers.¹³ Except as specifically stated as applicable, surplus lines insurers are not subject to regulation under ch. 627, F.S., of the Florida Insurance Code, which includes, in part, provisions related to ratings standards and contracts.¹⁴ In the event of a surplus lines insurer’s insolvency, surplus lines policies are not protected under

⁴ Section 624.318(2), F.S.

⁵ Section 624.3161, F.S.

⁶ An “authorized” or “admitted” insurer is one duly authorized by a COA to transact insurance in this state.

⁷ The Insurance Code consists of chs. 624-632, 634, 635, 636, 641, 642, 648, and 651, F.S.

⁸ For example, Florida licensed direct writers of property and casualty insurance must be members of the Florida Insurance Guaranty Association, which handles the claims of insolvent insurers under part II of ch. 631, F.S., and insurers offering workers’ compensation coverage in Florida must be members of the Florida Workers’ Compensation Insurance Guaranty Association, which provides payment of covered claims for insurers that are declared insolvent under part V of ch. 631, F.S.

⁹ Surplus lines insurance is insurance coverage provided by an insurer that is not licensed in Florida but is allowed to do business in the state because the particular coverage offered is not available from Florida-licensed or authorized carriers. Surplus lines insurers are governed under the Surplus Lines Law (ss. 626.913-626.937, F.S.).

¹⁰ An “eligible surplus lines insurer” as defined in s. 626.914(2), F.S., is an “unauthorized insurer” which has been made eligible by the Office of Insurance Regulation to issue insurance coverage under the surplus lines law.

¹¹ Section 626.915, F.S.

¹² Section 626.916(1)(b), F.S.

¹³ Section 626.916(1)(c), F.S.

¹⁴ Section 626.913(4), F.S.

the Florida Insurance Guaranty Act. Each insured obtaining a surplus lines policy must sign or acknowledge the following disclosure:

You are agreeing to place coverage in the surplus lines market. Coverage may be available in the admitted market. Persons insured by surplus lines carriers are not protected under the Florida Insurance Guarantee Act with respect to any right of recovery for the obligation of an insolvent unlicensed insurer. Additionally, surplus lines insurers' policy rates and forms are not approved by any Florida regulatory agency.

Citizens Property Insurance Corporation—Overview

Citizens Property Insurance Corporation (Citizens) is a state-created, not-for-profit, tax-exempt governmental entity whose public purpose is to provide property insurance coverage to those unable to find affordable coverage in the voluntary admitted market.¹⁵ Citizens is not a private insurance company.¹⁶ Citizens was statutorily created in 2002 when the Florida Legislature combined the state's two insurers of last resort, the Florida Residential Property and Casualty Joint Underwriting Association (RPCJUA) and the Florida Windstorm Underwriting Association (FWUA).¹⁷

Citizens operates in accordance with the provisions in s. 627.351(6), F.S., and is governed by a nine-member Board of Governors (board) that administers its Plan of Operations. The Plan of Operations is reviewed and approved by the Financial Services Commission.¹⁸ The Governor, President of the Senate, Speaker of the House of Representatives, and Chief Financial Officer each appoint two members to the board.¹⁹ The Governor appoints an additional member who serves solely to advocate on behalf of the consumer.²⁰ Citizens is subject to regulation by the OIR.

Types of Property Insurance Issued by Citizens

Florida law requires Citizens to offer personal lines residential coverage, commercial lines residential coverage, and commercial lines nonresidential coverage on forms approved by the OIR.²¹ Specifically, Citizens offers the following types of property insurance:

- Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.
 - HO-3: Covers a home against all perils except those specifically excluded in the policy. Also covers personal property damaged by a covered peril. Covers the home replacement

¹⁵ The term “admitted market” means insurance companies licensed to transact insurance in Florida.

¹⁶ Section 627.351(6)(a)1., F.S.

¹⁷ Section 2, ch. 2002-240, Laws of Fla.

¹⁸ Section 627.351(6)(a)2., F.S.

¹⁹ Section 627.351(6)(c)4.a., F.S.

²⁰ Section 627.351(6)(c)4., F.S.

²¹ Section 627.736(c)1., F.S.

- cost value and personal property at actual cash value. It is the most common type of homeowner's insurance policy.²²
- HO-4: Renter's insurance that covers the personal property of tenants damaged by a broad list perils specifically listed in the policy.²³
 - HO-6: Insurance that covers the personal property of condominium unit owners or cooperative unit owners. It also covers certain building items in which the unit owner may have an insurable interest.²⁴
 - Basic personal lines policy are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.
 - HO-8: Covers a home and personal property but only if damage or loss is due to perils specifically listed in the policy. Covers the home and personal property for their actual cash value. Used for homes at least 40 years old, where the cost to rebuild is greater than the home's market value.²⁵
 - Dwelling Fire: Covers dwellings, other detached structures, and contents for loss caused by perils specially named in the policy. Usually written when residential property does not qualify for homeowners insurance or when the home is not owner-occupied.²⁶
 - Personal lines coverage covering manufactured homes and mobile homes.²⁷
 - Mobile Homeowners MHO-3: Covers owner-occupied manufactured homes and mobile homes. Covers the dwelling, other structures on the property, and the owner's personal property.
 - Mobile Home Dwelling Fire MDP-1: Covers manufactured homes and mobile homes that are tenant occupied or otherwise do not qualify for an MHO-3 policy. Covers the dwelling and the owner's personal property.
 - Mobile Home Renter's: Covers the tenant's personal property; does not cover the structure.
 - Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for such structures in the admitted voluntary market.
 - Commercial Residential: Covers commercial properties used for residential purposes. Examples include apartment buildings, the parts of condominium that are the responsibility of a condominium association (generally, the building envelope and common areas), continuing care retirement community residential buildings, and homeowners association owned common property and residential buildings.²⁸

²² National Association of Insurance Commissioners, *A Shopping Tool for Homeowners Insurance*, pg. 7 (2023) https://content.naic.org/sites/default/files/committees_c_trans_read_wg_related_shopping_tool_singles.pdf (last visited Jan. 23, 2026).

²³ National Association of Insurance Commissioners, *Dwelling Fire, Homeowners Owner-Occupied, and Homeowners Tenant and Condominium Unit Owners Insurance Report: Data for 2022*, pg. 4 (May 2025) <https://content.naic.org/sites/default/files/publication-hmr-zu-homeowners-report.pdf> (Jan. 23, 2026).

²⁴ *See id.*

²⁵ National Association of Insurance Commissioners, *A Shopping Tool for Homeowners Insurance*, pg. 7 (2023) https://content.naic.org/sites/default/files/committees_c_trans_read_wg_related_shopping_tool_singles.pdf (last visited Jan. 23, 2026).

²⁶ Citizens Property Insurance Corporation, *Insurance 101 – Policy Types – Personal Policies*, <https://www.citizensfla.com/es/personal-policies> (last accessed Jan. 23, 2026).

²⁷ *Id.*

²⁸ Citizens Property Insurance Corporation, *Insurance 101 – Policy Types – Commercial Policies*, <https://www.citizensfla.com/es/commercial-policies> (last visited Jan. 23, 2026).

- Commercial Nonresidential: Covers commercial operated nonresidential property.

Citizens also offers wind-only coverage versions of their HO-3, HO-4, HO-6, and mobile homeowners coverages which are available only in certain coastal areas of the state.²⁹

Eligibility for Insurance in Citizens

Citizens is required to provide a procedure for determining the eligibility of a potential risk for insurance in Citizens and provide specific eligibility requirements based on premium amounts, value of the property insured, and the location of the property.³⁰ Risks not meeting the statutory eligibility requirements cannot be insured by Citizens. Citizens has additional eligibility requirements set out in their underwriting rules. These rules are approved by the OIR and are set out in Citizens' underwriting manuals.³¹

Residential Risks - Eligibility Based on Premium Amount

An applicant for personal lines residential insurance or commercial lines residential insurance cannot buy insurance in Citizens if an authorized insurer in the private market offers the applicant insurance for a premium that does not exceed the Citizens premium by 20 percent or more.³² The coverage offered by the private insurer must be comparable to Citizens coverage. Similarly, a personal lines residential or commercial lines residential policyholder may not renew insurance in Citizens if an authorized insurer offers to insure the property at a premium no more than 20 percent greater than the Citizens renewal premium.³³ The insurance coverage offered from the private market insurer must be comparable to the insurance from Citizens in order for the eligibility requirement for renewal premium to apply.³⁴

Residential Risks - Eligibility Based on Value of Property Insured

In addition to the eligibility restrictions based on premium amount, current law provides eligibility restrictions for homes and condominium units based on the value of the property insured.³⁵ Structures with a dwelling replacement cost of \$700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$700,000 or more, are not eligible for coverage with Citizens.³⁶ However, Citizens is allowed to insure structures with a dwelling replacement cost, or a condominium unit with a dwelling and contents replacement cost, of one million dollars or less in Miami-Dade and Monroe counties, after the OIR determined these counties to be non-competitive.³⁷

²⁹ See s. 627.351(2)(c) and s. 627.351(6)(c)1., F.S.

³⁰ Section 627.351(6)(c)5., F.S.

³¹ Citizens Property Insurance Corporation, *PIF Standard Summary Report for Period Ending Nov. 30, 2023* (December 6, 2023) (on file with the Senate Committee on Banking and Insurance).

³² Section 627.351(6)(c)5., F.S.

³³ Section 627.351(6)(c)5.a., F.S.

³⁴ *Id.*

³⁵ Section 627.351(6)(a)3., F.S.

³⁶ Section 627.351(6)(a)3.d., F.S.

³⁷ The OIR, Final Order Case No: 165625-14, Dec. 22, 2014, https://flair.gov/docs-sf/default-source/property-and-casualty/other-property-casualty-reports/citizens165625-14-o.pdf?sfvrsn=28d33b74_4 (last visited Jan. 23, 2026); See also Section 627.351(6)(a)3.d., F.S., and Citizens, *Update to Maximum Coverage Limits* (Nov. 12, 2019), <https://www.citizensfla.com/-/2019-roof-permits-acceptable-for-fbc-credits> (last visited Jan. 10, 2024).

Nonresidential Risks – Eligibility Based on an Offer of Coverage

Commercial nonresidential risks cannot buy or renew insurance in Citizens upon receiving any offer of coverage from an authorized insurer.³⁸

Citizens Rates

Rates for coverage provided by Citizens must be actuarially sound pursuant to s. 627.062, F.S., and not competitive with approved rates charged in the admitted voluntary market.³⁹

Section 627.062, F.S., provides that rates may not be excessive, inadequate, or unfairly discriminatory. Citizens must file its rates with the OIR at least annually. The OIR then must consider the recommended rate made by Citizens and issue a final order establishing Citizens rates. Citizens may not pursue an administrative challenge or judicial review of the OIR order.

Citizens “Glidepath” Rates

From 2007 until 2010, Citizens rates were frozen by statute at the level that had been established in 2006.⁴⁰ In 2010, the Legislature established a “glidepath” to impose annual rate increases up to a level that is actuarially sound. Under the original established glidepath, Citizens had to implement an annual rate increase which, except for sinkhole coverage, does not exceed 10 percent above the previous year for any individual policyholder, adjusted for coverage changes and surcharges.⁴¹ In 2021, the Legislature revised this glidepath to increase it one percent per year to up to 15 percent, as follows:⁴²

- 11 percent for 2022.
- 12 percent for 2023.
- 13 percent for 2024.
- 14 percent for 2025.
- 15 percent for 2026 and all subsequent years.

The implementation of this increase ceases when Citizens has achieved actuarially sound rates.⁴³ In addition to the overall glidepath rate increase, Citizens can increase its rates to recover the additional reimbursement premium it incurs as a result of the annual cash build-up factor added to the price of the mandatory layer of the Florida Hurricane Catastrophe Fund coverage, pursuant to s. 215.555(5)(b), F.S.⁴⁴ New or renewal personal lines policies that do not cover a primary residence⁴⁵ are not subject to the rate glidepath, but the rates on such policies may not be charged more than 50 percent above, nor less than, the prior year’s rate.⁴⁶

³⁸ Citizens Property Insurance Corporation, *Commercial Lines Depopulation Program – How It Works – Policy Assumption – Commercial Nonresidential Policies Only*, <https://www.citizensfla.com/en/depopcl> (last accessed February 16, 2026).

³⁹ Section 627.351(6)(n), F.S.

⁴⁰ Section 15, ch. 2006-12, Laws of Fla.

⁴¹ Section 10, ch. 2009-87, Laws of Fla.

⁴² Section 627.351(6)(n)5., F.S.

⁴³ Section 627.351(6)(n)7., F.S.

⁴⁴ Section 627.351(6)(n)6., F.S.

⁴⁵ Section 627.351(6)(n)9., F.S., defines “primary residence” as “the dwelling that is the policyholder’s home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than nine months of each year.”

⁴⁶ Section 627.351(6)(n)8., F.S.

Citizens Depopulation

The number of policies written by Citizens has significantly decreased in the aftermath the legislature's statutory changes enacted during the December 2022 Special Session and the 2023 Regular Session.⁴⁷ Citizens had 1,407,805 policies in force as of September 20, 2023.⁴⁸ Citizens' policies in force dropped below one million (988,901) in November 2024⁴⁹, and dropped below 500,000 in November 2025 to a policy count of 437,095.⁵⁰

Citizens policies in force for commercial lines have also dropped significantly from 2023 to November 2025.

Date	Commercial Residential Policies	Total Insured Value	Commercial Non-Residential Policies	Total Insured Value
12/31/2023	7,654	\$102.653 Billion	5,878	\$6.125 Billion
12/31/2024	6,176	\$73.550 Billion	5,274	\$5.683 Billion
11/30/2025	2,995	\$24.548 Billion	3,417	\$3.713 Billion

Citizens Depopulation – Takeout Program

The primary mechanism for the recent depopulation of Citizens personal lines risks is the Citizens take-out program. The take-out program allows authorized private market property insurers to select Citizens policies for the purpose of offering coverage. Generally, this entails offering coverage to thousands of Citizens personal lines policyholders.

Section 627.351(6)(ii), F.S., sets forth the following requirements for the Citizens take-out program:

- Citizens must publish a period schedule of cycles during which an insurer may identify, and notify the corporation of, policies that the insurer is requesting to take out.
- An insurer's request to take out a Citizens policy must include a description of the coverage offered and an estimated premium and must be submitted to Citizens in a form and manner prescribed by the corporation.
- Citizens must maintain and make available to the agent of record a consolidated list of all insurers requesting to take out a policy. The list must include a description of the coverage offered and the estimated premium for each take-out request.

⁴⁷ The Citizens policy count fluctuated and overall, slightly increased from January 2023 (1,167,579 policies in force) through September 2024 (1,263,055 policies in force). However, beginning October 2024, the Citizens policy count began decreasing significantly, dropping from 1,263,055 policies in force as of September 30, 2024, to 437,085 policies in force as of November 30, 2025.

⁴⁸ Citizens Property Insurance Corporation, Detail by Account (September 30, 2023), <https://www.citizensfla.com/documents/20702/29445101/20230930+Detail+by+Account.pdf/5dd8e99a-ac67-d93a-9d40-f18348bf06c4?t=1706637209300> (last visited Jan. 23, 2026).

⁴⁹ Citizens Property Insurance Corporation, Detail by Product Line (November 30, 2024), <https://www.citizensfla.com/documents/20702/30188287/20241130+Detail+by+Product.pdf/4fc5426c-7390-8fab-e0dc-d6cd15857f64?t=1735247306640> (last visited Jan. 23, 2026).

⁵⁰ Citizens Property Insurance Corporation, Detail by Product Line (November 30, 2025), <https://www.citizensfla.com/documents/20702/30188300/20251130+Detail+by+Product+Line.pdf/0fe5d878-787a-ac35-83ad-af5fc032ca99?t=1766439961105> (last visited Jan. 23, 2026).

- If a policyholder receives a take-out offer from an authorized insurer on a primary residence, the risk is ineligible for Citizens if comparable coverage is offered and the premium offered is not more than 20 percent greater than the Citizens renewal premium.
- Citizens must provide written notice to the policyholder and the agent of record regarding all insurers requesting to take out the policy. The notice must disclose the estimated premium for the offered coverage, describe the coverage offered, and compare the estimated premium and coverage offered by the private market insurer to the estimated premium and coverage provided by Citizens.

Any insurer seeking to participate in the Citizens take-out program must submit a depopulation plan and additional documentation to the OIR.⁵¹ If the OIR finds the insurer has the financial resources and business plan in place to properly pay claims, the OIR will issue a consent order indicating the number of policies the insurer may take from Citizens, the assumption date when the insurer will take over coverage, and any additional stipulations.⁵² In 2025, the OIR approved 35 take-out programs.⁵³

Effective July 1, 2024, surplus lines insurers meeting certain criteria and approved by the OIR may submit take-out offers on personal lines residential risks insured by Citizens, or for which Citizens has received an application for coverage, if such risks are not primary residences or do not have a valid homestead exemption under ch. 193, F.S.⁵⁴ A “primary residence” is defined as a dwelling that is the policyholder’s primary home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than nine months of each year.⁵⁵ A take-out offer from an approved surplus lines insurer will only render a Citizens policyholder ineligible for Citizens if the premium offered does not exceed the Citizens premium on comparable coverage by more than 20 percent; this is the standard that applies to take-out offers from authorized insurers. Only surplus lines insurers that are approved to participate by the OIR may participate in the take-out program. To obtain approval, the surplus lines insurer must apply to the OIR to participate in the take-out process, provide data to the OIR related to coverage and rates, and file rates for review with the OIR for the take-out offer. The surplus lines insurer must also meet certain criteria such as having an “A-” financial strength rating from A.M. Best and having a personal lines residential risk program that is managed by a Florida resident surplus lines broker.

Citizens Depopulation – Clearinghouse Program

The Citizens policyholder eligibility clearinghouse program was established in s. 627.3518, F.S., by the Legislature in 2013.⁵⁶ The program is designed to ensure a risk is eligible for Citizens

⁵¹ Office of Insurance Regulation, *Requirements for Requesting Approval to Participate in the Depopulation Program* (November 5, 2024) https://floir.gov/docs-sf/property-casualty-libraries/take-out-companies/take-out-companies-page-docs/requirements-to-participate-in-the-citizens-depopulation-program-updated.pdf?sfvrsn=7e82e876_4 (last visited Jan. 23, 2026).

⁵² Office of Insurance Regulation, *Take-Out Companies*, <https://floir.gov/property-casualty/take-out-companies> (last visited Jan. 23, 2026).

⁵³ Office of Insurance Regulation, *Take-Out Companies, 2025 Company Approvals*, <https://floir.gov/property-casualty/take-out-companies> (last visited Jan. 23, 2026).

⁵⁴ See Section 1 of chapter 2004-179, Laws of Florida.

⁵⁵ Section 627.351(6)(c)2.a.(III), F.S.

⁵⁶ Section 10, ch. 2013-60, Laws of Fla.

coverage before being insured or renewed with Citizens. Under the program, new and renewal personal lines residential policies for Citizens are placed into the clearinghouse where participating private insurers can review and decide to make offers of coverage before policies are placed or renewed with Citizens.⁵⁷ An applicant for new coverage, or an insured for renewed coverage, is not eligible for coverage from Citizens if the premium offered from an authorized insurer is at or below the eligibility threshold for new personal lines residential risks of more than 20 percent.⁵⁸

Section 627.3518, F.S., directs Citizens to also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage in the private insurance market.⁵⁹ Accordingly, Citizens requires the insurance agent for the commercial residential risk to demonstrate the agent presented the risk to at least one authorized insurer which either declined the risk or made an offer of coverage that does not render the risk ineligible for Citizens.⁶⁰ The reasons a private market offer would not make a risk ineligible for Citizens coverage are that because the coverage offered by the private market insurer is not comparable to the Citizens coverage as to forms and coverages that are reasonably comparable or the premium on comparable coverage is more than 20 percent higher than the Citizens premium or renewal premium for the risk.⁶¹

III. Effect of Proposed Changes:

Establishment of Citizens Commercial Lines Clearinghouse

The bill requires Citizens Property Insurance Corporation (Citizens) to amend its plan of operation and establish a commercial lines clearinghouse for soliciting offers of coverage from authorized insurers and a separate commercial lines clearinghouse for soliciting offers of coverage from approved surplus lines insurers. The commercial clearinghouses must be established by January 1, 2027, and must be independently operated and independently funded. The bill provides detailed requirements for the new commercial lines clearinghouse for surplus lines insurance offers. Other than this authorization and language providing that current Citizens eligibility standards would apply to offers from authorized insurers, the bill generally does not provide new standards for establishing a commercial lines clearinghouse for authorized insurers, though some of the existing standards that apply to the personal lines clearinghouse would also apply to the commercial lines clearinghouse for authorized insurers. The bill provides an exception to the requirement that Citizens establish the commercial lines clearinghouses by providing that Citizens need not establish any component of the commercial lines clearinghouse for which there is insufficient commercial support.

Most of the bill is directed to creating new commercial lines clearinghouses, but one revision affects both the existing personal lines clearinghouse and the new commercial lines

⁵⁷ Section 627.3518(2)-(3), F.S.

⁵⁸ Section 627.3518(5), F.S.

⁵⁹ Section 627.3518(2), F.S.

⁶⁰ Citizens Property Insurance Corporation, *Commercial Lines Current State and Clearinghouse*, pg. 6. (Received by the Banking and Insurance Committee on January 8, 2026) (on file with the Senate Committee on Banking and Insurance). See also, Citizens, *Clearinghouse*, <https://www.citizensfla.com/es/clearinghouse> (last visited Jan. 27, 2026).

⁶¹ See Subparagraphs c. and d. of Section 627.351(6)(c)5., F.S.

clearinghouses. The bill revises the standard used when determining whether offers of coverage through the clearinghouses are “comparable coverage” to Citizens coverage and thus may implicate (if the total cost of coverage for the offer is not more than 20 percent greater than Citizens Coverage) whether the risk remains eligible for Citizens upon receiving such an offer (if made by an authorized insurer) or is subject to an equalization adjustment (if made by an approved surplus lines insurer). The bill defines “comparable coverage” to mean coverage that has material terms and conditions substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by Citizens. The effect of this change will be that private market insurers will need to offer coverage as that is at least as robust as that offered by Citizens, or the insurer’s offer of coverage will not render the offered risk ineligible for Citizens coverage (if the offer is from an authorized insurer) or require application of an equalization adjustment (if the offer is from an approved surplus lines clearinghouse insurer). Current law provides a comparable coverage standard, but it has been applied in such a way as to allow offers of coverage through the personal lines clearinghouse to be classified as comparable despite certain endorsements from private market insurers that provide less coverage than contained in Citizens policies.

Citizens’ Rights and Responsibilities in Establishing the Clearinghouse Program.

The bill provides that in establishing a commercial lines clearinghouse, Citizens has all of the following rights and responsibilities:

Submission of Policies to the Clearinghouse – Citizens may require all new applications and all existing Citizens policyholders at renewal to be submitted to the commercial lines clearinghouse for authorized insurers, if established, to facilitate offers of coverage from authorized insurers. Citizens must require all new applications for commercial residential and commercial nonresidential coverage and all such policies that are due for renewal to be submitted to the commercial lines clearinghouse for surplus lines insurance to facilitate offers of coverage from approved surplus lines clearinghouse insurers..

Adoption of Systems and Procedures - Citizens must establish and maintain the operational systems and procedures necessary to implement the commercial lines clearinghouse. Citizens may allow the commercial lines clearinghouse administrator to establish procedures and account clearance requirements the commercial lines clearinghouse administrator deems necessary to ensure an orderly process for offers of coverage to be provided by approved surplus lines clearinghouse insurers participating in the commercial lines clearinghouse and to avoid multiple offers of coverage from the same insurer for the same risk.

Procure and Contract for Services - Citizens may employ or contract for appropriate administrative or professional services in accordance with purchasing requirements in s. 627.351, F.S.

Engage in Single-Source Procurement - To establish the commercial clearinghouse by January 1, 2027, for offers of surplus lines insurance, Citizens may engage in single-source procurement without receiving competitive bids as allowed by s. 287.057(3)(c), F.S., for situations when commodities or services are available only from a single source. The result of the procurement will be to establish a commercial lines clearinghouse administrator to provide

administrative or professional services to administer the commercial lines clearinghouse. Citizens must select a commercial lines clearinghouse administrator within 90 days of the effective date of this bill (upon becoming law).

Contract with Insurers - Citizens may enter into contracts with approved surplus lines clearinghouse insurers.

Funding the Clearinghouse; Fees Charged by Commercial Lines Clearinghouse Administrator – Citizens may provide funds to operate the program. Current law prohibits requiring participating agents and insurers to pay fees to offset program costs, but the bill creates an exception stating that the commercial lines clearinghouse administrator may charge approved surplus lines clearinghouse insurers and surplus lines agents participating in the program reasonable and fair transaction, technology, administration, and other fees.

Separate Components for Commercial Clearinghouses – Citizens must include separate components for authorized insurers and approved surplus lines insurers with respect to the commercial lines clearinghouse, each of which must be independently operated and independently funded.

Insufficient Commercial Support – Citizens is relieved of its obligations with respect to any component of the commercial lines clearinghouse for which there is insufficient commercial support. This provides an exception to the bill's requirements that Citizens establish commercial lines clearinghouses to solicit offers from authorized insurers and approved surplus lines insurers, respectively.

Access to Citizens Technology Systems – Citizens must provide access to its technology, systems, interfaces or applications programming interfaces to the commercial lines clearinghouse administrator, provided each party retains control over its own technology systems. Citizens must fund its own technology systems but may not fund the commercial lines clearinghouse administrator's technology systems.

Enhanced Citizens Application - Citizens may develop an enhanced application that includes information to assist private insurers in determining whether to offer coverage through the clearinghouse.

Waiting Period Allowing Insurers to Make Clearinghouse Offers - Citizens may require that all new applications for commercial lines coverage with Citizens be subject to a period of five business days when an insurer participating in the program may select the application for coverage.

Criteria for Commercial Lines Clearinghouse Administrator - Citizens shall, in creating the commercial lines clearinghouse, establish criteria to determine that capabilities necessary for the commercial lines clearinghouse administrator. For facilitating offers of surplus lines coverage, such criteria must include confirmed expertise in the surplus lines market, at least five years of publicly available audited financial statements, the ability to facilitate all approved surplus lines clearinghouse insurers to participate in the commercial lines clearinghouse on terms established by the corporation, and other criteria that the corporation determines necessary to effectively

establish, administer, and manage offers of surplus lines coverage through the commercial lines clearinghouse.

Timeframe for Selecting a Commercial Lines Clearinghouse Administrator – Citizens must select a commercial lines clearinghouse administrator within 90 days of the bill’s effective date (upon becoming law).

Submission of Policy Information to the Commercial Lines Clearinghouse Administrator – Citizens must submit to the commercial lines clearinghouse administrator its coverage terms and conditions, deductible structures, and its unalterable indicated total cost of insurance coverage for the subject risk before any approved surplus lines clearinghouse insurer is provided a submission for coverage pursuant to the clearinghouse program by any applicant for new coverage from the corporation or any policyholder of Citizens.

- The commercial lines clearinghouse administrator shall provide the corporation’s unalterable indicated coverage terms and conditions and deductible structures but may not provide the indicated total cost of corporation insurance coverage, to the approved surplus lines clearinghouse insurers participating in the program.
- The commercial lines clearinghouse administrator shall then use the corporation’s unalterable indication to determine whether any offers of coverage from approved surplus lines clearinghouse insurers satisfy specified statutory requirements.
- Citizens may not bind or otherwise communicate, indicate, or make an offer of coverage to an applicant or policyholder, or its agent, or otherwise accept coverage until five business days have elapsed from the date that it provided its unalterable indication to the commercial lines clearinghouse administrator unless the time limit is waived in writing. This validation period applies regardless of any proposed effective date, renewal date, or expiration date of the policy and may not be shortened or bypassed based on timing considerations relating to binding or renewal.
- Citizens may share risk exposure and policy information with the commercial lines clearinghouse administrator. The administrator may use such information to operate and administer the commercial lines clearinghouse and ensure the orderly, timely, and transparent assessment of risks by insurers participating in the commercial lines clearinghouse.

Surplus Lines Insurers that May Make Coverage Offers Through the Citizens Commercial Lines Clearinghouse

Approved Surplus Lines Clearinghouse Insurers

The bill allows “approved surplus lines clearinghouse insurers” to make offers of surplus lines coverage to current Citizens policyholders and applicants to Citizens for coverage of commercial residential and commercial nonresidential risks. An “approved surplus lines clearinghouse insurer” is defined as an eligible surplus lines insurer that has a financial strength rating of “A-” or higher and a financial size category of at least “A-VII” from A.M. Best Company and that the commercial clearinghouse administrator recommends for participation in the commercial lines clearinghouse. Such recommendation is submitted to the Office of Insurance Regulation (OIR), which has five days to verify that the surplus lines insurer meets the standards for approval.

Duties and Powers of Insurers Participating in the Citizens Commercial Lines Clearinghouse

Approved surplus lines clearinghouse insurers have the following duties and powers regarding the Citizens commercial lines clearinghouse:

Participation Limited to the Commercial Clearinghouse - May participate in the commercial lines clearinghouse but may not participate in the personal lines clearinghouse.

Appointment of Agents –

- May appoint a surplus lines agent whose direct or indirect customer is initially underwritten and bound through the clearinghouse program.
- Must enter into a limited agency agreement with each surplus lines agent that is not appointed and whose customer is underwritten and bound through the clearinghouse program.
 - Such surplus lines agent must also enter into a limited agency or broker agreement with each producing agent whose customer is underwritten and bound through the program.
- Must enter into its standard agency agreement with each surplus lines agent whose customer is underwritten and bound through the clearinghouse program if such agent is appointed by the surplus lines insurer pursuant to s. 626.112, F.S.
 - Such surplus lines agent must also enter into a limited agency or broker agreement with each producing agent whose customer is underwritten and bound through the program.

Notice of Nonrenewal or Cancellation - Must comply with s. 626.9201, F.S., which provides requirements to surplus insurers to provide notice of nonrenewal or notice of cancellation. Generally, surplus lines insurers must provide 45 days' written notice of nonrenewal, 10 days' written notice of cancellation for nonpayment of premium, 20 days' written notice of cancellation during the first 90 days the insurance is in force if cancellation is not for nonpayment of premium.

- Section 626.9201, F.S., also prohibits surplus lines insurers from cancelling or nonrenewing a commercial residential policy damaged by a hurricane or wind loss until 90 days after repairs are complete if the hurricane or wind loss is the subject of a declaration of emergency under s. 252.56, F.S., and the subject of an OIR order. A shorter 45 day notice requirement applies if the insurer has paid policy limits, if the insured fails within 30 days to respond to the insurer's inquiry regarding repairs, or for a material misstatement or fraud related to the claim. A 10 day notice period applies for nonpayment of premium.

Participation - May participate through their single-designated managing general agent or broker or surplus lines agent.

Agent Commissions - Must pay a total commission or equivalent compensation on gross written premium, exclusive of fees, surcharges, and taxes, to the surplus lines agent, managing general agent, or managing general underwriter placing the risk. The surplus lines agent, managing general agent, or managing general underwriter must pay the producing agent a commission that results in an effective commission percentage at least equal to the commission percentage published by Citizens and in effect on January 1, 2026, calculated in the same manner and on the same basis used by Citizens, and shall retain the remainder of the total commission or equivalent compensation. An agent may voluntarily accept a lower commission at the agent's sole

discretion. An “effective commission percentage” means the commission expressed as a percentage of premium, exclusive of all fees, assessments, surcharges, and taxes.

Effect of an Insurer’s Offer of Coverage Through the Commercial Clearinghouse on Eligibility for and the Cost of Citizens Coverage

Offers from Authorized Insurers

An offer of coverage by an authorized insurer to provide commercial residential coverage renders the risk ineligible for Citizens if:

- The authorized insurer offers coverage that is comparable to coverage provided by Citizens; and
- The premium for the coverage offered by the authorized insurer is not more than 20 greater than the Citizens premium (or the Citizens renewal premium if a Citizens policyholder receives the offer at renewal).

Any offer of coverage by an authorized insurer to provide commercial nonresidential coverage will, as under current law, render the risk ineligible for Citizens.

Citizens premiums on a risk are not affected by clearinghouse offers from authorized insurers.

Offers from Approved Surplus Lines Clearinghouse Insurers

An offer of coverage by an approved surplus lines clearinghouse insurer has no effect on the eligibility of a commercial residential or commercial nonresidential risk for Citizens coverage.

If an offer of commercial residential or commercial nonresidential coverage from an approved surplus lines clearinghouse insurer that is rejected in favor of accepting new or renewed Citizens coverage, Citizens must impose an equalization adjustment on such policy equal to the amount by which the total cost of insurance coverage offered by the approved surplus lines clearinghouse insurer exceeds the total cost of insurance coverage from Citizens if:

- The approved surplus lines clearinghouse insurer offers coverage that has material terms and conditions that are substantially equivalent to or better than coverage from Citizens as to all aspects of such coverage, as determined by Citizens; and
- The total cost for the coverage offered by the approved surplus lines clearinghouse insurer is not more than 20 percent greater than total cost of the Citizens premium (or the Citizens renewal premium if a Citizens policyholder receives the offer at renewal). Total cost includes, but is not limited to, premiums, fees, surcharges, and applicable taxes.

If a risk receives multiple clearinghouse offers from approved surplus lines clearinghouse insurers, the offer for the lowest total cost is applied for purposes of applying requirements related to a equalization adjustment.

Any equalization adjustment is only applied for one policy term.

The bill does not address or change current law under which any offer of coverage by an authorized insurer renders a commercial nonresidential risk ineligible for Citizens.

Independent Agents

The bill provides that contracts between an independent agent and Citizens, any insurer, or any surplus lines agent do not amend, modify, interfere with, or limit the independent agent's rights of ownership of specified records and information directly related to applications or renewals written through the program or an insurer participating in the program.

The bill specifies that an independent agent may enter into agreements with a surplus lines agent.

Effective Date

The bill is effective upon becoming law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill will facilitate the diversion of commercial residential and commercial nonresidential risks from Citizens Property Insurance Corporation (Citizens) and into either the market for authorized insurers or the surplus lines insurance market. Those offers may result in lower premium offers or more expansive coverage. The cost of such insurance from Citizens will increase if an offer of coverage results in the application or a premium equalization adjustment.

The bill defines comparable coverage for purposes of determining when an offer from an authorized insurer makes a policy ineligible for Citizens or when an offer from an approved surplus lines clearinghouse insurer requires the imposition of an equalization adjustment on a Citizens policy if the policyholder turns down the offer of coverage. “Comparable coverage” is defined as coverage that has material terms and conditions that are substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by the corporation through the clearinghouse process and applicable program standards. The effect of this change will be that private market insurers will need to offer coverage as that is at least as robust as that offered by Citizens, or the insurer’s offer of coverage will not render the offered risk ineligible for Citizens coverage (if the offer is from an authorized insurer) or require application of an equalization adjustment (if the offer is from an approved surplus lines clearinghouse insurer). Current law provides a comparable coverage standard, but it has been applied in such a way as to allow offers of coverage through the personal lines clearinghouse to be classified as comparable despite certain endorsements from private market insurers that provide less coverage than contained in Citizens policies. Application of this standard will have the following effects:

- Personal lines and commercial lines policyholders removed from Citizens through an offer of comparable coverage through the clearinghouse will have policy terms and conditions at least equivalent to those from Citizens, thus ensuring that in the event of a claim, such policyholders will not incur more costs than they would have incurred if insured by Citizens.
- Authorized personal lines insurers that are currently offering policies that are considered comparable coverage, but which may contain certain policy provisions that provide less coverage than a Citizens policy, will either revise their offerings through the clearinghouse to have material terms and conditions at least equivalent to the Citizens policy or will choose not to make such offers through the clearinghouse. Instead, these insurers may choose to utilize only the Citizens takeout process to make coverage offers to Citizens personal lines policyholders, which will only use the definition of comparable coverage found in s. 627.351(6)(c)5.d., F.S.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

Citizens will incur costs related to contracting with an administrator to implement and maintain the clearinghouse for facilitating coverage offers by approved surplus lines clearinghouse insurers on commercial residential and commercial nonresidential risks. The bill implies, but does not directly require, that the commercial lines clearinghouse for surplus lines will be funded through fees charged by the commercial lines clearinghouse administrator to surplus lines agents and surplus lines insurers.

Citizens will also incur costs related to establishing the clearinghouse for facilitating coverage offers by authorized insurers on commercial residential and commercial nonresidential risks. In 2023, to establish a revised personal lines clearinghouse, the Citizens Board of Governors approved a contract totaling up to \$35,720,892, to

implement the new personal lines clearinghouse and provide ongoing services for a base five-year term and five one-year renewals.⁶²

The bill provides that Citizens need not establish any component of the commercial lines clearinghouse that lacks sufficient commercial support, which would excuse Citizens from large expenditures related to establishing and maintaining a commercial lines clearinghouse.

To the extent that commercial lines policies are diverted from Citizens by the clearinghouses established by the bill, Citizens will insure less risk and correspondingly will also collect less premium.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 627.351 and 627.3518

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes: (Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on February 12, 2026:

The Committee Substitute:

- Requires Citizens Property Insurance Company to establish a commercial lines clearinghouse for authorized insurers by January 1, 2027.
- Specifies that the commercial lines clearinghouse for authorized insurers is separate from the commercial lines clearinghouse for surplus lines insurers established by the bill, and that each must be independently operated and independently funded.
- Provides that Citizens need not establish any component of the commercial lines clearinghouses for which there is insufficient commercial support.
- Defines comparable coverage for purposes of determining when an offer from an authorized insurer makes a policy ineligible for Citizens or when an offer from an approved surplus lines clearinghouse insurer requires the imposition of an equalization adjustment on a Citizens policy if the policyholder turns down the offer of coverage. “Comparable coverage” is defined as coverage that has material terms

⁶² Citizens Property Insurance Corporation, *Board of Governor’s Meeting – Executive Summary: Citizens Eligibility Reimagined*, pg. 1 (July 28, 2023) <https://www.citizensfla.com/documents/20702/29718010/20230728+02A+Citizens+Eligibility+Reimagined+-+combined.pdf/a0e51a10-d2a7-1b17-441d-3a0d0d7233bc?t=1691596551769> (last accessed February 16, 2026).

and conditions that are substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by the corporation through the clearinghouse process and applicable program standards.

- Requires Citizens to provide the commercial clearinghouse administrator access to Citizens' information technology systems.
- Prohibits Citizens from providing funding for the information technology systems of a commercial clearinghouse administrator.
- Specifies Citizens may share risk exposure and policy information with the commercial lines clearinghouse administrator.

CS by Banking and Insurance on January 13, 2026:

The committee substitute:

- Requires that approved surplus lines clearinghouse insurers must both have an A.M. Best financial strength rating of at least A- (excellent) and be in the A.M. Best financial size category of VII (capital and surplus of at least \$50 million) and eligible under the Florida Surplus Lines law.
- Provides that approved surplus lines clearinghouse insurers must be recommended by the commercial clearinghouse administrator and approved by the Office of Insurance Regulation (OIR).
- Specifies that Citizens Property Insurance Corporation (Citizens) will contract with a clearinghouse administrator to establish and maintain the commercial clearinghouse for surplus lines. Citizens must select the clearinghouse administrator within 90 days after the bill becomes law.
- Clarifies the timeframes and procedures for submission of commercial risks to the commercial lines clearinghouse for surplus lines.
- Provides that the commercial lines clearinghouse administrator may charge approved surplus lines clearinghouse insurers and surplus lines agents participating in the program reasonable transaction, technology, administration, and other similar fees.
- Requires the surplus lines agent, managing general agent, or managing general underwriter must pay the producing agent a commission that results in an effective commission percentage at least equal to the Citizens commission percentage in effect on January 1, 2026.
- Provides that if a policyholder or applicant turns down an offer of coverage from the surplus lines insurer with material terms and conditions that are equivalent to or better than the Citizens policy for a rate that is not more than 20 percent more than the Citizens rate, the policyholder will have to pay a policy equalization surcharge on the Citizens policy.
- Provides that Citizens may, rather than must, establish a commercial lines clearinghouse for authorized insurers.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
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	.	
	.	

The Committee on Fiscal Policy (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (oo) is added to subsection (6) of
section 627.351, Florida Statutes, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(oo) For commercial residential and commercial
nonresidential risks, if an approved surplus lines clearinghouse



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insurer offers coverage under s. 627.3518(6)(c)2. and the total
cost of such coverage is not more than 20 percent greater than
the total cost of insurance coverage from the corporation, the
corporation may not issue or renew coverage unless it imposes an
equalization adjustment on such policy equal to the amount by
which the total cost of insurance coverage offered by the
approved surplus lines clearinghouse insurer exceeds the total
cost of insurance coverage from the corporation. If the total
cost of insurance from the approved surplus lines clearinghouse
insurer does not exceed the total cost of corporation coverage,
the corporation may not impose the equalization adjustment. If
more than one approved surplus lines clearinghouse insurer
offers coverage under s. 627.3518(6)(c)2., the lowest offered
total cost of insurance coverage applies for purposes of this
paragraph. The total cost of insurance coverage includes, but is
not limited to, the premium, fees, surcharges, and applicable
taxes. An offer submitted by a surplus lines clearinghouse
insurer which is declined by the applicant or policyholder,
expires, or is not accepted by the applicant or policyholder for
any reason does not relieve the corporation from its obligation,
if any, to impose an equalization adjustment as set forth in
this paragraph. An equalization adjustment applied pursuant to
this paragraph expires at the end of the policy term. For the
purposes of this paragraph, the term "equalization adjustment"
means a temporary policy term-only adjustment applied solely for
purposes of evaluating and comparing offers of coverage on a
comparable basis under this section. An equalization adjustment
does not constitute a rate, premium, surcharge, or filing; does
not modify or affect any rate, rating plan, rule, or filing



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approved for the corporation; and expires by operation of law at the end of the applicable policy term.

Section 2. Section 627.3518, Florida Statutes, is amended to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.—The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program ~~by January 1, 2014.~~

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

(a) "Approved surplus lines clearinghouse insurer" means an eligible surplus lines insurer that has a financial strength rating of "A-" or higher and a financial size category of A-VII or higher from A.M. Best Company which the clearinghouse administrator recommends for participation in the program and which the office verifies meets the requirements for participation in the program within 10 business days after the commercial lines clearinghouse administrator's recommendation. If the office does not complete such verification within the 10-business-day period, the insurer shall be deemed verified for purposes of participation in the program.

(b) "Authorized insurer" means an insurer authorized to act as an insurer by a subsisting certificate of authority issued to the insurer by the office.

(c) "Commercial lines clearinghouse administrator" means the individual or entity employed or otherwise contracted by the corporation to provide administrative or professional services to implement the commercial lines clearinghouse required pursuant to subparagraph (2)(b)1. within the corporation as set forth in paragraph (3)(b).



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(d) "Comparable coverage" means coverage that has material terms and conditions that are substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by the corporation through the clearinghouse process and applicable program standards.

(e) "Corporation" means Citizens Property Insurance Corporation.

(f) ~~(b)~~ "Exclusive agent" means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

(g) ~~(e)~~ "Independent agent" means any licensed insurance agent not described in paragraph (e) ~~(b)~~.

(h) "Primary residence" has the same meaning as in s. 627.351(6)(c)2.a.

(i) ~~(d)~~ "Program" means the clearinghouse created under this section, consisting of the personal lines clearinghouse and the commercial lines clearinghouse.

(j) "Surplus lines agent" means an insurance agent licensed pursuant to s. 626.927 or s. 626.9272.

(2)(a) The corporation shall establish a personal lines clearinghouse in order to confirm an applicant's eligibility with the corporation, and to enhance access of new applicants for personal lines coverage and existing personal lines policyholders of the corporation to offers of coverage from authorized insurers, and the corporation shall establish a program for personal residential risks in order to facilitate



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the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market.

(b)1. The corporation shall amend its plan of operation and implement on or before January 1, 2027, a commercial lines clearinghouse in order to enhance access to offers of coverage from approved surplus lines clearinghouse insurers for new applicants for commercial residential coverage and commercial nonresidential coverage and existing commercial residential and commercial nonresidential policyholders of the corporation.

2. To facilitate the diversion of ineligible applicants and existing policyholders from the corporation to authorized insurers, the corporation shall implement, on or before January 1, 2027, a separate commercial lines clearinghouse to confirm eligibility for coverage from the corporation and to enhance access to offers of coverage from authorized insurers for new applicants for commercial residential and commercial nonresidential coverage and existing commercial residential and commercial nonresidential policyholders of the corporation shall
~~also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.~~

(3) The corporation board shall establish the ~~clearinghouse~~ program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent and a



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surplus lines agent, but may not be required to employ or engage a licensed general lines agent or a surplus lines agent, or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation has all of the following rights and responsibilities ~~may~~:

(a) Before binding or renewing coverage by the corporation, the corporation:

1. May require all new applications for personal lines coverage, and all personal lines policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer.

2. May, if the corporation establishes a clearinghouse pursuant to subparagraph (2)b.2., require all new applications for commercial lines coverage, and all commercial lines policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer.

3. Shall require all new applications for commercial lines coverage, and all commercial lines policies due for renewal, to be initially submitted for coverage through the commercial lines clearinghouse as a single point of intake for both the corporation and the program in order to facilitate obtaining an offer of coverage from an approved surplus lines clearinghouse insurer ~~before binding or renewing coverage by the corporation.~~

(b) Shall establish and maintain the operational systems and procedures necessary to implement the program.

(c) May employ or otherwise contract with individuals or other entities for appropriate administrative or professional



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services to effectuate the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351 and, for purposes of implementing the commercial lines clearinghouse and providing offers of coverage from approved surplus lines clearinghouse insurers on or before January 1, 2027, contract with such individuals or entities in accordance with s. 287.057(3)(c).

(d) ~~(e)~~ May enter into contracts with any authorized insurer and any approved surplus lines clearinghouse insurer to participate in the program and accept an appointment by such insurer.

(e) ~~(d)~~ May provide funds to operate the program. Insurers and agents participating in the program are not required to pay a fee to offset or partially offset the cost of the program or use the program for renewal of policies initially written through the clearinghouse. Notwithstanding this paragraph, any commercial lines clearinghouse administrator may charge approved surplus lines clearinghouse insurers participating in the program reasonable transaction, technology, administration, and other similar fees. All fees charged by the commercial lines clearinghouse administrator must be fair.

(f) Shall include separate components for authorized insurers and approved surplus lines insurers with respect to the commercial lines clearinghouse, each of which shall be independently operated and independently funded.

(g) In the event that there is insufficient commercial support for any component of the commercial lines clearinghouse, shall be relieved of its obligations with respect to that component for which there is insufficient commercial support.



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185 (h) Shall provide or permit access to shared or hosted
186 technology, systems, interfaces, or applications programming
187 interfaces to the commercial lines clearinghouse administrator,
188 provided that each retains operational control over and
189 responsibility for its own technology, systems, interfaces, or
190 applications. Notwithstanding paragraph (e), the corporation may
191 not provide funds to support or offset the infrastructure or
192 operations of the commercial lines clearinghouse or any
193 component thereof, but shall fund and operate its own
194 technology, systems, interfaces, or applications as necessary
195 for the corporation to access and interface with the commercial
196 lines clearinghouse.

197 (i)~~(e)~~ May develop an enhanced application that includes
198 information to assist private insurers in determining whether to
199 make an offer of coverage through the program.

200 (j)~~(f)~~ For personal lines residential risks, may require
201 that, before approving all new applications for coverage by the
202 corporation, ~~that~~ every application be subject to a period of 2
203 business days when any insurer participating in the program may
204 select the application for coverage. For commercial lines
205 residential and commercial lines nonresidential risks, the
206 corporation may require, before approving all new applications
207 for commercial lines coverage by the corporation, that every
208 application be subject to a period of 5 business days when any
209 insurer participating in the program may select the application
210 for coverage. The insurer may issue a binder on any policy
211 selected for coverage for a period of at least 30 days but not
212 more than 60 days.

213 (k) Shall, in creating the commercial lines clearinghouse,



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establish criteria to determine the capabilities necessary for
the commercial lines clearinghouse administrator. For
facilitating offers of surplus lines coverage, such criteria
must include confirmed expertise in the surplus lines market, at
least 5 years of publicly available audited financial
statements, the ability to facilitate all approved surplus lines
clearinghouse insurers to participate in the commercial lines
clearinghouse, and other criteria that the corporation
determines necessary to effectively establish, administer,
manage offers of surplus lines coverage through the commercial
lines clearinghouse, and the ability to collect and remit,
either directly or through a surplus lines agent, all taxes
pursuant to s. 626.932 and service fees pursuant to s. 626.9325.

(l) Shall select a commercial lines clearinghouse
administrator within 90 days after the effective date of this
act.

(m) May allow the commercial lines clearinghouse
administrator to establish procedures and account clearance
requirements the commercial lines clearinghouse administrator
deems necessary to ensure an orderly process for offers of
coverage to be provided by authorized insurers or approved
surplus lines clearinghouse insurers participating in the
commercial lines clearinghouse and to avoid multiple offers of
coverage from the same insurer for the same risk.

(n) Must submit to the commercial lines clearinghouse
administrator its coverage terms and conditions, deductible
structures, and unalterable indicated total cost of insurance
coverage, which must include, but is not limited to, the
premium, fees, surcharges, and applicable taxes for the subject



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risk before any approved surplus lines clearinghouse insurer is
provided a submission for coverage pursuant to the program by
any applicant for new coverage from the corporation or any
policyholder of the corporation. Upon completion of such
submission, the commercial lines clearinghouse administrator
shall provide the corporation's unalterable indicated coverage
terms and conditions and deductible structures, but may not
provide the indicated total cost of corporation insurance
coverage, to the approved surplus lines clearinghouse insurers
participating in the program. The commercial lines clearinghouse
administrator shall determine, through established procedures,
whether a submission is complete before release, which
submission requires, at a minimum, a validated application from
the agent and the corporation's unalterable indicated total cost
of insurance, coverage terms and conditions, and deductible
structures. The commercial lines clearinghouse administrator
shall then use the corporation's unalterable indication to
determine whether any offers of coverage from approved surplus
lines clearinghouse insurers satisfy the requirements set forth
in s. 627.351(6)(oo) and subparagraph (6)(c)2. The corporation
may not bind or otherwise communicate, indicate, or make an
offer of coverage to an applicant or policyholder, or its agent,
or otherwise accept coverage until the commercial lines
clearinghouse administrator has determined that a complete
submission has been made, affirmatively releases one or more
offers of coverage from approved surplus lines clearinghouse
insurers, or affirms that no clearinghouse insurer offer of
coverage has been made, and at least 5 business days have
elapsed from the date of such release, unless waived in writing.



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Any change to the corporation's coverage terms and conditions, deductible structures, or indicated total cost of insurance coverage constitutes a new submission by the corporation under this paragraph. The validation period described in this paragraph applies regardless of any proposed effective date, renewal date, or expiration date of the policy and may not be shortened or bypassed based on timing considerations relating to binding or renewal.

(4) The corporation may share risk exposure and policy information with the commercial lines clearinghouse administrator and, through the commercial lines clearinghouse, the commercial lines clearinghouse administrator may use such information as necessary to operate and administer the commercial lines clearinghouse and ensure the orderly, timely, and transparent assessment of risks by insurers participating in the commercial lines clearinghouse.

(5) Any authorized insurer may participate in the program; however, participation is not mandatory for any insurer. Approved surplus lines clearinghouse insurers may participate in the commercial lines clearinghouse but may not participate in the personal lines clearinghouse; however, participation in the program is not mandatory for any surplus lines insurer. Insurers making offers of coverage to new applicants or renewal policyholders through the program:

(a) May not be required to individually appoint any agent whose customer is underwritten and bound through the program. Notwithstanding s. 626.112, insurers are not required to appoint any agent on a policy underwritten through the program for as long as that policy remains with the insurer. Insurers may, at



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their election, appoint any agent or surplus lines agent whose direct or indirect customer is initially underwritten and bound through the program. In the event an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph, and thereafter elects to accept a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.

(b) Must enter into a limited agency agreement with each agent or surplus lines agent that is not appointed in accordance with paragraph (a) and whose direct or indirect customer is underwritten and bound through the program. In addition, a surplus lines agent that enters into a limited agency or broker agreement with an approved surplus lines clearinghouse insurer making an offer of coverage through the program must also enter into a limited agency or broker agreement with each producing agent whose customer is underwritten and bound through the program.

(c) Must enter into its standard agency agreement with each agent or surplus lines agent whose direct or indirect customer is underwritten and bound through the program when that agent or surplus lines agent has been appointed by the insurer pursuant to s. 626.112. In addition, a surplus lines agent that enters into a standard agency or broker agreement with an approved surplus lines clearinghouse insurer making an offer of coverage through the program must also enter into a limited agency or broker agreement with each producing agent whose customer is underwritten and bound through the program.

(d) Must comply with s. 627.4133(2) or, if the insurer is an approved surplus lines clearinghouse insurer, s. 626.9201.



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(e) May participate through their designated ~~single-~~
designated managing general agent, managing general underwriter,
or broker, or surplus lines agent; however, the provisions of
paragraph (7)(a) ~~(6)(a)~~ regarding ownership, control, and use of
the expirations continue to apply.

(f) For authorized insurers, must pay to the producing
agent a commission equal to that paid by the corporation or the
usual and customary commission paid by the insurer for that line
of business, whichever is greater.

(g) For approved surplus lines clearinghouse insurers, when
coverage is placed through the clearinghouse with an approved
surplus lines clearinghouse insurer, must pay a total commission
or equivalent compensation on gross written premium, exclusive
of fees, surcharges, and taxes, to the surplus lines agent,
managing general agent, or managing general underwriter placing
the risk. The surplus lines agent, managing general agent, or
managing general underwriter must pay the producing agent a
commission that results in an effective commission percentage at
least equal to the commission percentage published by the
corporation and in effect on January 1, 2026, calculated in the
same manner and on the same basis used by the corporation, and
shall retain the remainder of the total commission or equivalent
compensation. This paragraph does not prohibit an agent from
voluntarily accepting a lower commission at the agent's sole
discretion. As used in this paragraph, the term "effective
commission percentage" means the commission expressed as a
percentage of premium, exclusive of all fees, assessments,
surcharges, and taxes.

(6)(a) ~~(5)~~ Notwithstanding s. 627.3517, any applicant for



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new personal lines coverage from the corporation is not eligible for coverage from the corporation if provided an offer of comparable coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold for applicants for new coverage of a primary residence established in s. 627.351(6)(c)5.a., or for applicants for new coverage of a risk that is not a primary residence established in s. 627.351(6)(c)5.b. Whenever an offer of comparable coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program which is at or below the eligibility threshold for primary residences of policyholders of the corporation established in s. 627.351(6)(c)5.a., or the eligibility threshold for risks that are not primary residences of policyholders of the corporation established in s. 627.351(6)(c)5.b., the risk is not eligible for coverage with the corporation. In the event an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold for applicants for new coverage of a primary residence established in s. 627.351(6)(c)5.a., or the eligibility threshold for applicants for new coverage on a risk that is not a primary residence established in s. 627.351(6)(c)5.b., the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered exceeds the eligibility threshold for primary residences of policyholders of the



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corporation established in s. 627.351(6)(c)5.a., or exceeds the eligibility threshold for risks that are not primary residences of policyholders of the corporation established in s. 627.351(6)(c)5.b., the insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. Section 627.351(6)(c)5.a.(I) and b.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program. ~~As used in this subsection, the term "primary residence" has the same meaning as in s. 627.351(6)(c)2.a.~~

(b) Any applicant for new commercial lines residential coverage from the corporation is not eligible for coverage from the corporation if provided an offer of comparable coverage from the corporation as to all aspects of such coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold for applicants for new coverage established in s. 627.351(6)(c)5.c. The determination of whether an offer of comparable coverage from an authorized insurer through the program is at or below the eligibility threshold must be made before the submission of the corporation's coverage terms and conditions, deductible structures, and unalterable indicated total cost of insurance is provided to the commercial lines clearinghouse administrator. Whenever an offer of comparable coverage from the corporation as to all aspects of such coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program which is at or below the eligibility threshold in s. 627.351(6)(c)5.c., the risk is not eligible for coverage from



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the corporation. In the event that an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold established in s. 627.351(6)(c)5.c., the applicant or insured may elect to accept such coverage or may elect to accept or continue coverage with the corporation. In the event that an offer of coverage for a commercial lines residential risk is received from an authorized insurer at renewal through the program, and the premium offered exceeds the eligibility threshold for policyholders of the corporation established in s. 627.351(6)(c)5.c., the insured may elect to accept such coverage or may elect to accept or continue coverage with the corporation. Section 627.351(6)(c)5.c.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program.

(c)1. Except as provided in subparagraph 2., any applicant for new commercial lines residential coverage or commercial lines nonresidential coverage from the corporation and any policyholder of the corporation, when such applicant or corporation policyholder is offered commercial lines residential or commercial lines nonresidential coverage pursuant to the program by an approved surplus lines clearinghouse insurer, remains eligible for coverage from the corporation. The applicant or policyholder receiving an offer from an approved surplus lines clearinghouse insurer may elect to accept such coverage or may elect to accept or continue coverage with the corporation.

2. Any applicant for new commercial lines residential coverage or commercial lines nonresidential coverage from the



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corporation and any policyholder of the corporation, when such applicant or corporation policyholder is offered commercial lines residential or commercial lines nonresidential coverage by an approved surplus lines insurer pursuant to the program and such offered coverage is comparable coverage, and the total cost of such insurance coverage is not more than 20 percent greater than the total cost of insurance coverage from the corporation, may elect to accept such coverage from the approved surplus lines clearinghouse insurer or may elect to accept or continue coverage with the corporation, but, if electing corporation coverage, such applicant or policyholder must pay the total cost of insurance for corporation coverage that is subject to s. 627.351(6) (oo) .

3. Section 627.351(6) (c) 5.c.(I) does not apply to an offer of coverage from an approved surplus lines clearinghouse insurer obtained through the program.

(7)(6) Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(5) (a), s. 627.351(6) (c) 5.a.(I) (B) and (II) (B), or s. 627.351(6) (c) 5.b.(I) (B) and (II) (B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. Contracts with the corporation or required by the corporation or with any insurer



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or surplus lines agent may ~~must~~ not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) May accept an appointment from any insurer participating in the program.

(d) May enter into either a standard or limited agency agreement with the insurer, at the insurer's option, and may enter into agreements with a surplus lines agent.

Applicants ineligible for coverage in accordance with subsection (6) ~~(5)~~ remain ineligible if their independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the program.

(8) ~~(7)~~ Exclusive agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B) or s. 627.351(6)(c)5.b.(I)(B) and (II)(B). Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of



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ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and only after the exclusive agent's insurer has approved the limited servicing agreement terms. The exclusive agent's insurer must approve a limited service agreement for the program for any insurer for which it has approved a service agreement for other purposes.

Applicants ineligible for coverage in accordance with subsection (6) ~~(5)~~ remain ineligible if their exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer making an offer of coverage to that applicant.

(9) ~~(8)~~ Submission of an application for coverage by the corporation to the program does not constitute the binding of coverage by the corporation, and failure of the program to obtain an offer of coverage by an insurer may not be considered acceptance of coverage of the risk by the corporation.

(10) ~~(9)~~ The 45-day notice of nonrenewal requirement set forth in s. 627.4133(2)(b)5. applies when a policy is nonrenewed by the corporation because the risk has received an offer of



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coverage pursuant to this section which renders the risk ineligible for coverage by the corporation.

~~(10) The program may not include commercial nonresidential policies.~~

(11) Proprietary business information provided to the corporation's clearinghouse by insurers with respect to identifying and selecting risks for an offer of coverage is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(a) As used in this subsection, the term "proprietary business information" means information, regardless of form or characteristics, which is owned or controlled by an insurer and:

1. Is identified by the insurer as proprietary business information and is intended to be and is treated by the insurer as private in that the disclosure of the information would cause harm to the insurer, an individual, or the company's business operations and has not been disclosed unless disclosed pursuant to a statutory requirement, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public;

2. Is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided to the clearinghouse; and

3. Includes:

a. Trade secrets, as defined in s. 688.002.

b. Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.



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Proprietary business information may be found in underwriting criteria or instructions which are used to identify and select risks through the program for an offer of coverage and are shared with the clearinghouse to facilitate the shopping of risks with the insurer.

(b) The clearinghouse may disclose confidential and exempt proprietary business information:

1. If the insurer to which it pertains gives prior written consent;

2. Pursuant to a court order; or

3. To another state agency in this or another state or to a federal agency if the recipient agrees in writing to maintain the confidential and exempt status of the document, material, or other information and has verified in writing its legal authority to maintain such confidentiality.

(12) To promote actuarial soundness, program integrity, and mitigation of solvency or assessment risk to the corporation, the office may review operational processes related to the program. Such review may include, but is not limited to, all of the following:

(a) Comparable coverage determinations upon complaint to the office by or on behalf of a policy applicant.

(b) Verification of the financial strength of approved surplus lines clearinghouse insurers participating in the program.

(c) The reasonableness of fees charged by the commercial lines clearinghouse administrator.

(d) The operational processes used by the commercial lines clearinghouse administrator to determine whether an offer of



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coverage from an insurer participating in the program precludes coverage from the corporation or requires an equalization adjustment by the corporation.

(e) The potential for material adverse impact to the corporation's surplus, solvency, or assessment exposure.

(13) (a) If, after a review under subsection (12), the office determines that program processes are creating a material risk to the solvency of the corporation, the office shall notify the corporation and submit written recommendations to the commission.

(b) Upon approval by the commission, the corporation may temporarily implement recommendations made by the office to address the solvency risk. Such recommendations may include, but are not limited to, all of the following:

1. Temporary suspension of the equalization adjustment authorized under s. 627.351(6) (oo).

2. Temporary exclusion of one or more participating insurers from the program.

3. Temporary modification of program procedural timelines.

4. If exigent circumstances exist, temporary suspension of the requirement that any applicant for new commercial residential coverage or commercial nonresidential coverage from the corporation and any policyholder of the corporation submit applications for coverage through the commercial lines clearinghouse.

(14) This section does not authorize rebates or any activity that would violate part IX of chapter 626. The corporation and the commercial lines clearinghouse administrator shall implement procedures to ensure that participating agents



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and insurers are not induced to violate part IX of chapter 626.
The office may review such compliance procedures solely for the
purpose of submitting recommendations to the commission under
subsection (13).

Section 3. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Citizens Property Insurance
Corporation; amending s. 627.351, F.S.; prohibiting
the corporation from issuing or renewing coverage for
commercial residential and commercial nonresidential
risks under certain circumstances; prohibiting the
corporation from imposing an equalization adjustment
under certain circumstances; providing applicability;
specifying the components of the total cost of
insurance coverage; specifying that the corporation is
not relieved from an obligation to impose an
equalization adjustment under certain circumstances;
specifying that certain adjustments expires at a
specified time; defining the term "equalization
adjustment"; amending s. 627.3518, F.S.; deleting an
obsolete provision; defining terms; revising the
definition of the term "program"; requiring the
corporation to establish a personal lines
clearinghouse for specified purposes; requiring, on or



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before a specified date, the corporation to amend its plan of operation and implement a commercial lines clearinghouse for a specified purpose; requiring, on or before a specified date, the corporation to implement a separate commercial lines clearinghouse for specified purposes; deleting obsolete provisions; revising the program's rights and responsibilities; revising the rights and responsibilities the corporation has in establishing the program; authorizing the corporation to share risk exposure and policy information with the commercial lines clearinghouse administrator; authorizing such administrator to use such information for a specified purpose; authorizing approved surplus lines clearinghouse insurers to participate in the commercial lines clearinghouse; prohibiting such insurers from participating in the personal lines clearinghouse; specifying that participation in the program is not mandatory for such insurers; revising prohibitions and requirements for insurers making offers of coverage to new applicants or renewal policyholders through the program; providing construction; defining the term "effective commission percentage"; specifying that applicants for new commercial lines residential coverage are not eligible for coverage from the corporation under certain circumstances; specifying the circumstances under which policyholders of the corporation are not eligible for new commercial lines residential coverage



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from the corporation; requiring that the determination of whether an offer of comparable coverage from an authorized insurer is at or below the eligibility threshold be made at a specified time; authorizing applicants or insureds to elect to accept coverage with authorized insurers or elect to accept or continue coverage with the corporation under certain circumstances; authorizing insureds to elect to accept coverage with specified insurers or elect to accept or continue coverage with the corporation under certain circumstances; providing applicability; specifying that certain applicants and policyholders remain eligible for coverage from the corporation; authorizing such applicants and policyholders to elect to accept coverage from clearinghouse insurers or elect to accept or continue coverage with the corporation; authorizing certain applicants and policyholders of the corporation to elect to accept coverage from clearinghouse insurers or elect to accept or continue coverage with the corporation; requiring such applicants or policyholders to pay a specified total cost of insurance for corporation coverage; providing applicability; revising the rights and authorizations for certain independent insurance agents; deleting a prohibition relating to commercial nonresidential policies; authorizing the Office of Insurance Regulation to review certain operational processes related to the program; specifying the contents of such review; requiring the office to



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707 notify the corporation and submit written
708 recommendations to the Financial Services Commission
709 under certain circumstances; authorizing the
710 corporation to temporarily implement certain
711 recommendations; providing construction; requiring the
712 corporation and the commercial lines clearinghouse
713 administrator to implement specified procedures;
714 authorizing the office to review such procedures;
715 providing an effective date.

By the Committee on Banking and Insurance; and Senator Gruters

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1 A bill to be entitled
 2 An act relating to the Citizens Property Insurance
 3 Corporation; amending s. 627.351, F.S.; prohibiting
 4 the corporation from issuing or renewing coverage for
 5 commercial residential and commercial nonresidential
 6 risks under certain circumstances; prohibiting the
 7 corporation from imposing a premium equalization
 8 adjustment under certain circumstances; providing
 9 applicability; specifying the components of the total
 10 cost of insurance coverage; specifying that certain
 11 adjustments expire at a specified time; amending s.
 12 627.3518, F.S.; deleting an obsolete provision;
 13 defining terms; revising the definition of the term
 14 "program"; requiring the corporation to establish a
 15 personal lines clearinghouse for specified purposes;
 16 requiring, on or before a specified date, the
 17 corporation to implement a commercial lines
 18 clearinghouse for a specified purpose; authorizing the
 19 corporation to develop and implement a separate
 20 commercial lines clearinghouse for specified purposes;
 21 deleting obsolete provisions; revising the program's
 22 rights and responsibilities; revising the rights and
 23 responsibilities the corporation has in establishing
 24 the program; authorizing approved surplus lines
 25 clearinghouse insurers to participate in the
 26 commercial lines clearinghouse; prohibiting such
 27 insurers from participating in the personal lines
 28 clearinghouse; specifying that participation in the
 29 program is not mandatory for such insurers; revising

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 prohibitions and requirements for insurers making
 31 offers of coverage to new applicants or renewal
 32 policyholders through the program; providing
 33 construction; defining the term "effective commission
 34 percentage"; specifying that applicants for new
 35 commercial lines residential coverage are not eligible
 36 for coverage from the corporation under certain
 37 circumstances; specifying the circumstances under
 38 which policyholders of the corporation are not
 39 eligible for new commercial lines residential coverage
 40 from the corporation; authorizing applicants or
 41 insureds to elect to accept coverage with authorized
 42 insurers or elect to accept or continue coverage with
 43 the corporation under certain circumstances;
 44 authorizing insureds to elect to accept coverage with
 45 specified insurers or elect to accept or continue
 46 coverage with the corporation under certain
 47 circumstances; providing applicability; specifying
 48 that certain applicants and policyholders remain
 49 eligible for coverage from the corporation;
 50 authorizing such applicants and policyholders to elect
 51 to accept coverage from clearinghouse insurers or
 52 elect to accept or continue coverage with the
 53 corporation; authorizing certain applicants and
 54 policyholders of the corporation to elect to accept
 55 coverage from clearinghouse insurers or elect to
 56 accept or continue coverage with the corporation;
 57 requiring such applicants or policyholders to pay a
 58 specified total cost of insurance for corporation

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coverage; providing applicability; revising the rights and authorizations for certain independent insurance agents; deleting a prohibition relating to commercial nonresidential policies; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (oo) is added to subsection (6) of section 627.351, Florida Statutes, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(oo) For commercial residential and commercial nonresidential risks, if an approved surplus lines clearinghouse insurer offers coverage under s. 627.3518(5)(c)2. and the total cost of such coverage is not more than 20 percent greater than the total cost of insurance coverage from the corporation, the corporation may not issue or renew coverage unless it imposes a premium equalization adjustment on such policy equal to the amount by which the total cost of insurance coverage offered by the approved surplus lines clearinghouse insurer exceeds the total cost of insurance coverage from the corporation. If the total cost of insurance from the approved surplus lines clearinghouse insurer does not exceed the total cost of corporation coverage, the corporation may not impose the premium equalization adjustment. If more than one approved surplus lines clearinghouse insurer offers coverage under s. 627.3518(5)(c)2., the lowest offered total cost of insurance coverage applies for purposes of this paragraph. The total cost of insurance coverage includes, but is not limited to, the premium, fees, surcharges,

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and applicable taxes. A premium equalization adjustment applied pursuant to this paragraph expires at the end of the policy term.

Section 2. Section 627.3518, Florida Statutes, is amended to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.—The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.

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

(a) "Approved surplus lines clearinghouse insurer" means an eligible surplus lines insurer that has a financial strength rating of "A-" or higher and a financial size category of A-VII or higher from A.M. Best Company which the clearinghouse administrator recommends for participation in the program and which the office verifies meets the requirements for participation in the program within 5 business days after the commercial lines clearinghouse administrator's recommendation.

(b) "Commercial lines clearinghouse administrator" means the individual or entity employed or otherwise contracted by the corporation to provide administrative or professional services to implement the commercial lines clearinghouse required pursuant to subparagraph (2)(b)1. within the corporation as set forth in paragraph (3)(b).

(c) "Corporation" means Citizens Property Insurance Corporation.

(d) ~~(b)~~ "Exclusive agent" means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by

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the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

~~(e)~~ "Independent agent" means any licensed insurance agent not described in paragraph ~~(d)~~ ~~(b)~~.

(f) "Primary residence" has the same meaning as in s. 627.351(6)(c)2.a.

~~(g)~~ ~~(d)~~ "Program" means the clearinghouse created under this section, consisting of the personal lines clearinghouse and the commercial lines clearinghouse.

(h) "Surplus lines agent" means an insurance agent licensed pursuant to s. 626.927 or s. 626.9272.

(2)(a) The corporation shall establish a personal lines clearinghouse in order to confirm an applicant's eligibility with the corporation, and to enhance access of new applicants for personal lines coverage and existing personal lines policyholders of the corporation to offers of coverage from authorized insurers, and the corporation shall establish a program for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market.

(b)1. The corporation shall implement on or before January 1, 2027, a commercial lines clearinghouse in order to enhance access to offers of coverage from approved surplus lines clearinghouse insurers for new applicants for commercial residential coverage and commercial nonresidential coverage and existing commercial residential and commercial nonresidential policyholders of the corporation.

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2. To facilitate the diversion of ineligible applicants and existing policyholders from the corporation to authorized insurers, the corporation may ~~shall~~ also develop and implement a separate commercial lines clearinghouse to confirm eligibility with the corporation and to enhance access to offers of such coverage from authorized insurers for new applicants for commercial residential or commercial nonresidential coverage and existing commercial residential and commercial nonresidential policyholders of the corporation appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.

(3) The corporation board shall establish the clearinghouse program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent and a surplus lines agent, but may not be required to employ or engage a licensed general lines agent or a surplus lines agent, or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation has all of the following rights and responsibilities may:

(a) May require all new applications for personal lines coverage, and all personal lines policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer or, if the risk is a commercial risk, shall require all new

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175 applications for commercial lines coverage, and all commercial
 176 lines policies due for renewal, to be initially submitted for
 177 coverage through the commercial clearinghouse as a single point
 178 of intake for both the corporation and the program in order to
 179 facilitate obtaining an offer of coverage from an approved
 180 surplus lines clearinghouse insurer, before binding or renewing
 181 coverage by the corporation.

182 (b) Shall establish and maintain the operational systems
 183 and procedures necessary to implement the program.

184 (c) May employ or otherwise contract with individuals or
 185 other entities for appropriate administrative or professional
 186 services to effectuate the plan within the corporation in
 187 accordance with the applicable purchasing requirements under s.
 188 627.351 and, for purposes of implementing the commercial lines
 189 clearinghouse and providing offers of coverage from approved
 190 surplus lines clearinghouse insurers on or before January 1,
 191 2027, contract with such individuals or entities in accordance
 192 with s. 287.057(3)(c).

193 (d)(e) May enter into contracts with any authorized insurer
 194 and any approved surplus lines clearinghouse insurer to
 195 participate in the program and accept an appointment by such
 196 insurer.

197 (e)(d) May provide funds to operate the program. Insurers
 198 and agents participating in the program are not required to pay
 199 a fee to offset or partially offset the cost of the program or
 200 use the program for renewal of policies initially written
 201 through the clearinghouse. Notwithstanding this paragraph, any
 202 commercial lines clearinghouse administrator may charge approved
 203 surplus lines clearinghouse insurers and surplus lines agents

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204 participating in the program reasonable transaction, technology,
 205 administration, and other similar fees.

206 (f)(e) May develop an enhanced application that includes
 207 information to assist private insurers in determining whether to
 208 make an offer of coverage through the program.

209 (g)(f) For personal lines residential risks, may require
 210 that, before approving all new applications for coverage by the
 211 corporation, that every application be subject to a period of 2
 212 business days when any insurer participating in the program may
 213 select the application for coverage. For commercial lines
 214 residential and commercial lines nonresidential risks, the
 215 corporation may require, before approving all new applications
 216 for commercial lines coverage by the corporation, that every
 217 application be subject to a period of 5 business days when any
 218 insurer participating in the program may select the application
 219 for coverage. The insurer may issue a binder on any policy
 220 selected for coverage for a period of at least 30 days but not
 221 more than 60 days.

222 (h) Shall, in creating the commercial lines clearinghouse,
 223 establish criteria to determine the capabilities necessary for
 224 the commercial lines clearinghouse administrator. For
 225 facilitating offers of surplus lines coverage, such criteria
 226 must include confirmed expertise in the surplus lines market, at
 227 least 5 years of publicly available audited financial
 228 statements, the ability to facilitate all approved surplus lines
 229 clearinghouse insurers to participate in the commercial lines
 230 clearinghouse on terms established by the corporation, and other
 231 criteria that the corporation determines necessary to
 232 effectively establish, administer, and manage offers of surplus

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233 lines coverage through the commercial lines clearinghouse.
 234 (i) Shall select a commercial lines clearinghouse
 235 administrator within 90 days after the effective date of this
 236 act.
 237 (j) May allow the commercial lines clearinghouse
 238 administrator to establish procedures and account clearance
 239 requirements the commercial lines clearinghouse administrator
 240 deems necessary to ensure an orderly process for offers of
 241 coverage to be provided by approved surplus lines clearinghouse
 242 insurers participating in the commercial lines clearinghouse and
 243 to avoid multiple offers of coverage from the same insurer for
 244 the same risk.
 245 (k) Must submit to the commercial lines clearinghouse
 246 administrator its coverage terms and conditions, deductible
 247 structures, and its unalterable indicated total cost of
 248 insurance coverage, which must include, but is not limited to,
 249 the premium, fees, surcharges, and applicable taxes for the
 250 subject risk before any approved surplus lines clearinghouse
 251 insurer is provided a submission for coverage pursuant to the
 252 program by any applicant for new coverage from the corporation
 253 or any policyholder of the corporation. The commercial lines
 254 clearinghouse administrator shall provide the corporation's
 255 unalterable indicated coverage terms and conditions and
 256 deductible structures, but may not provide the indicated total
 257 cost of corporation insurance coverage, to the approved surplus
 258 lines clearinghouse insurers participating in the program. The
 259 commercial lines clearinghouse administrator shall then use the
 260 corporation's unalterable indication to determine whether any
 261 offers of coverage from approved surplus lines clearinghouse

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262 insurers satisfy the requirements set forth in s. 627.351(6) (oo)
 263 and subparagraph (5)(c)2. The corporation may not bind or
 264 otherwise communicate, indicate, or make an offer of coverage to
 265 an applicant or policyholder, or its agent, or otherwise accept
 266 coverage until 5 business days have elapsed from the date that
 267 it provided its unalterable indication to the commercial lines
 268 clearinghouse administrator unless the time limit is waived in
 269 writing. Any change to the corporation's coverage terms and
 270 conditions, deductible structures, or indicated total cost of
 271 insurance coverage constitutes a new submission by the
 272 corporation under this paragraph. The validation period
 273 described in this paragraph applies regardless of any proposed
 274 effective date, renewal date, or expiration date of the policy
 275 and may not be shortened or bypassed based on timing
 276 considerations relating to binding or renewal.
 277 (4) Any authorized insurer may participate in the program;
 278 however, participation is not mandatory for any insurer.
 279 Approved surplus lines clearinghouse insurers may participate in
 280 the commercial lines clearinghouse but may not participate in
 281 the personal lines clearinghouse; however, participation in the
 282 program is not mandatory for any surplus lines insurer. Insurers
 283 making offers of coverage to new applicants or renewal
 284 policyholders through the program:
 285 (a) May not be required to individually appoint any agent
 286 whose customer is underwritten and bound through the program.
 287 Notwithstanding s. 626.112, insurers are not required to appoint
 288 any agent on a policy underwritten through the program for as
 289 long as that policy remains with the insurer. Insurers may, at
 290 their election, appoint any agent or surplus lines agent whose

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291 direct or indirect customer is initially underwritten and bound
 292 through the program. In the event an insurer accepts a policy
 293 from an agent who is not appointed pursuant to this paragraph,
 294 and thereafter elects to accept a policy from such agent, the
 295 provisions of s. 626.112 requiring appointment apply to the
 296 agent.

297 (b) Must enter into a limited agency agreement with each
 298 agent or surplus lines agent that is not appointed in accordance
 299 with paragraph (a) and whose direct or indirect customer is
 300 underwritten and bound through the program. In addition, a
 301 surplus lines agent that enters into a limited agency or broker
 302 agreement with an approved surplus lines clearinghouse insurer
 303 making an offer of coverage through the program must also enter
 304 into a limited agency or broker agreement with each producing
 305 agent whose customer is underwritten and bound through the
 306 program.

307 (c) Must enter into its standard agency agreement with each
 308 agent or surplus lines agent whose direct or indirect customer
 309 is underwritten and bound through the program when that agent or
 310 surplus lines agent has been appointed by the insurer pursuant
 311 to s. 626.112. In addition, a surplus lines agent that enters
 312 into a limited agency or broker agreement with an approved
 313 surplus lines clearinghouse insurer making an offer of coverage
 314 through the program must also enter into a limited agency or
 315 broker agreement with each producing agent whose customer is
 316 underwritten and bound through the program.

317 (d) Must comply with s. 627.4133(2) or, if the insurer is
 318 an approved surplus lines clearinghouse insurer, s. 626.9201.

319 (e) May participate through their single-designated

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320 managing general agent or broker or surplus lines agent;
 321 however, the provisions of paragraph (6)(a) regarding ownership,
 322 control, and use of the expirations continue to apply.

323 (f) For authorized insurers, must pay to the producing
 324 agent a commission equal to that paid by the corporation or the
 325 usual and customary commission paid by the insurer for that line
 326 of business, whichever is greater.

327 (g) For approved surplus lines clearinghouse insurers, when
 328 coverage is placed through the clearinghouse with an approved
 329 surplus lines clearinghouse insurer, must pay a total commission
 330 or equivalent compensation on gross written premium, exclusive
 331 of fees, surcharges, and taxes, to the surplus lines agent,
 332 managing general agent, or managing general underwriter placing
 333 the risk. The surplus lines agent, managing general agent, or
 334 managing general underwriter must pay the producing agent a
 335 commission that results in an effective commission percentage at
 336 least equal to the commission percentage published by the
 337 corporation and in effect on January 1, 2026, calculated in the
 338 same manner and on the same basis used by the corporation, and
 339 shall retain the remainder of the total commission or equivalent
 340 compensation. This paragraph does not prohibit an agent from
 341 voluntarily accepting a lower commission at the agent's sole
 342 discretion. As used in this paragraph, the term "effective
 343 commission percentage" means the commission expressed as a
 344 percentage of premium, exclusive of all fees, assessments,
 345 surcharges, and taxes.

346 (5)(a) Notwithstanding s. 627.3517, any applicant for new
 347 personal lines coverage from the corporation is not eligible for
 348 coverage from the corporation if provided an offer of comparable

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349 coverage from an authorized insurer through the program at a
 350 premium that is at or below the eligibility threshold for
 351 applicants for new coverage of a primary residence established
 352 in s. 627.351(6)(c)5.a., or for applicants for new coverage of a
 353 risk that is not a primary residence established in s.
 354 627.351(6)(c)5.b. Whenever an offer of comparable coverage for a
 355 personal lines risk is received for a policyholder of the
 356 corporation at renewal from an authorized insurer through the
 357 program which is at or below the eligibility threshold for
 358 primary residences of policyholders of the corporation
 359 established in s. 627.351(6)(c)5.a., or the eligibility
 360 threshold for risks that are not primary residences of
 361 policyholders of the corporation established in s.
 362 627.351(6)(c)5.b., the risk is not eligible for coverage with
 363 the corporation. In the event an offer of coverage for a new
 364 applicant is received from an authorized insurer through the
 365 program, and the premium offered exceeds the eligibility
 366 threshold for applicants for new coverage of a primary residence
 367 established in s. 627.351(6)(c)5.a., or the eligibility
 368 threshold for applicants for new coverage on a risk that is not
 369 a primary residence established in s. 627.351(6)(c)5.b., the
 370 applicant or insured may elect to accept such coverage, or may
 371 elect to accept or continue coverage with the corporation. In
 372 the event an offer of coverage for a personal lines risk is
 373 received from an authorized insurer at renewal through the
 374 program, and the premium offered exceeds the eligibility
 375 threshold for primary residences of policyholders of the
 376 corporation established in s. 627.351(6)(c)5.a., or exceeds the
 377 eligibility threshold for risks that are not primary residences

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378 of policyholders of the corporation established in s.
 379 627.351(6)(c)5.b., the insured may elect to accept such
 380 coverage, or may elect to accept or continue coverage with the
 381 corporation. Section 627.351(6)(c)5.a.(I) and b.(I) does not
 382 apply to an offer of coverage from an authorized insurer
 383 obtained through the program. ~~As used in this subsection, the~~
 384 ~~term "primary residence" has the same meaning as in s.~~
 385 ~~627.351(6)(c)2.a.~~
 386 (b) Any applicant for new commercial lines residential
 387 coverage from the corporation is not eligible for coverage from
 388 the corporation if provided an offer of comparable coverage from
 389 an authorized insurer through the program at a premium that is
 390 at or below the eligibility threshold for applicants for new
 391 coverage established in s. 627.351(6)(c)5.c. Whenever an offer
 392 of comparable coverage for a commercial lines residential risk
 393 is received for a policyholder of the corporation at renewal
 394 from an authorized insurer through the program which is at or
 395 below the eligibility threshold in s. 627.351(6)(c)5.c., the
 396 risk is not eligible for coverage from the corporation. In the
 397 event that an offer of coverage for a new applicant is received
 398 from an authorized insurer through the program, and the premium
 399 offered exceeds the eligibility threshold established in s.
 400 627.351(6)(c)5.c., the applicant or insured may elect to accept
 401 such coverage or may elect to accept or continue coverage with
 402 the corporation. In the event that an offer of coverage for a
 403 commercial lines residential risk is received from an authorized
 404 insurer at renewal through the program, and the premium offered
 405 exceeds the eligibility threshold for policyholders of the
 406 corporation established in s. 627.351(6)(c)5.c., the insured may

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elect to accept such coverage or may elect to accept or continue coverage with the corporation. Section 627.351(6)(c)5.c.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program.

(c)1. Except as provided in subparagraph 2., any applicant for new commercial lines residential coverage or commercial lines nonresidential coverage from the corporation and any policyholder of the corporation, when such applicant or corporation policyholder is offered commercial lines residential or commercial lines nonresidential coverage pursuant to the program by an approved surplus lines clearinghouse insurer, remains eligible for coverage from the corporation. The applicant or policyholder receiving an offer from an approved surplus lines clearinghouse insurer may elect to accept such coverage or may elect to accept or continue coverage with the corporation.

2. Any applicant for new commercial lines residential coverage or commercial lines nonresidential coverage from the corporation and any policyholder of the corporation, when such applicant or corporation policyholder is offered commercial lines residential or commercial lines nonresidential coverage by an approved surplus lines insurer pursuant to the program and such offered coverage has material terms and conditions that are substantially equivalent to or better than coverage from the corporation as to all aspects of such coverage, as determined by the corporation through the clearinghouse process and applicable program standards, and the total cost of such insurance coverage is not more than 20 percent greater than the total cost of insurance coverage from the corporation, may elect to accept

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such coverage from the approved surplus lines clearinghouse insurer or may elect to accept or continue coverage with the corporation, but, if electing corporation coverage, such applicant or policyholder must pay a premium for corporation coverage that is subject to s. 627.351(6)(oo).

3. Section 627.351(6)(c)5.c.(I) does not apply to an offer of coverage from an approved surplus lines clearinghouse insurer obtained through the program.

(6) Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(5)(a), s. 627.351(6)(c)5.a.(I)(B) and (II)(B), or s. 627.351(6)(c)5.b.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. Contracts with the corporation or required by the corporation or with any insurer or surplus lines agent may must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

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465 (c) May accept an appointment from any insurer
466 participating in the program.

467 (d) May enter into either a standard or limited agency
468 agreement with the insurer, at the insurer's option, and may
469 enter into agreements with a surplus lines agent.

470
471 Applicants ineligible for coverage in accordance with subsection
472 (5) remain ineligible if their independent agent is unwilling or
473 unable to enter into a standard or limited agency agreement with
474 an insurer participating in the program.

475 (7) Exclusive agents submitting new applications for
476 coverage or that are the agent of record on a renewal policy
477 submitted to the program:

478 (a) Must maintain ownership and the exclusive use of
479 expirations, records, or other written or electronic information
480 directly related to such applications or renewals written
481 through the corporation or through an insurer participating in
482 the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and
483 (II)(B) or s. 627.351(6)(c)5.b.(I)(B) and (II)(B). Contracts
484 with the corporation or required by the corporation must not
485 amend, modify, interfere with, or limit such rights of
486 ownership. Such expirations, records, or other written or
487 electronic information may be used to review an application,
488 issue a policy, or for any other purpose necessary for placing
489 such business through the program.

490 (b) May not be required to be appointed by any insurer
491 participating in the program for policies written solely through
492 the program, notwithstanding the provisions of s. 626.112.

493 (c) Must only facilitate the placement of an offer of

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494 coverage from an insurer whose limited servicing agreement is
495 approved by that exclusive agent's exclusive insurer.

496 (d) May enter into a limited servicing agreement with the
497 insurer making an offer of coverage, and only after the
498 exclusive agent's insurer has approved the limited servicing
499 agreement terms. The exclusive agent's insurer must approve a
500 limited service agreement for the program for any insurer for
501 which it has approved a service agreement for other purposes.

502
503 Applicants ineligible for coverage in accordance with subsection
504 (5) remain ineligible if their exclusive agent is unwilling or
505 unable to enter into a standard or limited agency agreement with
506 an insurer making an offer of coverage to that applicant.

507 (8) Submission of an application for coverage by the
508 corporation to the program does not constitute the binding of
509 coverage by the corporation, and failure of the program to
510 obtain an offer of coverage by an insurer may not be considered
511 acceptance of coverage of the risk by the corporation.

512 (9) The 45-day notice of nonrenewal requirement set forth
513 in s. 627.4133(2)(b)5. applies when a policy is nonrenewed by
514 the corporation because the risk has received an offer of
515 coverage pursuant to this section which renders the risk
516 ineligible for coverage by the corporation.

517 (10) ~~The program may not include commercial nonresidential~~
518 ~~policies.~~

519 ~~(11)~~ Proprietary business information provided to the
520 corporation's clearinghouse by insurers with respect to
521 identifying and selecting risks for an offer of coverage is
522 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I

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of the State Constitution.

(a) As used in this subsection, the term "proprietary business information" means information, regardless of form or characteristics, which is owned or controlled by an insurer and:

1. Is identified by the insurer as proprietary business information and is intended to be and is treated by the insurer as private in that the disclosure of the information would cause harm to the insurer, an individual, or the company's business operations and has not been disclosed unless disclosed pursuant to a statutory requirement, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public;

2. Is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided to the clearinghouse; and

3. Includes:

a. Trade secrets, as defined in s. 688.002.

b. Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

Proprietary business information may be found in underwriting criteria or instructions which are used to identify and select risks through the program for an offer of coverage and are shared with the clearinghouse to facilitate the shopping of risks with the insurer.

(b) The clearinghouse may disclose confidential and exempt proprietary business information:

1. If the insurer to which it pertains gives prior written

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consent;

2. Pursuant to a court order; or

3. To another state agency in this or another state or to a federal agency if the recipient agrees in writing to maintain the confidential and exempt status of the document, material, or other information and has verified in writing its legal authority to maintain such confidentiality.

Section 3. This act shall take effect upon becoming a law.

The Florida Senate
APPEARANCE RECORD

CS/SB 1028

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

BG Murphy

Phone

850-893-4155

Address

3195 Shamrock St. S.

Email

bmurphy@faia.com

Street

Tallahassee

FL

32309

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida Association of Insurance Agents

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

~~1/12/24~~ 1/12/24

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1028

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Michael Wickersheim

Phone

Address

Street

Email

City

State

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
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☐

I am not a lobbyist, but received
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 1734

INTRODUCER: Fiscal Policy Committee and Senator Martin

SUBJECT: Juvenile Justice

DATE: February 13, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Parker	Stokes	CJ	Favorable
2. Atchley	Harkness	ACJ	Favorable
3. Parker	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1734 amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers. Specifically, the bill amends:

- Section 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of persons that the governor may award a Medal of Heroism.
- Sections 112.19 and 112.193, F.S., to include juvenile detention officers and juvenile probation officers in the definition of “Law enforcement, correctional, or correctional probation officer.” Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.
- Section 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to establish a Medal of Valor award program.
- Section 787.035, F.S., to exempt the Department of Juvenile Justice (DJJ) from the prohibition against sheltering an unmarried minor without the consent of the minor’s parent or guardian or without notifying a law enforcement officer.
- Section 943.10 F.S., to include juvenile detention officer and juvenile probation officer in the definition of “officer” and defines:
 - “Officer” to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.

- “Juvenile detention officer” to mean an officer who is responsible for the direct supervision of youth who are held in secure detention. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision training, and guidance of juvenile detention officers, but does not include support personnel employed by the employing agency.
- “Juvenile probation officer” means an authorized agent of the DJJ who performs the intake case management, or supervision functions. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance of juvenile probation officers, but does not include support personnel employed by the employing agency.
- Section 984.03, F.S., to revise the definition for the term “Family in need of services” to include legal guardians.
- Section 984.09, F.S., to provide that a child “subject to shelter placement proceedings” may only be placed in a shelter under certain circumstances, rather than a child “adjudicated in need of services.”
- Section 985.6865, F.S., to codify the process for juvenile detention sharing costs. The bill requires the DJJ to ensure that counties fulfill their financial obligation of shared costs for juvenile detention care. The DJJ must direct the DOR to deduct the costs owed to the DJJ from revenue shared funds provided to the county and transfer the funds into the specified Juvenile Detention Trust Fund.

The bill does not have a fiscal impact on state revenues or expenditures. See Section V., *Fiscal Impact Statement*.

The bill takes effect upon becoming law.

II. Present Situation:

Commemorative Service Awards

Section 112.193, F.S., provides specific guidelines for the commemorative service awards for law enforcement officers who retire, resign from position to accept an elected public office, or are killed in the line of duty. Each badge, service handgun, and identification card presented is to commemorate prior service.

Each employer that employs or appoints law enforcement, correctional, or correctional probation officers may present to each such employee who retires under any provision of a state or municipal retirement system, including medical disability retirement, or who is eligible to retire under any such provision but, instead, resigns from one employer to accept an elected public office:

- One completed uniform including the badge worn by that officer;
- The officer’s service handgun, if one was issued as part of the officer’s equipment; and
- An identification card clearly marked “RETIRED.”¹

¹ Section 112.193(2), F.S.

Upon the death of a law enforcement, correctional, or correctional probation officer, the employer may present to the spouse or other beneficiary of the officer, upon request:

- One complete uniform, including the badge worn by the officer.²
- If a law enforcement, correctional, or correctional probation officer is killed in the line of duty, the employer may present, upon request to the spouse or other beneficiary of the officer:
- The officer's service-issued handgun, if one was issued as part of the officer's equipment.³

If the employer is not in possession of the service-issued handgun, the employer may, within its discretion, and upon written request of the spouse or other beneficiary, present a similar handgun. In the instance that a law enforcement or correctional officer died before May 1, 1993, the above provisions apply, in addition, the officer's service handgun may be presented by the employer for any such officer who was killed in the line of duty prior to the act becoming law.⁴

Medal of Heroism

The Governor may award a Medal of Heroism to law enforcement officers, correctional officers, or correctional probation officers, firefighters, and emergency medical technicians, or paramedics. A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.⁵

A candidate or person seeking to nominate a candidate for the award must make written application to the Governor. The Governor may refer an application to any public or private entity for advice and recommendations regarding the application.⁶

Medal of Valor

Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers or correctional officers and may establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty.⁷

The Medal of Valor may include, but is not limited to, a medal authorized to be worn on the officer's uniform during formal occasions and a commendation bar to be worn on the uniform during normal duty. The amount of funds that may be expended to provide a Medal of Valor must not exceed \$250.⁸

² Section 112.193(3), F.S.

³ *Id.*

⁴ *Id.*

⁵ Section 14.33(1), F.S.

⁶ Section 14.33(2), F.S.

⁷ Section 112.194(1), F.S.

⁸ Section 112.194(2), F.S.

Upon the death of such a law enforcement officer or correctional officer, the employer may present the Medal of Valor posthumously to the officer's closest living relative.

Death Benefits for Law Enforcement Officers

Accidental death or bodily injury

The sum of \$75,000 must be paid as provided in this section when a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life, provided that such killing is not the result of suicide and that such bodily injury is not intentionally self-inflicted.⁹

The sum of \$75,000 must be paid as provided if a law enforcement, correctional, or correctional probation officer is accidentally killed and the accidental death occurs:

- As a result of the officer's response to fresh pursuit;¹⁰
- As a result of the officer's response to what is reasonably believed to be an emergency;¹¹
- At the scene of a traffic accident to which the officer has responded;¹² or
- While the officer is enforcing what is reasonably believed to be a traffic law or ordinance.¹³

Death in the line of duty

If an officer is killed in the line of duty, additional sums are paid in addition to any workers' compensation or retirement plan benefits and are exempt from creditor claims.¹⁴

If a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act, the sum of \$225,000 must be paid,¹⁵ whether secured by insurance or not, must be made to the beneficiary designated by such law enforcement, correctional, or correctional probation officer in writing, signed by the officer and delivered to the employer during the officer's lifetime. If no such designation is made, then the payments must be paid to the officer's surviving child or children and to the officer's surviving spouse in equal portions, and if there is no surviving child or spouse, then to the officer's parent or parents. If a beneficiary is not designated and there is no surviving child, spouse, or parent, then the sum must be paid to the officer's estate.¹⁶

If a full-time law enforcement, correctional, or correctional probation officer who is certified and employed by a state is killed in the line of duty while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions:

⁹ Section 112.19(2)(a), F.S.

¹⁰ Section 112.19(2)(b)1., F.S.

¹¹ Section 112.19(2)(b)2., F.S.

¹² Section 112.19(2)(b)3., F.S.

¹³ Section 112.19(2)(b)4., F.S.

¹⁴ Section 112.19(2)(e), F.S.

¹⁵ Section 112.19(2)(c), F.S.

¹⁶ Section 112.19(2)(d), F.S.

- The sum of \$10,000 must be paid toward the funeral and burial expenses of such officer. Such benefits are in addition to any other benefits to which employee beneficiaries and dependents are entitled under the Workers' Compensation Law or any other state or federal statutes;¹⁷ and
- The officer's employing agency may pay up to \$5,000 directly toward the venue expenses associated with the funeral and burial services of such officer.¹⁸

Dependent benefits

Any division of the state that employs a full-time law enforcement officer or a full-time correctional officer who is killed in the line of duty on or after July 1, 1993, as a result of an act of violence inflicted by another person while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions must pay the entire premium of the political subdivision's health insurance plan for the employee's surviving spouse until remarried, and for each dependent child of the employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if:

- At the time of the employee's death, the child is dependent upon the employee for support;¹⁹ and
- The surviving child continues to be dependent for support, or the surviving child is a full-time or part-time student and is dependent for support.²⁰

Catastrophic injury

Any employer who employs a full-time law enforcement, correctional, or correctional probation officer who, on or after January 1, 1995, suffers a catastrophic injury in the line of duty must pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support, or the child is a full-time or part-time student and is dependent for support.²¹

DJJ Youth Services

Family in Need of Services

Chapter 984, F.S., establishes the processes for providing status offenders with voluntary and involuntary intervention services, through court order. Voluntary family services to families in need must be by voluntary agreement of the parent or legal guardian and the child or pursuant to a court order. Family in need of services are programs that are open to children ages 6-17 years old and their families to provide support and counseling programs to prevent runaways, habitual truancy, homelessness, and ungovernable behavior.²²

¹⁷ Section 112.19(2)(f)1., F.S.

¹⁸ Section 112.19(2)(f)2., F.S.

¹⁹ Section 112.19(2)(g)1., F.S.

²⁰ Section 112.19(2)(g)2., F.S.

²¹ Section 112.19(2)(h)1., F.S.

²² Florida Network of Youth and Family Services *CINS/FINS Shelter Services* available at https://floridanetwork.org/wp-content/uploads/2024/12/FN_Brochure_ENG_WITH-UPDATES_12.2.2023.pdf (last visited on January 20, 2026).

Section 984.03, F.S., specifies that a “Family in need of services” means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent or legal custodian and is beyond the control of the parent or legal custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system. The child must be referred to a law enforcement agency, the department, or an agency contracted to provide services to children in need of services. A family is not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the DJJ for delinquency or under court-ordered supervision by the Department of Children and Families (DCF).

Placement in Shelter

A shelter is a place for temporary care for a child alleged to be dependent, a child from a family in need of services, or a child in need of services, pending court disposition before or after execution of a court order. Shelter placements may be either voluntary or involuntary, and if a bed is not available, a youth is placed on a waiting list until one becomes available. Through the involuntary shelter hearing court process, placement may be made to provide an opportunity for the child and family to come to an agreement for the return of the child to their home. Shelter placement may also be necessary because the parent is unable to take immediate custody of the child or through a child being held in contempt by a truancy court.²³

Section 984.09, F.S., provides that it is the legislative intent to restrict and limit the use of contempt powers and prohibit the use of detention care and secure detention facilities, specifying that the court must use alternative sanctions first and may only place a child in a secure setting if alternative sanctions are unavailable or inappropriate, or if the child has previously been found in contempt of court and failed to comply with an assigned alternative sanction.

Sheltering unmarried minors

Section 787.035, F.S., specifies that a person who is not an authorize agent of the DJJ or the DCF may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor’s parent or guardian or without notifying a law enforcement officer of the minor’s name and the fact that the minor is being provided shelter.

A person may not knowingly provide aid to an unmarried minor who has run away from home without first contacting the minor’s parent or guardian or notifying a law enforcement officer.²⁴

Juvenile Detention Cost Sharing

The state must pay all costs of detention care for juveniles residing in a fiscally constrained county²⁵ and for juveniles residing out of state. The state must pay all costs of detention care for

²³ Section 984.09, F.S.

²⁴ Section 787.035(1)(b), F.S.

²⁵ Section 985.6865(1)(b), F.S., provides a “Fiscally constrained county” means a county within a rural area of opportunity pursuant to s. 288.0656, F.S., or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., F.S., from the previous July 1.

juveniles housed in state detention centers from counties that provide their own detention care for juveniles.²⁶

Annually by July 15, the DJJ must calculate and provide to each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles its annual percentage share by dividing the total number of detention days for juveniles residing in the county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. The annual percentage share of each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles must be multiplied by 50 percent of the total shared detention costs to determine that county's share of detention costs. Beginning August 1, each such county shall pay to the department its share of detention costs, which must be paid in 12 equal payments due on the first day of each month. The state must pay the remaining actual costs of detention care.²⁷

Each county that is not a fiscally constrained county and does not provide its own detention care for juveniles must incorporate sufficient funds to pay its annual percentage share of the total shared detention costs required into its annual county budget sufficient funds to pay its annual percentage share of the total shared detention costs required.²⁸

Funds paid by the counties to the DJJ pursuant to this section must be deposited into the Shared County/State Juvenile Detention Trust Fund.²⁹

The DJJ shall determine each quarter whether the counties are remitting funds as required by this section.³⁰

Funds received from counties pursuant to this section are not subject to the service charges³¹ provided in s. 215.20, F.S.³² The DJJ may adopt rules to administer juvenile detention costs.³³

III. Effect of Proposed Changes:

The bill amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers.

Section 1 amends s. 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of law enforcement officers that the Governor may award a Medal of Heroism.

²⁶ Section 985.6865(3), F.S.

²⁷ Section 985.6865(2), F.S.

²⁸ Section 985.6865(4), F.S.

²⁹ Section 985.6865(5), F.S.

³⁰ Section 985.6865(6), F.S.

³¹ Section 985.6865(7), F.S.

³² Section 215.20(1), F.S., provides that a service charge of 8 percent, representing the estimated pro rata share of the cost of general government paid from the General Revenue Fund, is hereby appropriated from all income of a revenue nature deposited in all trust funds except those enumerated in s. 215.22, F.S.

³³ Section 985.6865(8), F.S.

Sections 2 and 3 amend ss. 112.19 and 112.193, F.S., to add juvenile detention officers and juvenile probation officers to the definition for “law enforcement, correctional, or correctional probation officers” for purposes of death benefits and commemorative service awards. Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.

Section 4 amends s. 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty. This provision currently exists for law enforcement officers and correctional officers.

Section 5 amends s. 787.035, F.S., to exempt the DJJ from the prohibition against sheltering an unmarried minor without the consent of the minor’s parent or guardian or without notifying a law enforcement officer. A person who is not an authorized agent of the DJJ or the DCF may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor’s parent or guardian or without notifying a law enforcement officer of the minor’s name and the fact that the minor is being provided shelter.

Section 6 amends s. 943.10 F.S., to include juvenile detention officers and juvenile probation officers in the definition of “officer” and defines:

- “Officer” to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.
 - “Juvenile detention officer” to mean an officer who is responsible for the direct supervision of youth who are held in secure detention. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance of juvenile detention officers, but does not include support personnel employed by the employing agency.
- “Juvenile probation officer” means an authorized agent of the DJJ who performs the intake case management, or supervision functions. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance of juvenile detention officers, but does not include support personnel employed by the employing agency.

Section 7 amends s. 984.03, F.S., revising the definition for the term “Family in need of services” to include legal guardians.

Section 8 amends s. 984.09, F.S., to provide that a child “subject to shelter placement proceedings” may only be placed in a shelter under certain circumstances, rather than a child adjudicated in need of services. A child subject to proceedings under ch. 984, F.S., may only be placed in a shelter for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

Section 9 amends s. 985.6865, F.S., to codify the process for the juvenile detention sharing costs. The bill provides that each quarter, the DJJ must review county juvenile detention payments to ensure that counties fulfill their financial responsibilities as required. If the DJJ determines that a county has not met its obligations, the DJJ must direct the Department of Revenue (DOR) to deduct the amount owed to the DJJ from the revenue sharing funds provided to the county under s. 218.23, F.S. The DOR must transfer the funds withheld into the Shared County/State Juvenile Detention Trust Fund.

As an assurance to holders of revenue bonds issued by counties before July 1 of each year, for which distributions made pursuant to revenue sharing under s. 218.23, F.S., are pledged, or bonds issue to refund such bonds, which mature no later than the bonds they refunded, and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to an county must remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders.

The DOR must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant the funds provided to the county under s. 218.23, F.S., does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest, when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this section, the DOR must notify the DJJ of the amount of the decrease, and the DJJ must send a bill for payment of such amount to the affected county.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 14.33, 112.19, 112.193, 112.194, 787.035, 943.10, 984.03, 984.09, and 985.6865.

This bill reenacts the following sections of the Florida Statutes: 112.1912, 384.287, 493.6102, 741.31, 782.07, 790.233, 39.01, 44.1011, 44.102, 984.04, 984.071, 984.10, 984.12, 984.13, 985.03, 984.07, and 984.151.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Fiscal Policy on February 12, 2026:

The committee substitute:

- Amends the definition of the terms “Juvenile detention officer” and “Juvenile probation officer,” to include certain support personnel.
- Amends s. 985.6865, F.S., related to cost of detention sharing to codify that each fiscal year, every county fulfills its financial responsibility as required. If the department determines that a county has not met its obligations, it must direct the DOR to deduct the amount owed from funds provided to the county under s. 218.23, F.S., and transfer the withheld funds into a specified trust fund. The DOR

must ensure, based on information provided by an affected county, that any reduction in distributions does not reduce the amount necessary for the timely payment of principal and interest or compliance with bond covenants. If a county's monthly distribution must be decreased to comply the DOR must notify the DJJ of the decrease, and the DJJ must bill the affected county for payment of that amount.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
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The Committee on Fiscal Policy (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 390 - 421
and insert:
secure detention. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance of juvenile detention officers, but does not include support personnel employed by the employing agency.

(24) "Juvenile probation officer" means an authorized agent



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of the Department of Juvenile Justice who performs the intake, case management, or supervision functions. The term includes all certified supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance of juvenile probation officers, but does not include support personnel employed by the employing agency.

Section 7. Subsection (15) of section 984.03, Florida Statutes, is amended to read:

984.03 Definitions.—When used in this chapter, the term:

(15) “Family in need of services” means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent, ~~or~~ legal guardian, or custodian and is beyond the control of the parent, ~~or~~ legal guardian, or custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system. The child must be referred to a law enforcement agency, the department, or an agency contracted to provide services to children in need of services. A family is not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the department for delinquency under chapter 985 or under court-ordered supervision by the Department of Children and Families under chapter 39.

Section 8. Subsection (2) of section 984.09, Florida Statutes, is amended to read:

984.09 Punishment for contempt of court; alternative sanctions.—

(2) PLACEMENT IN A SHELTER.—A child subject to proceedings



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under this chapter adjudicated as a child in need of services may only be placed in a shelter for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

Section 9. Section 985.6865, Florida Statutes, is amended to read:

985.6865 Juvenile detention costs.—

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

(a) "Detention care" means secure detention and respite beds for juveniles charged with a domestic violence crime.

(b) "Fiscally constrained county" means a county within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.

(c) "Total shared detention costs" means the amount of funds expended by the department for the costs of detention care for the prior fiscal year. This amount includes the most recent actual certify forward amounts minus any funds it expends on detention care for juveniles residing in fiscally constrained counties or out of state.

(2) Annually by July 15, the department shall calculate and provide to each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles its annual percentage share by dividing the total number of detention days for juveniles residing in the county for the most recently completed 12-month period by the total number of



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detention days for juveniles in all counties that are not fiscally constrained counties during the same period. The annual percentage share of each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles must be multiplied by 50 percent of the total shared detention costs to determine that county's share of detention costs. Beginning August 1, each such county shall pay to the department its share of detention costs, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care.

(3) Each quarter, the department shall review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required under this section. If the department determines that a county has not met its obligations, the department must direct the Department of Revenue to deduct the amount owed to the department from the funds provided to the county under s. 218.23. The Department of Revenue shall transfer the funds withheld into the Shared County/State Juvenile Detention Trust Fund.

(4) As an assurance to holders of bonds issued by counties before July 1 of each year, for which distributions made pursuant to s. 218.23 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an



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affected county, that any reduction in amounts distributed pursuant to subsection (3) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this section, the Department of Revenue must notify the department of the amount of the decrease, and the department must send a bill for payment of such amount to the affected county.

(5) The state shall pay all costs of detention care for juveniles residing in a fiscally constrained county and for juveniles residing out of state. The state shall pay all costs of detention care for juveniles housed in state detention centers from counties that provide their own detention care for juveniles.

(6)(4) Each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles shall incorporate into its annual county budget sufficient funds to pay its annual percentage share of the total shared detention costs required by subsection (2).

(7)(5) Funds paid by the counties to the department pursuant to this section must be deposited into the Shared County/State Juvenile Detention Trust Fund.

~~(6) The department shall determine each quarter whether the counties are remitting funds as required by this section.~~

(8)(7) Funds received from counties pursuant to this section are not subject to the service charges provided in s.



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215.20.

~~(9)-(8)~~ The department may adopt rules to administer this section.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 24 and 25
insert:

amending s. 985.6865, F.S.; requiring the Department
of Juvenile Justice to direct the Department of
Revenue to deduct specified amounts owed to the
Department of Juvenile Justice upon a certain
determination; requiring the Department of Revenue to
transfer such funds into a certain trust fund;
specifying requirements relating to such reductions in
amounts distributed to counties;

By Senator Martin

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1 A bill to be entitled
 2 An act relating to juvenile justice; amending s.
 3 14.33, F.S.; authorizing the Governor to award a Medal
 4 of Heroism to juvenile detention and juvenile
 5 probation officers; amending ss. 112.19 and 112.193,
 6 F.S.; revising the definition of the term "law
 7 enforcement, correctional, or correctional probation
 8 officer" to include juvenile detention and juvenile
 9 probation officers; amending s. 112.194, F.S.;
 10 authorizing certain entities to establish an award
 11 program to award a Medal of Valor to a juvenile
 12 detention officer or probation officer in certain
 13 circumstances; amending s. 787.035, F.S.; specifying
 14 that a certain reference to the department is a
 15 reference to the Department of Juvenile Justice;
 16 amending s. 943.10, F.S.; revising the definition of
 17 the term "officer" to include juvenile detention and
 18 juvenile probation officers; defining the terms
 19 "juvenile detention officer" and "juvenile probation
 20 officer"; amending s. 984.03, F.S.; revising the
 21 definition of the term "family in need of services";
 22 amending s. 984.09, F.S.; providing that a child
 23 subject to proceedings under ch. 984, F.S., may only
 24 be placed in a shelter in certain circumstances;
 25 reenacting s. 112.1912(1)(a), F.S., relating to first
 26 responders, and death benefits for educational
 27 expenses, to incorporate the amendment made to s.
 28 112.19, F.S., in a reference thereto; reenacting ss.
 29 384.287(1), 493.6102(1), 741.31(4)(b), 782.07(4), and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 790.233(3), F.S., relating to screening for sexually
 31 transmissible disease, inapplicability of ch. 493,
 32 F.S., violation of an injunction for protection
 33 against domestic violence, manslaughter, aggravated
 34 manslaughter of an elderly person or disabled adult,
 35 aggravated manslaughter of a child, aggravated
 36 manslaughter of an officer, a firefighter, an
 37 emergency medical technician, or a paramedic, and
 38 possession of firearm or ammunition prohibited when
 39 person is subject to an injunction against committing
 40 acts of domestic violence, stalking, or cyberstalking,
 41 and penalties, to incorporate the amendment made to s.
 42 943.10, F.S., in references thereto; reenacting ss.
 43 39.01(1) and (37)(e), 44.1011(2)(d), 44.102(2)(d),
 44 984.04(1), 984.071(1), 984.10(1) and (2), 984.12,
 45 984.13(3), and 985.03(23), F.S., relating to
 46 definitions in proceedings relating to children,
 47 definitions in dependency mediation, court-ordered
 48 mediation, early truancy intervention, families in
 49 need of services and children in need of services,
 50 procedures and jurisdiction, resources and
 51 information, intake, case staffing, services and
 52 treatment related to a family in need of services,
 53 taking a child into custody, and definitions relating
 54 to juvenile justice, respectively, to incorporate the
 55 amendment made to s. 984.03, F.S., in references
 56 thereto; reenacting ss. 984.03(33), 984.07(1), and
 57 984.151(12), F.S., relating to definitions relating to
 58 children and families in need of services, right to

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counsel, waiver, appointed counsel, compensation, and early truancy intervention, truancy petition, and judgment, respectively, to incorporate the amendment made to s. 984.09, F.S., in references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 14.33, Florida Statutes, is amended to read:

14.33 Medal of Heroism.—

(1) The Governor may award a Medal of Heroism of appropriate design, with ribbons and appurtenances, to a law enforcement, correctional, ~~or~~ correctional probation officer, juvenile detention officer, or juvenile probation officer, as defined in s. 943.10(14); a firefighter, as defined in s. 112.191(1)(b); an emergency medical technician, as defined in s. 401.23; or a paramedic, as defined in s. 401.23. A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.

Section 2. Section 112.19, Florida Statutes, is amended to read:

112.19 Law enforcement, correctional, and correctional probation officers; death benefits.—

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

(a) "Employer" means a state board, commission, department, division, bureau, or agency, or a county, municipality, or other political subdivision of the state, which employs, appoints, or otherwise engages the services of law enforcement, correctional, or correctional probation officers.

(b) "Fresh pursuit" means the pursuit of a person who has committed or is reasonably suspected of having committed a felony, misdemeanor, traffic infraction, or violation of a county or municipal ordinance. The term does not imply instant pursuit, but pursuit without unreasonable delay.

(c) "Insurance" means insurance procured from a stock company or mutual company or association or exchange authorized to do business as an insurer in this state.

(d) "Law enforcement, correctional, or correctional probation officer" means any officer as defined in s. 943.10(14) or employee of the state or any political subdivision of the state, including any law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, juvenile probation officer, state attorney investigator, public defender investigator, or criminal conflict and civil regional counsel investigator, whose duties require such officer or employee to investigate, pursue, apprehend, arrest, transport, or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime; and the term includes any member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal of explosive devices. The term also includes any full-time officer or employee of the state or any political subdivision of

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the state, certified pursuant to chapter 943, whose duties require such officer to serve process or to attend a session of a circuit or county court as bailiff.

(2) (a) The sum of \$75,000 must be paid as provided in this section when a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life, provided that such killing is not the result of suicide and that such bodily injury is not intentionally self-inflicted.

(b) The sum of \$75,000 must be paid as provided in this section if a law enforcement, correctional, or correctional probation officer is accidentally killed as specified in paragraph (a) and the accidental death occurs:

1. As a result of the officer's response to fresh pursuit;

2. As a result of the officer's response to what is reasonably believed to be an emergency;

3. At the scene of a traffic accident to which the officer has responded; or

4. While the officer is enforcing what is reasonably believed to be a traffic law or ordinance.

This sum is in addition to any sum provided for in paragraph (a).

(c) If a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is unlawfully and intentionally killed or dies as a result of such unlawful and

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intentional act, the sum of \$225,000 must be paid as provided in this section.

(d) Such payments, pursuant to paragraphs (a), (b), and (c), whether secured by insurance or not, must be made to the beneficiary designated by such law enforcement, correctional, or correctional probation officer in writing, signed by the officer and delivered to the employer during the officer's lifetime. If no such designation is made, then the payments must be paid to the officer's surviving child or children and to the officer's surviving spouse in equal portions, and if there is no surviving child or spouse, then to the officer's parent or parents. If a beneficiary is not designated and there is no surviving child, spouse, or parent, then the sum must be paid to the officer's estate.

(e) Such payments, pursuant to paragraphs (a), (b), and (c), are in addition to any workers' compensation or retirement plan benefits and are exempt from the claims and demands of creditors of such law enforcement, correctional, or correctional probation officer.

(f) If a full-time law enforcement, correctional, or correctional probation officer who is certified pursuant to chapter 943 and employed by a state agency is killed in the line of duty while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions:

1. The sum of \$10,000 must be paid, as provided for in paragraph (d), toward the funeral and burial expenses of such officer. Such benefits are in addition to any other benefits to which employee beneficiaries and dependents are entitled under

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the Workers' Compensation Law or any other state or federal statutes; and

2. The officer's employing agency may pay up to \$5,000 directly toward the venue expenses associated with the funeral and burial services of such officer.

(g) Any political subdivision of the state that employs a full-time law enforcement officer as defined in s. 943.10(1) or a full-time correctional officer as defined in s. 943.10(2) who is killed in the line of duty on or after July 1, 1993, as a result of an act of violence inflicted by another person while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions shall pay the entire premium of the political subdivision's health insurance plan for the employee's surviving spouse until remarried, and for each dependent child of the employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if:

1. At the time of the employee's death, the child is dependent upon the employee for support; and

2. The surviving child continues to be dependent for support, or the surviving child is a full-time or part-time student and is dependent for support.

(h)1. Any employer who employs a full-time law enforcement, correctional, or correctional probation officer who, on or after January 1, 1995, suffers a catastrophic injury, as defined in s. 440.02, Florida Statutes 2002, in the line of duty shall pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each

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dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support, or the child is a full-time or part-time student and is dependent for support. The term "health insurance plan" does not include supplemental benefits that are not part of the basic group health insurance plan. If the injured employee subsequently dies, the employer shall continue to pay the entire health insurance premium for the surviving spouse until remarried, and for the dependent children, under the conditions outlined in this paragraph. However:

a. Health insurance benefits payable from any other source shall reduce benefits payable under this section.

b. It is unlawful for a person to willfully and knowingly make, or cause to be made, or to assist, conspire with, or urge another to make, or cause to be made, any false, fraudulent, or misleading oral or written statement to obtain health insurance coverage as provided under this paragraph. A person who violates this sub-subparagraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

c. In addition to any applicable criminal penalty, upon conviction for a violation as described in sub-subparagraph b., a law enforcement, correctional, or correctional probation officer or other beneficiary who receives or seeks to receive health insurance benefits under this paragraph shall forfeit the right to receive such health insurance benefits, and shall reimburse the employer for all benefits paid due to the fraud or other prohibited activity. For purposes of this sub-subparagraph, the term "conviction" means a determination of

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guilt that is the result of a plea or trial, regardless of whether adjudication is withheld.

2. In order for the officer, spouse, and dependent children to be eligible for such insurance coverage, the injury must have occurred while the officer was in the line of duty or engaged in an official training exercise. Except as otherwise provided herein, this paragraph may not be construed to limit health insurance coverage for which the officer, spouse, or dependent children may otherwise be eligible, except that a person who qualifies under this section is not eligible for the health insurance subsidy provided under chapter 121, chapter 175, or chapter 185.

(i) The Bureau of Crime Prevention and Training within the Department of Legal Affairs shall adopt rules necessary to implement paragraphs (a), (b), and (c).

(3) If a law enforcement, correctional, or correctional probation officer is accidentally killed as specified in paragraph (2)(b) on or after June 22, 1990, but before July 1, 2019, or unlawfully and intentionally killed as specified in paragraph (2)(c) on or after July 1, 1980, but before July 1, 2019, the state must waive certain educational expenses that the child or spouse of the deceased officer incurs while obtaining a career certificate, an undergraduate education, or a postgraduate education. The amount waived by the state must be in an amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours. The child or spouse may attend a state career center, a Florida College System institution, or a state university on either a full-time or part-time basis. The benefits provided to a child under this

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subsection shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.

(a) Upon failure of any child or spouse who receives a waiver in accordance with this subsection to comply with the ordinary and minimum requirements regarding discipline and scholarship of the institution attended, such benefits must be withdrawn as to the child or spouse and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.

(b) Only a student in good standing in his or her respective institution may receive the benefits provided in this subsection.

(c) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the institution attended.

(4)(a) The employer of such law enforcement, correctional, or correctional probation officer is liable for the payment of the sums specified in this section and is deemed self-insured, unless it procures and maintains, or has already procured and maintained, insurance to secure such payments. Any such insurance may cover only the risks indicated in this section, in the amounts indicated in this section, or it may cover those risks and additional risks and may be in larger amounts. Any such insurance must be placed by such employer only after public bid of such insurance coverage which must be awarded to the carrier making the lowest best bid.

(b) Payment of benefits to beneficiaries of state

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employees, or of the premiums to cover the risk, under this section must be paid from existing funds otherwise appropriated to the department employing the law enforcement, correctional, or correctional probation officers.

(5) The State Board of Education shall adopt rules and procedures, and the Board of Governors shall adopt regulations and procedures, as are appropriate and necessary to implement the educational benefits provisions of this section.

(6) Notwithstanding any provision of this section to the contrary, the death benefits provided in paragraphs (2)(c) and (g) shall also be applicable and paid in cases where an officer received bodily injury before July 1, 1993, and subsequently died on or after July 1, 1993, as a result of such in-line-of-duty injury attributable to an unlawful and intentional act, or an act of violence inflicted by another, or an assault on the officer under riot conditions. Payment of such benefits must be in accordance with this section. This subsection may not be construed to limit death benefits for which those individuals listed in paragraph (2)(d) may otherwise be eligible.

Section 3. Paragraph (b) of subsection (1) and subsections (2) and (3) of section 112.193, Florida Statutes, are amended to read:

112.193 Law enforcement, correctional, ~~and~~ correctional probation, juvenile detention, and juvenile probation officers' commemorative service awards.—

(1) For the purposes of this section, the term:

(b) "Law enforcement, correctional, ~~or~~ correctional probation, juvenile detention, or juvenile probation officer" means any full-time, part-time, or auxiliary officer as defined

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in s. 943.10(14).

(2) Each employer that employs or appoints law enforcement, correctional, ~~or~~ correctional probation, juvenile detention, or juvenile probation officers may present to each such employee who retires under any provision of a state or municipal retirement system, including medical disability retirement, or who is eligible to retire under any such provision but, instead, resigns from one employer to accept an elected public office, one complete uniform including the badge worn by that officer, the officer's service handgun, if one was issued as part of the officer's equipment, and an identification card clearly marked "RETIRED."

(3) Upon the death of a law enforcement, correctional, ~~or~~ correctional probation, juvenile detention, or juvenile probation officer, the employer may present to the spouse or other beneficiary of the officer, upon request, one complete uniform, including the badge worn by the officer. However, if a law enforcement, correctional, ~~or~~ correctional probation, juvenile detention, or juvenile probation officer is killed in the line of duty, the employer may present, upon request, to the spouse or other beneficiary of the officer the officer's service-issued handgun, if one was issued as part of the officer's equipment. If the employer is not in possession of the service-issued handgun, the employer may, within its discretion, and upon written request of the spouse or other beneficiary, present a similar handgun. The provisions of this section shall also apply in that instance to a law enforcement or correctional officer who died before May 1, 1993. In addition, the officer's service handgun may be presented by the employer for any such

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officer who was killed in the line of duty prior to this act becoming a law.

Section 4. Subsections (1) and (3) of section 112.194, Florida Statutes, are amended to read:

112.194 Law enforcement ~~and~~ correctional, juvenile detention, and juvenile probation officers' Medal of Valor.—

(1) Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers, ~~or~~ correctional officers, juvenile detention officers, or juvenile probation officers, as defined in s. 943.10(14), may establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty.

(3) Upon the death of such a law enforcement officer ~~or~~ correctional officer, juvenile detention officer, or juvenile probation officer, the employer may present the Medal of Valor posthumously to the officer's closest living relative.

Section 5. Paragraph (a) of subsection (1) of section 787.035, Florida Statutes, is amended to read:

787.035 Sheltering unmarried minors; aiding unmarried minor runaways; violations.—

(1)(a) A person who is not an authorized agent of the Department of Juvenile Justice or the Department of Children and Families may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor's parent or guardian or without notifying a law enforcement officer of the minor's name and the fact that the minor is being provided shelter.

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Section 6. Subsection (14) of section 943.10, Florida Statutes, is amended, and new subsections (23) and (24) are added to that section, to read:

943.10 Definitions; ss. 943.085-943.255.—The following words and phrases as used in ss. 943.085-943.255 are defined as follows:

(14) "Officer" means any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, ~~or~~ correctional probation officer, juvenile detention officer, or juvenile probation officer.

(23) "Juvenile detention officer" means an officer who is responsible for the direct supervision of youth who are held in secure detention.

(24) "Juvenile probation officer" means an authorized agent of the Department of Juvenile Justice who performs the intake, case management, or supervision functions.

Section 7. Subsection (15) of section 984.03, Florida Statutes, is amended to read:

984.03 Definitions.—When used in this chapter, the term:

(15) "Family in need of services" means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent, ~~or~~ legal guardian, or custodian and is beyond the control of the parent, ~~or~~ legal guardian, or custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system. The child must be referred to a law enforcement agency, the department, or an agency contracted to provide services to children in need of services. A family is

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not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the department for delinquency under chapter 985 or under court-ordered supervision by the Department of Children and Families under chapter 39.

Section 8. Subsection (2) of section 984.09, Florida Statutes, is amended to read:

984.09 Punishment for contempt of court; alternative sanctions.—

(2) PLACEMENT IN A SHELTER.—A child subject to proceedings under this chapter ~~adjudicated as a child in need of services~~ may only be placed in a shelter for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

Section 9. For the purpose of incorporating the amendment made by this act to section 112.19, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 112.1912, Florida Statutes, is reenacted to read:

112.1912 First responders; death benefits for educational expenses.—

(1) As used in this section, the term “first responder” means:

(a) A law enforcement, correctional, or correctional probation officer as defined in s. 112.19(1) who is killed as provided in s. 112.19(2) on or after July 1, 2019;

Section 10. For the purpose of incorporating the amendment made by this act to section 943.10, Florida Statutes, in a reference thereto, subsection (1) of section 384.287, Florida

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Statutes, is reenacted to read:

384.287 Screening for sexually transmissible disease.—

(1) An officer as defined in s. 943.10(14); support personnel as defined in s. 943.10(11) who are employed by the Department of Law Enforcement, including, but not limited to, any crime scene analyst, forensic technologist, or crime lab analyst; firefighter as defined in s. 633.102; or ambulance driver, paramedic, or emergency medical technician as defined in s. 401.23, acting within the scope of employment, who comes into contact with a person in such a way that significant exposure, as defined in s. 381.004, has occurred may request that the person be screened for a sexually transmissible disease that can be transmitted through a significant exposure.

Section 11. For the purpose of incorporating the amendment made by this act to section 943.10, Florida Statutes, in a reference thereto, subsection (1) of section 493.6102, Florida Statutes, is reenacted to read:

493.6102 Inapplicability of this chapter.—This chapter shall not apply to:

(1) Any individual who is an “officer” as defined in s. 943.10(14) or is a law enforcement officer of the United States Government, while such local, state, or federal officer is engaged in her or his official duties or when performing off-duty security activities approved by her or his superiors.

Section 12. For the purpose of incorporating the amendment made by this act to section 943.10, Florida Statutes, in a reference thereto, paragraph (b) of subsection (4) of section 741.31, Florida Statutes, is reenacted to read:

741.31 Violation of an injunction for protection against

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domestic violence.—

(4)

(b)1. It is a violation of s. 790.233, and a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a person to violate a final injunction for protection against domestic violence by having in his or her care, custody, possession, or control any firearm or ammunition.

2. It is the intent of the Legislature that the disabilities regarding possession of firearms and ammunition are consistent with federal law. Accordingly, this paragraph shall not apply to a state or local officer as defined in s. 943.10(14), holding an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency, unless otherwise prohibited by the employing agency.

Section 13. For the purpose of incorporating the amendment made by this act to section 943.10, Florida Statutes, in a reference thereto, subsection (4) of section 782.07, Florida Statutes, is reenacted to read:

782.07 Manslaughter; aggravated manslaughter of an elderly person or disabled adult; aggravated manslaughter of a child; aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.—

(4) A person who causes the death, through culpable negligence, of an officer as defined in s. 943.10(14), a firefighter as defined in s. 112.191, an emergency medical technician as defined in s. 401.23, or a paramedic as defined in s. 401.23, while the officer, firefighter, emergency medical technician, or paramedic is performing duties that are within

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the course of his or her employment, commits aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic, a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 14. For the purpose of incorporating the amendment made by this act to section 943.10, Florida Statutes, in a reference thereto, subsection (3) of section 790.233, Florida Statutes, is reenacted to read:

790.233 Possession of firearm or ammunition prohibited when person is subject to an injunction against committing acts of domestic violence, stalking, or cyberstalking; penalties.—

(3) It is the intent of the Legislature that the disabilities regarding possession of firearms and ammunition are consistent with federal law. Accordingly, this section does not apply to a state or local officer as defined in s. 943.10(14), holding an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency, unless otherwise prohibited by the employing agency.

Section 15. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in references thereto, subsection (1) and paragraph (e) of subsection (37) of section 39.01, Florida Statutes, are reenacted to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(1) "Abandoned" or "abandonment" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has

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made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. For purposes of this subsection, "establish or maintain a substantial and positive relationship" includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child. A man's acknowledgment of paternity of the child does not limit the period of time considered in determining whether the child was abandoned. The term does not include a surrendered infant as described in s. 383.50, a "child in need of services" as defined in chapter 984, or a "family in need of services" as defined in chapter 984. The absence of a parent, legal custodian, or caregiver responsible for a child's welfare, who is a servicemember, by reason of deployment or anticipated deployment as defined in 50 U.S.C. s. 3938(e), may not be considered or used as a factor in determining abandonment. The incarceration, repeated incarceration, or extended incarceration of a parent, legal custodian, or caregiver responsible for a child's welfare may support a finding of abandonment.

(37) "Harm" to a child's health or welfare can occur when any person:

(e) Abandons the child. Within the context of the definition of "harm," the term "abandoned the child" or "abandonment of the child" means a situation in which the parent

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or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. For purposes of this paragraph, "establish or maintain a substantial and positive relationship" includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child. The term "abandoned" does not include a surrendered infant as described in s. 383.50, a child in need of services as defined in chapter 984, or a family in need of services as defined in chapter 984. The incarceration, repeated incarceration, or extended incarceration of a parent, legal custodian, or caregiver responsible for a child's welfare may support a finding of abandonment.

Section 16. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in a reference thereto, paragraph (d) of subsection (2) of section 44.1011, Florida Statutes, is reenacted to read:

44.1011 Definitions.—As used in this chapter:

(2) "Mediation" means a process whereby a neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties. It is an informal and nonadversarial process with the objective of

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581 helping the disputing parties reach a mutually acceptable and
 582 voluntary agreement. In mediation, decisionmaking authority
 583 rests with the parties. The role of the mediator includes, but
 584 is not limited to, assisting the parties in identifying issues,
 585 fostering joint problem solving, and exploring settlement
 586 alternatives. "Mediation" includes:

587 (d) "Dependency or in need of services mediation," which
 588 means mediation of dependency, child in need of services, or
 589 family in need of services matters. Negotiations in dependency
 590 or in need of services mediation are primarily conducted by the
 591 parties. Counsel for each party may attend the mediation
 592 conference and privately communicate with their clients.
 593 However, presence of counsel is not required and, in the
 594 discretion of the mediator and with the agreement of the
 595 parties, mediation may proceed in the absence of counsel unless
 596 otherwise ordered by the court.

597 Section 17. For the purpose of incorporating the amendment
 598 made by this act to section 984.03, Florida Statutes, in a
 599 reference thereto, paragraph (d) of subsection (2) of section
 600 44.102, Florida Statutes, is reenacted to read:

601 44.102 Court-ordered mediation.—

602 (2) A court, under rules adopted by the Supreme Court:

603 (d) In circuits in which a dependency or in need of
 604 services mediation program has been established, may refer to
 605 mediation all or any portion of a matter relating to dependency
 606 or to a child in need of services or a family in need of
 607 services.

608 Section 18. For the purpose of incorporating the amendment
 609 made by this act to section 984.03, Florida Statutes, in a

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610 reference thereto, subsection (1) of section 984.04, Florida
 611 Statutes, is reenacted to read:

612 984.04 Early truancy intervention; families in need of
 613 services and children in need of services; procedures and
 614 jurisdiction.—

615 (1) The department shall be responsible for all nonjudicial
 616 proceedings involving voluntary family services for a family
 617 identified as a family in need of services according to rules
 618 established by the department under chapter 120.

619 Section 19. For the purpose of incorporating the amendment
 620 made by this act to section 984.03, Florida Statutes, in a
 621 reference thereto, subsection (1) of section 984.071, Florida
 622 Statutes, is reenacted to read:

623 984.071 Resources and information.—

624 (1) The department shall develop and publish an information
 625 guide that explains the current process under this chapter for
 626 obtaining assistance for a child in need of services or a family
 627 in need of services and the community services and resources
 628 available to parents. The information guide shall be published
 629 in a written format for distribution and shall also be published
 630 on the department's website. Each information guide shall be
 631 reviewed annually and updated as appropriate. The school
 632 district shall distribute this information guide to parents of
 633 truant children, and to other parents upon request or as deemed
 634 appropriate by the school district. In addition, the department
 635 shall distribute the information guide to state and local law
 636 enforcement agencies. Any law enforcement officer who has
 637 contact with the parent of a child who is locked out of the
 638 home, who is ungovernable, or who runs away from home shall make

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the information guide available to the parent.

Section 20. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in references thereto, subsections (1) and (2) of section 984.10, Florida Statutes, are reenacted to read:

984.10 Intake.—

(1) Intake shall be performed by the department or the department's authorized agent. A report alleging that a child is from a family in need of services shall be made to the intake office operating in the county in which the child is found or in which the case arose. Any person or agency, including, but not limited to, the parent, legal guardian, or custodian, the local school district, a law enforcement agency, or the Department of Children and Families, having knowledge of the facts may make a report.

(2) A representative of the department shall make a preliminary determination as to whether the report is complete. The criteria for the completeness of a report with respect to a child alleged to be from a family in need of services while subject to compulsory school attendance shall be governed by s. 984.03. In any case in which the representative of the department finds that the report is incomplete, the representative of the department shall return the report without delay to the person or agency originating the report or having knowledge of the facts or to the appropriate law enforcement agency having investigative jurisdiction and request additional information in order to complete the report.

Section 21. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in a

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reference thereto, section 984.12, Florida Statutes, is reenacted to read:

984.12 Case staffing; services and treatment related to a family in need of services.—

(1) The appropriate representative of the department shall request a meeting of the family and child with a case staffing committee to review the case of any family or child who the department determines is in need of services if:

(a) The family or child is not in agreement with the services or treatment offered;

(b) The family or child will not participate in the services or treatment selected; or

(c) The representative of the department needs assistance in developing an appropriate plan for services. The time and place selected for the meeting shall be convenient for the child and family.

(2) The composition of the case staffing committee shall be based on the needs of the family and child. It shall include a representative from the child's school district and a representative of the department, and may include the department's authorized agent and a supervisor of the department's contracted provider; a representative from the area of health, mental health, substance abuse, or social services; a representative of the state attorney; a representative of law enforcement; and any person recommended by the child, family, or department. The child and the child's parent, legal guardian, or custodian must be invited to attend the committee meeting.

(3) The case staffing committee shall:

(a) Identify the family's concerns and contributing

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697 factors.

698 (b) Request the family and child to identify their needs
699 and concerns.

700 (c) Seek input from the school district and any other
701 persons in attendance with knowledge of the family or child's
702 situation and concerns.

703 (d) Consider the voluntary family services or other
704 community services that have been offered and the results of
705 those services.

706 (e) Identify whether truancy is a concern and evaluate
707 compliance with the remedial strategies provided pursuant to s.
708 1003.26.

709 (f) Reach a timely decision to provide the child or family
710 with services and recommend any appropriate treatment through
711 the development of a plan for services.

712 (4) The plan for services shall contain the following:

713 (a) Statement of the concerns.

714 (b) Needs of the child.

715 (c) Needs of the parents, legal guardian, or custodian.

716 (d) Measurable objectives that address the identified
717 problems and needs.

718 (e) Services and treatment to be provided, to include:

719 1. Type of services or treatment.

720 2. Frequency of services or treatment.

721 3. Location.

722 4. Accountable service providers or staff.

723 (f) Timeframes for achieving objectives.

724 (5) Upon receipt of the plan, the child and family shall
725 acknowledge their position by accepting or rejecting the

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726 services and provisions in writing. If the plan is accepted, it
727 shall be implemented as soon as is practicable.

728 (6) The assigned case manager shall have responsibility for
729 implementing the plan. The department's authorized agent shall
730 periodically review the progress towards achieving the
731 objectives of the plan in order to:

732 (a) Advise the case staffing committee of the need to make
733 adjustments to the plan;

734 (b) Recommend a child in need of services petition be filed
735 by the department; or

736 (c) Terminate the case as indicated by successful or
737 substantial achievement of the objectives of the plan.

738 (7) The parent, legal guardian, or custodian may convene a
739 meeting of the case staffing committee. A case staffing
740 committee meeting requested by a parent, guardian, or legal
741 custodian must be convened within 7 days, excluding weekends and
742 legal holidays, after the date the department's representative
743 receives the request in writing.

744 (8) Any other member of the committee may convene a meeting
745 if voluntary family services have been offered and the services
746 have been rejected by the child or family, or the child has not
747 made measurable progress toward achieving the service plan
748 goals, and the member finds that doing so is in the best
749 interest of the family or child.

750 (9) A case staffing committee meeting must be convened
751 within 30 days after the date the case is referred by the court
752 pursuant to s. 984.151.

753 (10) Within 7 days after meeting, the case staffing
754 committee shall provide the parent, legal guardian, or custodian

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with a written report that details the reasons for the committee's decision to recommend, or decline to recommend, that the department file a petition alleging that the child is a child in need of services.

(11) The case staffing committee may reconvene from time to time as may be necessary to make adjustments to the plan.

Section 22. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in a reference thereto, subsection (3) of section 984.13, Florida Statutes, is reenacted to read:

984.13 Taking a child into custody.—

(3) If the child is taken into custody and is delivered to a shelter, the department's authorized agent shall review the facts and make such further inquiry as necessary to determine whether the child shall remain in shelter, receive voluntary family services that would allow the child alleged to be from a family in need of services to remain at home, or be released.

Section 23. For the purpose of incorporating the amendment made by this act to section 984.03, Florida Statutes, in a reference thereto, subsection (23) of section 985.03, Florida Statutes, is reenacted to read:

985.03 Definitions.—As used in this chapter, the term:

(23) "Family in need of services" has the same meaning as provided in s. 984.03.

Section 24. For the purpose of incorporating the amendment made by this act to section 984.09, Florida Statutes, in a reference thereto, subsection (33) of section 984.03, Florida Statutes, is reenacted to read:

984.03 Definitions.—When used in this chapter, the term:

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(33) "Shelter" means a department-approved shelter facility for the temporary care of runaway children; for children placed for voluntary shelter respite upon request of the child or the child's parent, legal guardian, or custodian; or for placement of a child who has been adjudicated a child in need of services or who has been found in contempt of court under s. 984.09. Shelters must provide 24-hour continual supervision. A shelter must be licensed by the Department of Children and Families as a licensed child-caring agency.

Section 25. For the purpose of incorporating the amendment made by this act to section 984.09, Florida Statutes, in a reference thereto, subsection (1) of section 984.07, Florida Statutes, is reenacted to read:

984.07 Right to counsel; waiver; appointed counsel; compensation.—

(1) When a petition is filed alleging that a child is a child in need of services or if the child is subject to contempt proceedings under s. 984.09, the child must be represented by counsel at each court appearance. The court must appoint counsel unless the child is not indigent and has counsel present to represent the child or the record in that proceeding affirmatively demonstrates by clear and convincing evidence that the child knowingly and intelligently waived the right to counsel after being fully advised by the court of the nature of the proceedings and the dispositional alternatives available to the court. If the child waives counsel at any proceeding, the court shall advise the child with respect to the right to counsel at every subsequent hearing.

Section 26. For the purpose of incorporating the amendment

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813 made by this act to section 984.09, Florida Statutes, in a
814 reference thereto, subsection (12) of section 984.151, Florida
815 Statutes, is reenacted to read:

816 984.151 Early truancy intervention; truancy petition;
817 judgment.—

818 (12) The court may not order a child placed in shelter
819 pursuant to this section unless the court has found the child to
820 be in contempt for violation of a court order under s. 984.09.

821 Section 27. This act shall take effect upon becoming a law.

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FL Dept.
Juvenile Justice

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/12/26

Meeting Date

SB 1734

Bill Number or Topic

Senate Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Chris Klaban

Phone

813-300-5268

Address

2737 Centerviews Dr.

Email

Christopher.Klaban@FLdjj.gov

Street

Tallahassee

City

FL

State

32399

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

FL Dept -
Juvenile Justice

☐

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2/12/26

Meeting Date

SB 1734 - JUVENILE JUSTICE

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name CHRISTIAN MINOR

Phone (321) 223-4232

Address 2850 PABLO AVE
Street

Email cminor@fjja.org

TALLAHASSEE FL
City State

32308
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FLORIDA JUVENILE JUSTICE ASSOCIATION

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Banking and Insurance, *Chair*
Fiscal Policy, *Chair*

SENATOR JOE GRUTERS

22nd District

February 11, 2026

The Honorable Ben Albritton
Senate President
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

President Albritton,

I would like to request an excused absence from the Committee on Fiscal Policy scheduled for Thursday, February 12th. I would prefer Vice Chair Osgood serve as Chairman in my absence.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Joe Gruters". The signature is written in a cursive style.

Joe Gruters
State Senator, District 22

REPLY TO:

- ☐ 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
- ☐ 413 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5022

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 2/12/2026 9:01:45 AM

Ends: 2/12/2026 10:28:10 AM

Length: 01:26:26

9:01:53 AM Chair Osgood calls the meeting to order
9:01:56 AM Roll call
9:02:41 AM Chair Osgood makes opening remarks
9:03:35 AM Tab 2; SB 68 by AHS, Senator Harrell; Health Care Patient Protection
9:03:44 AM Senator Harrell explains the bill
9:06:03 AM Senator Harrell makes closing remarks and waives close on the bill
9:06:07 AM Roll call
9:07:18 AM Tab 6; SB 340 by HP, Senator Harrell; Human Trafficking Education for Nurse Licensure
9:07:25 AM Senator Harrell explains the bill
9:09:14 AM Questions:
9:09:16 AM Senator Simon
9:09:27 AM Senator Harrell
9:10:11 AM Chair Osgood recognizes public testimony
9:10:24 AM Senator Harrell makes closing remarks and waives close on the bill
9:10:32 AM Roll call
9:11:22 AM Tab 1; SB 32 by CJ, Senator Sharief; Injunctions for Protection
9:11:32 AM Senator Sharief explains the bill
9:13:43 AM Senator Sharief waives close on the bill
9:13:45 AM Roll call
9:14:27 AM Tab 3; SB 210 by Senator Sharief; Public Records/Petitions for Injunctions for Protection Against Serious Violence by a Known Person
9:14:33 AM Senator Sharief explains the bill
9:15:33 AM Senator Sharief waives close on the bill
9:15:35 AM Roll call
9:16:20 AM Tab 5; SB 302 by AEG, EN, Senator Garcia; Nature-based Coastal Resiliency
9:16:27 AM Senator Garcia explains the bill
9:18:32 AM Chair Osgood recognizes public testimony
9:18:47 AM Senator Garcia makes closing remarks and waives close on the bill
9:18:51 AM Roll call
9:19:41 AM Tab 7; SB 418 by Senator Jones; Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder
9:19:46 AM Senator Jones explains the bill
9:21:49 AM Chair Osgood recognizes public testimony
9:22:02 AM Speaking:
9:22:08 AM Maya Hahn
9:24:49 AM Susan Farris
9:26:27 AM Debate:
9:26:30 AM Senator Burton
9:27:38 AM Senator Mayfield
9:28:48 AM Senator Jones makes closing remarks and waives close on the bill
9:30:43 AM Roll call
9:31:26 AM Tab 13; SB 1734 by Senator Martin; Juvenile Justice
9:31:34 AM Senator Martin explains the bill
9:32:30 AM Amendment #734952
9:32:37 AM Senator Martin explains the amendment
9:33:16 AM Chair Osgood recognizes public testimony
9:33:24 AM Senator Martin waives close on the amendment
9:33:31 AM Back on the bill as amended
9:33:46 AM Chair Osgood recognizes public testimony
9:34:08 AM Senator Martin waives close on the bill
9:34:12 AM Roll call
9:34:53 AM Tab 9; SB 606 by HP, Senator Smith; Drowning Prevention Education

9:35:01 AM Senator Smith explains the bill
9:37:54 AM Amendment #236920
9:38:06 AM Senator Smith explains the amendment
9:38:33 AM Chair Osgood recognizes public testimony
9:38:43 AM Senator Smith makes closing remarks and waives close on the amendment
9:40:00 AM Back on the bill as amended
9:40:10 AM Chair Osgood recognizes public testimony
9:40:54 AM Debate:
9:40:58 AM Senator Yarborough
9:41:27 AM Senator Smith waives close on the bill
9:41:39 AM Roll call
9:42:18 AM Tab 8; SB 428 by Senator Yarborough; Swimming Lesson Voucher Program
9:42:26 AM Senator Yarborough explains the bill
9:44:07 AM Chair Osgood recognizes public testimony
9:44:10 AM Speaking:
9:44:28 AM Will Moffett
9:47:28 AM Maya Hahn
9:50:40 AM Senator Yarborough makes closing remarks and waives close on the bill
9:51:05 AM Roll call
9:51:53 AM Tab 4; SB 246 by Senator Gruters; Specialty License Plates/Ultimate Fighting Championship (UFC)
9:52:13 AM Amendment #322646
9:52:29 AM Senator Rodriguez explains the amendment
9:53:34 AM Senator Rodriguez waives close on the amendment
9:53:48 AM Amendment #268954
9:54:00 AM Senator Rodriguez explains the amendment
9:54:37 AM Senator Osgood recognizes public testimony
9:55:45 AM Senator Rodriguez waives close on the amendment to the amendment
9:55:55 AM Chair Osgood recognizes public testimony
9:55:56 AM Back on the bill as amended
9:55:58 AM Debate:
9:56:01 AM Senator Arrington
9:56:22 AM Senator Rodriguez waives close on the amendment
9:56:24 AM Roll call
9:57:08 AM Tab 12; SB 1028 by BI, Senator Gruters, presented by Senator Rodriguez; Citizens Property Insurance Corporation
9:57:31 AM Amendment #844932
9:57:43 AM Senator Rodriguez explains the amendment
9:59:05 AM Senator Rodriguez waives close on the amendment
9:59:31 AM Chair Osgood recognizes public testimony
9:59:33 AM Speaking:
9:59:39 AM BG Murphy
10:01:38 AM Senator Jones
10:02:13 AM BG Murphy
10:03:08 AM Senator Jones
10:04:39 AM BG Murphy
10:05:06 AM Senator Leek
10:05:29 AM BG Murphy
10:06:02 AM Senator Leek
10:06:33 AM BG Murphy
10:07:57 AM Michael Wickersheim
10:09:58 AM Senator Boyd
10:10:18 AM Michael Wickersheim
10:10:52 AM Senator Leek
10:11:14 AM Michael Wickersheim
10:12:17 AM Senator Leek
10:12:22 AM Michael Wickersheim
10:13:29 AM Debate:
10:13:32 AM Senator Boyd
10:14:54 AM Senator Jones
10:15:48 AM Senator Gaetz
10:16:44 AM Senator Rodriguez makes closing remarks and waives close on the bill
10:16:50 AM Roll call

10:17:40 AM Tab 10; SB 628 by Senator Gaetz; Transportation Facility Designations/Warrior Sacrifice Way
10:17:49 AM Senator Gaetz explains the bill
10:18:31 AM Senator Gaetz waives close on the bill
10:18:33 AM Roll call
10:19:15 AM Tab 11; SB 636 by AEG, Leek; Beach Management
10:19:20 AM Senator Leek explains the bill
10:20:48 AM Chair Osgood recognizes public testimony
10:20:50 AM Speaking:
10:21:02 AM Pepper Uchino
10:25:17 AM Senator Leek makes closing remarks and waives close on the bill
10:26:27 AM Roll call
10:27:27 AM Chair Osgood recognizes Senators wishing to record votes
10:28:01 AM Senator Bernard moves for the meeting to be adjourned
10:28:04 AM Meeting adjourned