

<b>Tab 1</b>	<b>CS/SB 32 by CJ, Sharief (CO-INTRODUCERS) Osgood, Berman, Davis, Bernard;</b> Identical to H 00547 Injunctions for Protection					
<b>Tab 2</b>	<b>CS/SB 68 by AHS, Harrell;</b> Similar to CS/H 00355 Health Care Patient Protection					
<b>Tab 3</b>	<b>SB 210 by Sharief (CO-INTRODUCERS) Osgood, Davis, Bernard, Jones;</b> Identical to H 00549 Public Records/Petitions for Injunctions for Protection Against Serious Violence by a Known Person					
<b>Tab 4</b>	<b>SB 246 by Gruters (CO-INTRODUCERS) Rodriguez;</b> 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
<b>Tab 5</b>	<b>CS/CS/SB 302 by AEG, EN, Garcia;</b> Similar to H 01035 Nature-based Coastal Resiliency					
<b>Tab 6</b>	<b>CS/SB 340 by HP, Harrell (CO-INTRODUCERS) Davis;</b> Identical to CS/H 00303 Human Trafficking Education for Nurse Licensure					
<b>Tab 7</b>	<b>SB 418 by Jones (CO-INTRODUCERS) Smith;</b> Similar to CS/H 00365 Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder					
<b>Tab 8</b>	<b>SB 428 by Yarborough (CO-INTRODUCERS) Smith, Davis, Berman, Massullo, Sharief, Jones, Bernard;</b> Identical to H 00085 Swimming Lesson Voucher Program					
<b>Tab 9</b>	<b>CS/SB 606 by HP, Smith (CO-INTRODUCERS) Yarborough, Davis, Berman, Sharief, Jones;</b> Similar to CS/H 00503 Drowning Prevention Education					
236920	A	S	RCS	FP, Smith	Delete L.49 - 86:	02/12 01:20 PM
<b>Tab 10</b>	<b>SB 628 by Gaetz;</b> Identical to H 00403 Transportation Facility Designations/Warrior Sacrifice Way					
<b>Tab 11</b>	<b>CS/SB 636 by AEG, Leek;</b> Similar to CS/H 01297 Beach Management					
<b>Tab 12</b>	<b>CS/SB 1028 by BI, Gruters;</b> Similar to CS/H 00943 Citizens Property Insurance Corporation					
844932	D	S	RCS	FP, Gruters	Delete everything after	02/12 01:20 PM
<b>Tab 13</b>	<b>SB 1734 by Martin;</b> 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	<b>CS/SB 32</b> Criminal Justice / Sharief (Identical H 547, Compare H 549, Linked S 210)	<p>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.</p> <p>CJ      11/18/2025 Fav/CS  ACJ      01/21/2026 Favorable  FP      02/12/2026 Favorable</p>	Favorable Yea 19 Nays 0
2	<b>CS/SB 68</b> Appropriations Committee on Health and Human Services / Harrell (Similar CS/H 355)	<p>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.</p> <p>HP      11/18/2025 Favorable  AHS      02/04/2026 Fav/CS  FP      02/12/2026 Favorable</p>	Favorable Yea 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	<b>SB 210</b> 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.	Favorable Yea 19 Nays 0
CJ	11/18/2025 Favorable		
ACJ	01/21/2026 Favorable		
FP	02/12/2026 Favorable		
4	<b>SB 246</b> 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.	Fav/CS Yea 18 Nays 1
TR	12/02/2025 Favorable		
ATD	01/21/2026 Favorable		
FP	02/12/2026 Fav/CS		
5	<b>CS/CS/SB 302</b> 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.	Favorable Yea 19 Nays 0
EN	12/02/2025 Fav/CS		
AEG	02/04/2026 Fav/CS		
FP	02/12/2026 Favorable		
6	<b>CS/SB 340</b> 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.	Favorable Yea 19 Nays 0
HP	01/20/2026 Fav/CS		
AHS	02/04/2026 Favorable		
FP	02/12/2026 Favorable		

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	<b>SB 418</b> 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 Yea 19 Nays 0
8	<b>SB 428</b> 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 Yea 19 Nays 0
9	<b>CS/SB 606</b> 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 Yea 19 Nays 0
10	<b>SB 628</b> 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 Yea 18 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

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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	<b>CS/SB 636</b> 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 Yea 18 Nays 0
12	<b>CS/SB 1028</b> 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 Yea 18 Nays 0
13	<b>SB 1734</b> 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 Yea 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	<b>Fav/CS</b>
2. Kolich	Harkness	ACJ	<b>Favorable</b>
3. Wyant	Siples	FP	<b>Favorable</b>

**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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

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<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> People, *Florida Man, 61, Arrested....*, available at: [https://uk.news.yahoo.com/florida-man-61-arrested-allegedly-135812994.html?guccounter=1&guce\\_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce\\_referrer\\_sig=AQAAAI7mUfAeq1HA2Vj6BYrWsnvzt1e3Si-4wWEiACWNAC5x7BFC-JY05jF8i2slGz04GQmJk0rSipEFzp51Ah\\_iKvKRBs9FNZ0CRDL0wdoew3pzFHguIIYBTThGfAJCasOielQ104cwv1folub0HuZblHMG06e7HMGn1Ye6qzVX59](https://uk.news.yahoo.com/florida-man-61-arrested-allegedly-135812994.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce_referrer_sig=AQAAAI7mUfAeq1HA2Vj6BYrWsnvzt1e3Si-4wWEiACWNAC5x7BFC-JY05jF8i2slGz04GQmJk0rSipEFzp51Ah_iKvKRBs9FNZ0CRDL0wdoew3pzFHguIIYBTThGfAJCasOielQ104cwv1folub0HuZblHMG06e7HMGn1Ye6qzVX59) (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,<sup>4</sup> an injunction for protection in cases of dating violence,<sup>5</sup> and an injunction for protection in cases of sexual violence.<sup>6,7</sup> 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.<sup>8</sup> 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.<sup>9</sup>

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.<sup>10</sup>

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.

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<sup>4</sup> “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.

<sup>5</sup> “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.

<sup>6</sup> “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.

<sup>7</sup> Section 784.046(2), F.S.

<sup>8</sup> Section 784.046, F.S.

<sup>9</sup> Section 784.046(2)(b), F.S.

<sup>10</sup> 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.<sup>11</sup>

### ***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.<sup>12</sup> For an injunction for protection against repeat violence, there must be two incidents of violence or stalking committed by the respondent.<sup>13</sup>

### ***Procedure for Filing Injunctions***

A cause of action does not require that the petitioner be represented by an attorney.<sup>14</sup> The clerk of the court must provide a copy of s. 784.046, F.S.,<sup>15</sup> simplified forms, and clerical assistance for the preparation and filing of such a petition by any person who is not represented by counsel.<sup>16</sup> The clerk of the court may not assess a fee for filing a petition against repeat violence, sexual violence, or dating violence<sup>17</sup> and no bond will be required by the court for entry of an injunction.<sup>18</sup> 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.<sup>19</sup>

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.<sup>20</sup>

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<sup>11</sup> Section 784.046(2)(c), F.S.

<sup>12</sup> Section 784.046(2)(a), F.S.

<sup>13</sup> Section 784.046(1)(b), F.S.

<sup>14</sup> Section 784.046(2)(e), F.S.

<sup>15</sup> 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.

<sup>16</sup> Section 784.046(3)(a), F.S.

<sup>17</sup> Section 784.046(3)(b), F.S.

<sup>18</sup> Section 784.046(3)(c), F.S.

<sup>19</sup> Section 784.046(3)(d), F.S.

<sup>20</sup> 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.<sup>21</sup>

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.<sup>22</sup> Any ex parte temporary injunction may not exceed 15 days.<sup>23</sup>

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.<sup>24</sup>
- Ordering such other relief as the court deems necessary for the protection of the petitioner, including injunctions or directives to law enforcement agencies.<sup>25</sup>

### ***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.<sup>26</sup>

### **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

<sup>21</sup> Section 784.046(4)(a), F.S.

<sup>22</sup> Section 784.046(6)(a), F.S.

<sup>23</sup> Section 784.046(6)(c), F.S.

<sup>24</sup> Section 784.046(7)(a), F.S.

<sup>25</sup> Section 784.046(7)(b), F.S.

<sup>26</sup> 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.<sup>27</sup>

**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.<sup>28</sup>

**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.

<sup>27</sup> 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.

<sup>28</sup> 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.<sup>29</sup> 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

<sup>29</sup> 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.

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

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

591-01139-26

202632c1

Page 1 of 43

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591-01139-26

202632c1

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

Page 2 of 43

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591-01139-26

202632c1

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

60  
 61       Section 1. Section 784.046, Florida Statutes, is amended to  
 62 read:  
 63       784.046 Action by victim of repeat violence, sexual  
 64 violence, ~~or~~ dating violence, or serious violence by a known  
 65 person for protective injunction; dating violence  
 66 investigations, notice to victims, and reporting; pretrial  
 67 release violations; public records exemption.—

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

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

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

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

80       1. Sexual battery, as defined in chapter 794;  
 81       2. A lewd or lascivious act, as defined in chapter 800,  
 82 committed upon or in the presence of a person younger than 16  
 83 years of age;  
 84       3. Luring or enticing a child, as described in chapter 787;  
 85       4. Sexual performance by a child, as described in chapter  
 86 827; or  
 87       5. Any other forcible felony wherein a sexual act is

Page 3 of 43

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591-01139-26

202632c1

88 committed or attempted,

89  
 90 regardless of whether criminal charges based on the incident  
 91 were filed, reduced, or dismissed by the state attorney.

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

97       1. A dating relationship must have existed within the past  
 98 6 months;

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

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

106  
 107 The term does not include violence in a casual acquaintanceship  
 108 or violence between individuals who only have engaged in  
 109 ordinary fraternization in a business or social context.

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

Page 4 of 43

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591-01139-26

202632c1

117 (2) There is created a cause of action for an injunction  
 118 for protection in cases of repeat violence, there is created a  
 119 separate cause of action for an injunction for protection in  
 120 cases of dating violence, ~~and~~ there is created a separate cause  
 121 of action for an injunction for protection in cases of sexual  
 122 violence, ~~and there is created a separate cause of action for an~~  
123 injunction for protection in cases of serious violence by a  
124 known person.

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

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

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

Page 5 of 43

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591-01139-26

202632c1

146 on behalf of the minor child if:  
 147 1. The person has reported the sexual violence to a law  
 148 enforcement agency and is cooperating in any criminal proceeding  
 149 against the respondent, regardless of whether criminal charges  
 150 based on the sexual violence have been filed, reduced, or  
 151 dismissed by the state attorney; or  
 152 2. The respondent who committed the sexual violence against  
 153 the victim or minor child was sentenced to a term of  
 154 imprisonment in state prison for the sexual violence and the  
 155 respondent's term of imprisonment has expired or is due to  
 156 expire within 90 days following the date the petition is filed.  
 157 (d) A person who is the victim of serious violence by a  
158 known person or the parent or legal guardian of a minor child  
159 who is living at home and who is the victim of serious violence  
160 by a known person has standing in the circuit court to file a  
161 verified petition for an injunction for protection against  
162 serious violence by a known person on his or her own behalf or  
163 on behalf of the minor child if the person has reported such  
164 violence to a law enforcement agency and is cooperating with any  
165 criminal proceedings against the respondent, regardless of  
166 whether criminal charges based on the serious violence have been  
167 filed, reduced, or dismissed by the state attorney.  
 168 (e) (d) A cause of action for an injunction may be sought  
 169 whether or not any other petition, complaint, or cause of action  
 170 is currently available or pending between the parties.  
 171 (f) (e) A cause of action for an injunction does not require  
 172 that the petitioner be represented by an attorney.  
 173 (3) (a) The clerk of the court shall provide a copy of this  
 174 section, simplified forms, and clerical assistance for the

Page 6 of 43

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591-01139-26

202632c1

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

177 (b) Notwithstanding any other law, the clerk of the court  
 178 may not assess a fee for filing a petition for protection  
 179 against repeat violence, sexual violence, ~~or~~ dating violence, or  
 180 serious violence by a known person. However, subject to  
 181 legislative appropriation, the clerk of the court may, each  
 182 quarter, submit to the Justice Administrative Commission a  
 183 certified request for reimbursement for petitions for protection  
 184 issued by the court under this section at the rate of \$40 per  
 185 petition. The request for reimbursement must be submitted in the  
 186 form and manner prescribed by the Justice Administrative  
 187 Commission. From this reimbursement, the clerk shall pay the law  
 188 enforcement agency serving the injunction the fee requested by  
 189 the law enforcement agency; however, this fee may not exceed  
 190 \$20.

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

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

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

Page 7 of 43

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591-01139-26

202632c1

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

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

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

218

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

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

227 1. Petitioner resides at ... (address) ... (A petitioner for  
 228 an injunction for protection against sexual violence may furnish  
 229 an address to the court in a separate confidential filing if,  
 230 for safety reasons, the petitioner requires the location of his  
 231 or her current residence to be confidential pursuant to s.  
 232 119.071(2)(j), Florida Statutes.)

Page 8 of 43

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591-01139-26

202632c1

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)...

Page 9 of 43

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591-01139-26

202632c1

262  
 263  
 264  
 265  
 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

Page 10 of 43

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591-01139-26 202632c1

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

293

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

Page 11 of 43

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591-01139-26 202632c1

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.

Page 12 of 43

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591-01139-26

202632c1

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

Page 13 of 43

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591-01139-26

202632c1

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

Page 14 of 43

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591-01139-26

202632c1

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

Page 15 of 43

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591-01139-26

202632c1

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

Page 16 of 43

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591-01139-26

202632c1

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

Page 17 of 43

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591-01139-26

202632c1

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.

Page 18 of 43

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591-01139-26

202632c1

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

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

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

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

Page 19 of 43

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591-01139-26

202632c1

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

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

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

571 Section 2. Paragraph (a) of subsection (5) of section  
 572 44.407, Florida Statutes, is amended to read:

573 44.407 Elder-focused dispute resolution process.—

574 (5) QUALIFICATIONS FOR ELDERCARING COORDINATORS.—

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

577 1. Meet one of the following professional requirements:

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

Page 20 of 43

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591-01139-26 202632c1

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

Page 21 of 43

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591-01139-26 202632c1

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

Page 22 of 43

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591-01139-26

202632c1

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

Page 23 of 43

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591-01139-26

202632c1

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

Page 24 of 43

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591-01139-26

202632c1

697 believed the victim to be under 18 years of age.

698  
 699 If the presumption is not rebutted after the convicted parent is  
 700 advised by the court that the presumption exists, shared  
 701 parental responsibility, including time-sharing with the child,  
 702 and decisions made regarding the child, may not be granted to  
 703 the convicted parent. However, the convicted parent is not  
 704 relieved of any obligation to provide financial support. If the  
 705 court determines that shared parental responsibility would be  
 706 detrimental to the child, it may order sole parental  
 707 responsibility and make such arrangements for time-sharing as  
 708 specified in the parenting plan as will best protect the child  
 709 or abused spouse from further harm. Whether or not there is a  
 710 conviction of any offense of domestic violence or child abuse or  
 711 the existence of an injunction for protection against domestic  
 712 violence, the court shall consider evidence of domestic violence  
 713 or child abuse as evidence of detriment to the child.

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

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

725 6. There is a rebuttable presumption against granting time-

Page 25 of 43

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591-01139-26

202632c1

726 sharing with a minor child if a parent has been convicted of or  
 727 had adjudication withheld for an offense enumerated in s.  
 728 943.0435(1)(h)1.a., and at the time of the offense:

729 a. The parent was 18 years of age or older.  
 730 b. The victim was under 18 years of age or the parent  
 731 believed the victim to be under 18 years of age.

732  
 733 A parent may rebut the presumption upon a specific finding in  
 734 writing by the court that the parent poses no significant risk  
 735 of harm to the child and that time-sharing is in the best  
 736 interests of the minor child. If the presumption is rebutted,  
 737 the court must consider all time-sharing factors in subsection  
 738 (3) when developing a time-sharing schedule.

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

750 Section 4. Paragraph (a) of subsection (3) of section  
 751 61.1825, Florida Statutes, is amended to read:

752 61.1825 State Case Registry.—

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

Page 26 of 43

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591-01139-26

202632c1

755       1. A party executes a sworn statement requesting that a  
 756 family violence indicator be placed on that party's record which  
 757 states that the party has reason to believe that release of  
 758 information to the Federal Case Registry may result in physical  
 759 or emotional harm to the party or the child; or  
 760       2. A temporary or final injunction for protection against  
 761 domestic violence has been granted pursuant to s. 741.30(6), an  
 762 injunction for protection against domestic violence has been  
 763 issued by a court of a foreign state pursuant to s. 741.315, or  
 764 a temporary or final injunction for protection against repeat  
 765 violence has been granted pursuant to s. 784.046; or  
 766       3. The department has received information on a Title IV-D  
 767 case from the Domestic Violence, Dating Violence, Sexual  
 768 Violence, and Repeat Violence, and Serious Violence by a Known  
 769 Person Injunction Statewide Verification System, established  
 770 pursuant to s. 784.046(8)(b), that a court has granted a party a  
 771 domestic violence or repeat violence injunction.

772       Section 5. Paragraph (e) of subsection (2) of section  
 773 394.4597, Florida Statutes, is amended to read:

774       394.4597 Persons to be notified; patient's representative.—  
 775       (2) INVOLUNTARY PATIENTS.—  
 776       (e) The following persons are prohibited from selection as  
 777 a patient's representative:

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

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

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

Page 27 of 43

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591-01139-26

202632c1

784 facility providing the examination of the patient.  
 785       4. An employee, an administrator, or a board member of a  
 786 treatment facility providing treatment for the patient.  
 787       5. A person providing any substantial professional services  
 788 to the patient, including clinical services.  
 789       6. A creditor of the patient.  
 790       7. A person subject to an injunction for protection against  
 791 domestic violence under s. 741.30, whether the order of  
 792 injunction is temporary or final, and for which the patient was  
 793 the petitioner.  
 794       8. A person subject to an injunction for protection against  
 795 repeat violence, stalking, sexual violence, ~~or~~ dating violence,  
 796 or serious violence by a known person under s. 784.046, whether  
 797 the order of injunction is temporary or final, and for which the  
 798 patient was the petitioner.

799       Section 6. Paragraph (h) of subsection (2) of section  
 800 394.4598, Florida Statutes, is amended to read:

801       394.4598 Guardian advocate.—  
 802       (2) The following persons are prohibited from appointment  
 803 as a patient's guardian advocate:

804       (h) A person subject to an injunction for protection  
 805 against repeat violence, stalking, sexual violence, ~~or~~ dating  
 806 violence, or serious violence by a known person under s.  
 807 784.046, whether the order of injunction is temporary or final,  
 808 and for which the patient was the petitioner.

809       Section 7. Paragraph (b) of subsection (2) of section  
 810 741.313, Florida Statutes, is amended to read:

811       741.313 Unlawful action against employees seeking  
 812 protection.—

Page 28 of 43

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591-01139-26 202632c1

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, ~~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

Page 29 of 43

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591-01139-26 202632c1

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

Page 30 of 43

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591-01139-26

202632c1

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

Page 31 of 43

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591-01139-26

202632c1

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

Page 32 of 43

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591-01139-26

202632c1

929 display. Such request must be in writing and delivered by mail,  
 930 facsimile, or electronic transmission or in person to the county  
 931 recorder or clerk of the court. The request must specify the  
 932 case number assigned to the final judgment for an injunction for  
 933 the protection of a minor under s. 741.30, s. 784.046, or s.  
 934 784.0485. A fee may not be charged for the addition of  
 935 information pursuant to such request.

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

Page 33 of 43

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591-01139-26

202632c1

958 minor under s. 741.30, s. 784.046, or s. 784.0485 is entered is  
 959 available for search by the general public. The notice must  
 960 include step-by-step instructions detailing how a user can  
 961 access the searchable database and search for such information.  
 962 Such request must be made in writing and delivered by mail,  
 963 facsimile, or electronic transmission or in person to the county  
 964 recorder or clerk of the court. The request must specify the  
 965 case number assigned to the final judgment for an injunction for  
 966 the protection of a minor under s. 741.30, s. 784.046, or s.  
 967 784.0485. A fee may not be charged for the addition of a  
 968 document pursuant to such request.

969 Section 12. For the purpose of incorporating the amendment  
 970 made by this act to section 784.046, Florida Statutes, in a  
 971 reference thereto, paragraph (i) of subsection (2) of section  
 972 28.35, Florida Statutes, is reenacted to read:

973 28.35 Florida Clerks of Court Operations Corporation.—

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

976 (i) Annually preparing a budget request which,  
 977 notwithstanding the provisions of chapter 216 and in accordance  
 978 with s. 216.351, provides the anticipated amount necessary for  
 979 reimbursement pursuant to ss. 40.29(6), 741.30(2)(a),  
 980 784.046(3)(b), 784.0485(2)(a), and 825.1035(4)(i). The request  
 981 for the anticipated reimbursement amount must be submitted in  
 982 the form and manner prescribed by the Justice Administrative  
 983 Commission. Such request is not subject to change by the Justice  
 984 Administrative Commission, except for technical changes  
 985 necessary to conform to the legislative budget instructions, and  
 986 must be submitted to the Governor for transmittal to the

Page 34 of 43

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591-01139-26 202632c1

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

Page 35 of 43

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591-01139-26 202632c1

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

Page 36 of 43

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591-01139-26 202632c1  
 1045 for an injunction for protection was entered. A person may  
 1046 request a Hope Card at the time the final judgment on injunction  
 1047 for protection is issued or at any other time before the  
 1048 expiration of the order for protection.

1049 Section 16. For the purpose of incorporating the amendment  
 1050 made by this act to section 784.046, Florida Statutes, in a  
 1051 reference thereto, subsection (2) of section 741.315, Florida  
 1052 Statutes, is reenacted to read:

1053 741.315 Recognition of foreign protection orders.—  
 1054 (2) Pursuant to 18 U.S.C. s. 2265, an injunction for  
 1055 protection against domestic violence issued by a court of a  
 1056 foreign state must be accorded full faith and credit by the  
 1057 courts of this state and enforced by a law enforcement agency as  
 1058 if it were the order of a Florida court issued under s. 741.30,  
 1059 s. 741.31, s. 784.046, s. 784.047, s. 784.0485, or s. 784.0487,  
 1060 and provided that the court had jurisdiction over the parties  
 1061 and the matter and that reasonable notice and opportunity to be  
 1062 heard was given to the person against whom the order is sought  
 1063 sufficient to protect that person's right to due process. Ex  
 1064 parte foreign injunctions for protection are not eligible for  
 1065 enforcement under this section unless notice and opportunity to  
 1066 be heard have been provided within the time required by the  
 1067 foreign state or tribal law, and in any event within a  
 1068 reasonable time after the order is issued, sufficient to protect  
 1069 the respondent's due process rights.

1070 Section 17. For the purpose of incorporating the amendment  
 1071 made by this act to section 784.046, Florida Statutes, in  
 1072 references thereto, paragraph (e) of subsection (2) and  
 1073 paragraph (c) of subsection (3) of section 790.401, Florida

Page 37 of 43

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591-01139-26 202632c1  
 1074 Statutes, are reenacted to read:  
 1075 790.401 Risk protection orders.—  
 1076 (2) PETITION FOR A RISK PROTECTION ORDER.—There is created  
 1077 an action known as a petition for a risk protection order.

1078 (e) A petition must:  
 1079 1. Allege that the respondent poses a significant danger of  
 1080 causing personal injury to himself or herself or others by  
 1081 having a firearm or any ammunition in his or her custody or  
 1082 control or by purchasing, possessing, or receiving a firearm or  
 1083 any ammunition, and must be accompanied by an affidavit made  
 1084 under oath stating the specific statements, actions, or facts  
 1085 that give rise to a reasonable fear of significant dangerous  
 1086 acts by the respondent;

1087 2. Identify the quantities, types, and locations of all  
 1088 firearms and ammunition the petitioner believes to be in the  
 1089 respondent's current ownership, possession, custody, or control;  
 1090 and

1091 3. Identify whether there is a known existing protection  
 1092 order governing the respondent under s. 741.30, s. 784.046, or  
 1093 s. 784.0485 or under any other applicable statute.

1094 (3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

1095 (c) In determining whether grounds for a risk protection  
 1096 order exist, the court may consider any relevant evidence,  
 1097 including, but not limited to, any of the following:

1098 1. A recent act or threat of violence by the respondent  
 1099 against himself or herself or others, whether or not such  
 1100 violence or threat of violence involves a firearm.

1101 2. An act or threat of violence by the respondent within  
 1102 the past 12 months, including, but not limited to, acts or

Page 38 of 43

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591-01139-26 202632c1

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

Page 39 of 43

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591-01139-26 202632c1

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.

Page 40 of 43

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591-01139-26 202632c1

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

Page 41 of 43

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591-01139-26 202632c1

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.

Page 42 of 43

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591-01139-26

202632c1

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	<b>Favorable</b>
2. Barr	McKnight	AHS	<b>Fav/CS</b>
3. Looke	Siples	FP	<b>Favorable</b>

**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.<sup>1</sup>

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.<sup>2</sup> Each hospital with an ED must provide emergency services and care<sup>3</sup> 24 hours a day and must have at least one physician on-call and available within 30 minutes.<sup>4</sup>

### ***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.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup>

### ***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.<sup>8</sup>

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<sup>1</sup> Section 395.002(13), F.S.

<sup>2</sup> Section 395.1041, F.S.

<sup>3</sup> 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.

<sup>4</sup> Fla. Admin. Code R. 59A-3.255(6)(e)(2014).

<sup>5</sup> Section 395.1041(2), F.S.

<sup>6</sup> 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.

<sup>7</sup> Fla. Admin. Code R. 59A-3.255(4)(2014).

<sup>8</sup> 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;
- Thoracentesis 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.<sup>9</sup>

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.<sup>10</sup> 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;

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<sup>9</sup> Fla. Admin. Code R. 59A-3.255(6)(g)(2014).

<sup>10</sup> 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.<sup>11</sup>

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.<sup>12</sup> According to a recent study conducted to evaluate the association between ED pediatric readiness and in-hospital mortality,<sup>13</sup> 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.<sup>14</sup>

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<sup>11</sup> Fla. Admin. Code R. 59A-3.078(2014).

<sup>12</sup> 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](https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2800400), (last visited Nov. 12, 2025).

<sup>13</sup> 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).

<sup>14</sup> *Id.*

General hospital EDs (nonchildren's hospitals) primarily treat adults and may not be prepared to treat children because of low pediatric patient volume.<sup>15</sup> 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.<sup>16</sup> 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."<sup>17</sup>

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.<sup>18</sup>

### **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.<sup>19</sup> The NPRP measures the performance of hospital EDs based on the following four metrics and includes program goals for each.<sup>20</sup>

- 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.

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<sup>15</sup> *Id.*

<sup>16</sup> The National Pediatric Readiness Project, Pediatric Readiness Saves Lives, available at [https://media.emscimprovementcenter/documents/EMS220628\\_ReadinessByTheNumbers\\_220830\\_ZekNYVF.pdf](https://media.emscimprovementcenter/documents/EMS220628_ReadinessByTheNumbers_220830_ZekNYVF.pdf) (last visited Nov. 12, 2025).

<sup>17</sup> 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).

<sup>18</sup> *Id.*

<sup>19</sup> 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).

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

The NPPR 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.<sup>21</sup>

### **The National Pediatric Readiness Assessment**

Emergency department performance is measured based on the National Pediatric Readiness Assessment (NPRA),<sup>22</sup> a voluntary survey accessed via invitation from the NPPR. The NPPR 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.<sup>23</sup>

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).<sup>24, 25</sup>

### **Florida Emergency Medical Services for Children State Partnership Program**

The Florida Emergency Medical Services for Children (EMSC) State Partnership Program<sup>26</sup> (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.<sup>27</sup> 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

<sup>21</sup> 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).

<sup>22</sup> National Pediatric Readiness Project, Pediatric Readiness Assessment, available at [https://www.pedsready.org/home\\_docs/PedsReady%20Survey-OA%20Assessment.pdf](https://www.pedsready.org/home_docs/PedsReady%20Survey-OA%20Assessment.pdf) (last visited Nov. 12, 2025).

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

<sup>24</sup> 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](https://www.floridahealth.gov/provider-and-partner-resources/emsc-program/_documents/fl-pediatricreadiness-summary091013.pdf) (last visited Nov. 12, 2025).

<sup>25</sup> 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](https://emlrc.org/wp-content/uploads/National-Pediatric-Readiness-Assessment-2021-Results_07.19.2023_Final.pdf) (last visited Nov. 12, 2025).

<sup>26</sup> 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).

<sup>27</sup> 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 NPPR 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.<sup>28</sup>
  - 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 (NPPR), in accordance with timelines established by the NPPR. The bill also authorizes each hospital with an ED to conduct the NPPR'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

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<sup>28</sup> 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.<sup>29</sup>

**VI. Technical Deficiencies:**

None.

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<sup>29</sup> 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.

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

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

603-02506-26

202668c1

1                   A bill to be entitled  
 2                   An act relating to health care patient protection;  
 3                   amending s. 395.1012, F.S.; requiring hospitals with  
 4                   emergency departments to develop and implement  
 5                   policies and procedures and conduct training;  
 6                   requiring hospital emergency departments to designate  
 7                   a pediatric emergency care coordinator and conduct  
 8                   specified assessments; authorizing a hospital with an  
 9                   emergency department to conduct the National Pediatric  
 10                  Readiness Project's Open Assessment under certain  
 11                  circumstances; amending s. 395.1055, F.S.; requiring  
 12                  the Agency for Health Care Administration to adopt  
 13                  certain rules for comprehensive emergency management  
 14                  plans; requiring the agency, in consultation with the  
 15                  Florida Emergency Medical Services for Children State  
 16                  Partnership Program, to adopt rules that establish  
 17                  minimum standards for pediatric patient care in  
 18                  hospital emergency departments; amending s. 408.05,  
 19                  F.S.; requiring the agency to collect and publish the  
 20                  results of specified assessments submitted by  
 21                  hospitals by specified dates; providing requirements  
 22                  for the collection and publication of the hospitals'  
 23                  assessment scores; providing an effective date.

24  
 Be It Enacted by the Legislature of the State of Florida:

25  
 Section 1. Subsections (6) and (7) are added to section  
 26                  395.1012, Florida Statutes, to read:  
 27                  395.1012 Patient safety.—

Page 1 of 5

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

603-02506-26

202668c1

30                  (6) (a) Each hospital with an emergency department shall:  
 31                    1. Develop and implement policies and procedures for  
 32                    pediatric patient care in the emergency department which reflect  
 33                    evidence-based best practices relating to, at a minimum, all of  
 34                    the following:  
 35                    a. Triage.  
 36                    b. Measuring and recording vital signs.  
 37                    c. Weighing and recording weights in kilograms.  
 38                    d. Calculating medication dosages.  
 39                    e. Use of pediatric instruments.  
 40                    2. Conduct training at least annually on the policies and  
 41                    procedures developed under this subsection. The training must  
 42                    include, at a minimum:  
 43                    a. The use of pediatric instruments, as applicable to each  
 44                    licensure type, using clinical simulation as defined in s.  
 45                    464.003.  
 46                    b. Drills that simulate emergency situations. Each  
 47                    emergency department must conduct drills at least annually.  
 48                    (b) Each hospital emergency department shall:  
 49                    1. Designate a pediatric emergency care coordinator. The  
 50                    pediatric emergency care coordinator must be a physician or a  
 51                    physician assistant licensed under chapter 458 or chapter 459, a  
 52                    nurse licensed under chapter 464, or a paramedic licensed under  
 53                    chapter 401. The pediatric emergency care coordinator is  
 54                    responsible for implementation of and ensuring adherence to the  
 55                    policies and procedures adopted under this subsection.  
 56                    2. Conduct the National Pediatric Readiness Assessment  
 57                    developed by the National Pediatric Readiness Project, in  
 58                    accordance with timelines established by the National Pediatric

Page 2 of 5

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603-02506-26

202668c1

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

Page 3 of 5

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603-02506-26

202668c1

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

Page 4 of 5

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603-02506-26

202668c1

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	<b>Favorable</b>
2. Kolich	Harkness	ACJ	<b>Favorable</b>
3. Wyant	Siples	FP	<b>Favorable</b>

## **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.<sup>1</sup> The right to inspect or copy applies

<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> 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.<sup>5</sup> 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 stalking<sup>6</sup> and an injunction for protection against exploitation of a vulnerable adult,<sup>7</sup> 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:<sup>8</sup> an injunction for protection in cases of repeat violence,<sup>9</sup> an injunction for protection in cases of dating violence,<sup>10</sup> and an injunction for protection in cases of sexual

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<sup>2</sup> *Id.*

<sup>3</sup> 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).

<sup>4</sup> 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](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).

<sup>5</sup> Section 119.15(2)(b), F.S.

<sup>6</sup> Section 784.0485, F.S.

<sup>7</sup> Section 825.1035, F.S.

<sup>8</sup> “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.

<sup>9</sup> “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.

<sup>10</sup> “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.<sup>11,12</sup> 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**

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<sup>11</sup> "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.

<sup>12</sup> 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.

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

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**By Senator Sharief**

35-00469-26

2026210

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

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:

(k)1. A petition, and the contents thereof, for an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, serious violence by a known person, stalking, or cyberstalking which that 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 on or

Page 1 of 4

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35-00469-26

2026210

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

Page 2 of 4

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

35-00469-26

2026210\_\_

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

Page 3 of 4

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

35-00469-26

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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.

Page 4 of 4

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

**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	<b>Favorable</b>
2. Wells	Nortelus	ATD	<b>Favorable</b>
3. Shutes	Siples	FP	<b>Fav/CS</b>

**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.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup>

#### *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.<sup>4</sup>

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.<sup>5</sup> 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.<sup>6</sup>

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.<sup>7</sup>

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

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

<sup>2</sup> 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.

<sup>3</sup> Section 320.08058, F.S.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Section 320.08053(2)(b), F.S.

<sup>7</sup> 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.<sup>8</sup>

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.<sup>9</sup>

### ***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.<sup>10</sup> 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.<sup>11</sup>

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.<sup>12</sup> 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.<sup>13</sup>

### **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.<sup>14</sup>

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

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<sup>8</sup> 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.

<sup>9</sup> Section 320.08053(3)(b), F.S.

<sup>10</sup> Section 320.08056(10)(a), F.S.

<sup>11</sup> 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.

<sup>12</sup> Section 320.08056(10)(a), F.S.

<sup>13</sup> Section 320.08056(11), F.S.

<sup>14</sup> Section 320.0858(27)(b), F.S.

<sup>15</sup> 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.<sup>16</sup>

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.<sup>17</sup>

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

## **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.<sup>19</sup> 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".<sup>20</sup>

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.<sup>21</sup>

### ***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

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<sup>16</sup> Section 320.08058(67)(a), F.S.

<sup>17</sup> Section 320.08058(67)(b), F.S.

<sup>18</sup> 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).

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

<sup>20</sup> UFC Foundation, [UFC Foundation | UFC](#), (last visited February 12, 2026).

<sup>21</sup> *Id.*

Miami.<sup>22</sup> 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".<sup>23</sup>

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".<sup>24</sup>

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

### ***Hoober Brothers Foundation, Inc.***

The Hoober 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.<sup>26</sup> 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".<sup>27</sup>

Hoober Brothers Foundation, Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>28</sup>

### ***St. Petersburg College***

St. Petersburg College Foundation Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>29</sup> 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

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

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

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

<sup>26</sup> Hoober Brothers Foundation, Inc., [About Us | Hoober Brothers Foundation](#), (last visited February 12, 2026).

<sup>27</sup> *Id.*

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

<sup>29</sup> 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.”<sup>30</sup>

### ***First Responders Resiliency***

First Responders Resiliency Foundation is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>31</sup> 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”.<sup>32</sup> 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.<sup>33</sup>

### **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

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

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

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

<sup>33</sup> *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 Hoober 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 Hoober 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.<sup>34</sup>

**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.

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<sup>34</sup> DHSMV, *supra* note 1.

**B. Amendments:**

None.

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

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LEGISLATIVE ACTION

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

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

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Paragraph (p) of subsection (4) of section  
6 320.08056, Florida Statutes, is amended to read:

7                   320.08056 Specialty license plates.—

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

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



11 an owner purchasing the specialty plate for more than 10  
12 vehicles registered to that owner, the annual use fee shall be  
13 \$15 per plate.

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

17 320.08058 Specialty license plates.—

18 (67) FRATERNAL ORDER OF POLICE LICENSE PLATES.—

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

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

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



40 follows:

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

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

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

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

57 (b) The annual use fees from the sale of the plate must be  
58 distributed to the UFC Foundation, a nonprofit corporation under  
59 s. 501(c) (3) of the Internal Revenue Code, which may use up to  
60 10 percent of the proceeds to promote and market the plate. The  
61 UFC Foundation shall use the remainder of the proceeds to  
62 support charities and nonprofits in this state that align with  
63 the foundation's mission and goals, such as children's  
64 hospitals, support for first responders and the military, and  
65 youth advocacy and mentorship, and to fund the development and  
66 operation of youth mentorship programs in partnership with local  
67 law enforcement agencies.

68 (137) MIAMI NORTHWESTERN ALUMNI ASSOCIATION LICENSE



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 Hoober 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 Hoober  
96 Brothers Foundation, Inc., shall use the remainder of the  
97 proceeds to create and restore iconic public destinations across



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98 this state.

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

100

101 ===== TITLE AMENDMENT =====

102 And the title is amended as follows:

103 Delete everything before the enacting clause  
104 and insert:

105 A bill to be entitled

106 An act relating to specialty license plates; amending  
107 s. 320.08056, F.S.; increasing the annual use fee for  
108 the Florida Wildflower license plate and providing a  
109 discount for owners purchasing the plate for more than  
110 a specified number of vehicles; amending s. 320.08058,  
111 F.S.; deleting a restriction on who may be issued the  
112 Fraternal Order of Police license plate; revising the  
113 distribution and use of annual use fees collected from  
114 sales of the Fraternal Order of Police license plate;  
115 directing the Department of Highway Safety and Motor  
116 Vehicles to develop specified specialty license  
117 plates; providing for distribution and use of fees  
118 collected from the sale of the plates; providing an  
119 effective date.



LEGISLATIVE ACTION

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

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

1       **Senate Amendment to Amendment (322646) (with directory  
2 amendment)**

3           Between lines 98 and 99

4       insert:

5           (139) ST. PETERSBURG COLLEGE LICENSE PLATES.-

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



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



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)



LEGISLATIVE ACTION

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

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

1                   **Senate Amendment (with directory and title amendments)**

2

3                   Between lines 32 and 33

4                   insert:

5                   (137) ST. PETERSBURG COLLEGE LICENSE PLATES.—

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



11 bottom of the plate.

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

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

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

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

24 (138) FIRST RESPONDERS RESILIENCY LICENSE PLATES.—

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

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



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

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

33 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

2/12/26

Meeting Date

Fiscal Policy

Committee

Name Manny ReyesAddress 118 N. Monroe St. #321  
StreetCity TallahasseeState FLZip 32301Phone 305-560-5344Email manny@pereirareyes.com

## APPEARANCE RECORD

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

246

Bill Number or Topic

268954

Amendment Barcode (if applicable)

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 \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

**OR**Speaking:  For  Against  InformationWaive 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

2/12/26

Meeting Date  
**Fiscal Policy**

Committee  
**Matt Puckett**

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

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:

**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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)*

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

S-001 (08/10/2021)

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)

Phone **8506816788**

Email \_\_\_\_\_

Name

## The Florida Senate

## APPEARANCE RECORD

Meeting Date

Fiscal Policy

Committee

Name

Lisa Henning

Address

242 Office Plaza

Street

Tallahassee FL 32301

City

State

Zip

Phone

Bill Number or Topic

Amendment Barcode (if applicable)

850-766-8808

Email

faplegislative@aol.comSpeaking:  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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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.<sup>1</sup> Aquatic preserves provide many benefits, including protecting vital coastal and freshwater ecosystems.<sup>2</sup> 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.<sup>3</sup> Florida's 43 aquatic preserves encompass 2.9 million acres of submerged lands.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

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.<sup>7</sup>

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.

<sup>1</sup> 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.

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

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

<sup>4</sup> 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).

<sup>5</sup> [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

<sup>6</sup> [Section 258.42\(2\), F.S.](#)

<sup>7</sup> [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.<sup>8</sup>

## Biscayne Bay Aquatic Preserve

Current law designates Biscayne Bay, located in Miami-Dade and Monroe counties, as an aquatic preserve.<sup>9</sup> 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.<sup>10</sup> The preserve excludes the waters of Biscayne Bay National Park.<sup>11</sup> The preserve allows for a number of recreational activities, such as boating, fishing, and swimming, and hosts approximately 16 million visitors annually.<sup>12</sup>

## 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.<sup>13</sup> 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.<sup>14</sup>

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.<sup>15</sup> The scale of green infrastructure ranges from urban installations, such as rain gardens and green roofs, to large tracts of undeveloped natural lands.<sup>16</sup> The interconnected network of green infrastructure can enhance the resiliency of

<sup>8</sup> [Section 258.42\(3\)\(e\), F.S.](#)

<sup>9</sup> [Section 258.397\(1\), F.S.](#)

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

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

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

<sup>14</sup> 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>.

<sup>15</sup> 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](https://www.epa.gov/sites/default/files/2014-06/documents/gi_resiliency.pdf).

<sup>16</sup> *Id.*

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

Similarly, nature-based solutions integrate natural features and processes into the built environment to promote resilient communities.<sup>18</sup> Coastal nature-based solutions can stabilize shorelines, reduce erosion, and buffer coastal areas from the impacts of storms, sea level rise, and flooding.<sup>19</sup> 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.<sup>20</sup>



*Stormwater Planter, Permeable Pavement, Living Shoreline, and Bioretention<sup>21</sup>*

<sup>17</sup> *Id.*

<sup>18</sup> 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](https://www.fema.gov/sites/default/files/2020-07/fema_bric_nature-based-solutions-guide_2020.pdf).

<sup>19</sup> 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](https://www.epa.gov/sites/default/files/2015-09/documents/green_infrastructure_roadshow.pdf).

<sup>20</sup> 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).

<sup>21</sup> 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.<sup>22</sup> Living shorelines promote and rely on the growth of natural vegetation over time to help reduce erosion, increase resiliency, and filter runoff.<sup>23</sup> This natural infrastructure helps maintain the shoreline ecosystem while being an innovative coastal management technique.<sup>24</sup> Research indicates that living shorelines are more resilient than bulkheads in protecting against the effects of hurricanes.<sup>25</sup>

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.<sup>26</sup>

## Mangroves

Florida's estimated 600,000 acres of mangrove forests contribute to the overall health of the state's southern coastal zone and beyond.<sup>27</sup> Mangroves stabilize coastlines, slow the movement of tides, store carbon, and help protect against erosion and damage from storm surges.<sup>28</sup> 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.<sup>29</sup> In Collier County, some regions immediately behind the county's mangroves receive annual risk reduction benefits

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<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> 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).

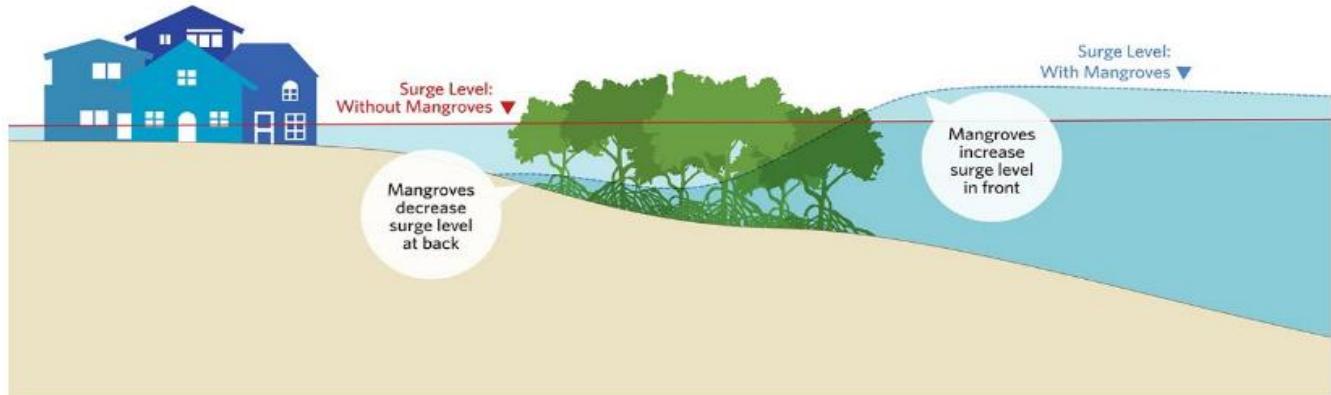
<sup>26</sup> Mote Marine Laboratory and Aquarium, *Mote scientists to study Sarasota's new 'living seawall'*, <https://mote.org/news/mote-scientists-to-study-sarasotas-new-living-seawall/> (last visited Nov. 20, 2025). See also Port of San Francisco, *Living Seawall Pilot*, <https://www.sfport.com/wrp/living-seawall>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

<sup>27</sup> 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/>.

<sup>28</sup> 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>.

<sup>29</sup> 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](https://www.nature.org/content/dam/tnc/nature/en/documents/Mangrove_Report_digital_FINAL.pdf).

of over \$1 million.<sup>30</sup> 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.<sup>31</sup>



**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.<sup>32</sup> 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.<sup>33</sup>

Mangroves also play an important ecological role as a habitat for various species of marine and estuarine vertebrates, invertebrates, and other wildlife,<sup>34</sup> including endangered and threatened species such as the manatee, hawksbill sea turtle, American crocodile, Key deer, and Florida panther.<sup>35</sup> 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.<sup>36</sup> The roots also make ideal underwater perches for barnacles, oysters, crabs, and other marine organisms.<sup>37</sup> These organisms provide food for juvenile fish, birds, reptiles, and other wildlife.<sup>38</sup> Florida's important recreational and commercial fisheries would drastically decline without healthy mangrove forests.<sup>39</sup>

<sup>30</sup> *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/>.

<sup>31</sup> 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>.

<sup>32</sup> *Id.*

<sup>33</sup> Section 403.9322(3), F.S.

<sup>34</sup> Section 403.9322(2), F.S.

<sup>35</sup> 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).

<sup>36</sup> *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/>.

<sup>37</sup> 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>.

<sup>38</sup> *Id.*

<sup>39</sup> 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.<sup>40</sup> Rising sea levels and more intense droughts and storms could increase the rate of mangrove loss.<sup>41</sup>

## 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.<sup>42</sup> 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.<sup>43</sup> Participation in the NFIP is voluntary.<sup>44</sup> 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.<sup>45</sup>

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.<sup>46</sup> Property owners within communities that participate in the CRS program receive discounts on flood insurance premiums.<sup>47</sup> Premium discounts range from five to 45 percent based on a community's CRS credit points.<sup>48</sup> 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.<sup>49</sup>

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

<sup>41</sup> 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>.

<sup>42</sup> 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).

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

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

<sup>45</sup> *Id.*

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

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> 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](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.<sup>50</sup> Water management districts are also eligible to receive grants under the Resilient Florida Grant Program to assist local government adaptation planning.<sup>51</sup>

## **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.<sup>52</sup> The programs may serve secondary students or postsecondary students if the postsecondary career and technical education program also serves secondary students.<sup>53</sup>

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.<sup>54</sup> 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.<sup>55</sup>

## **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.<sup>56</sup>

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

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<sup>50</sup> Section 380.093(3)(b)1., F.S.

<sup>51</sup> 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.

<sup>52</sup> Section 1011.801, F.S.

<sup>53</sup> *Id.*

<sup>54</sup> Section 1011.801(1), F.S.

<sup>55</sup> Section 1011.801(2), F.S.

<sup>56</sup> Fla. Admin. Code R. 62-330.010(2).

Outstanding Florida Water,<sup>57</sup> the ERP applicant must provide reasonable assurance that the proposed activity will be clearly in the public interest.<sup>58</sup> 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.<sup>59</sup>

### 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.

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<sup>57</sup> 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).

<sup>58</sup> Section 373.414(1), F.S.

<sup>59</sup> 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

601-02524-26

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

Section 1. Paragraphs (b) and (e) of subsection (3) of section 258.397, Florida Statutes, are amended to read:

258.397 Biscayne Bay Aquatic Preserve.

(3) AUTHORITY OF TRUSTEES.—The Board of Trustees of the Internal Improvement Trust Fund is authorized and directed to maintain the aquatic preserve hereby created pursuant and subject to the following provisions:

(b) No further dredging or filling of submerged lands of

Page 1 of 8

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601-02524-26

2026302c2

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

Page 2 of 8

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601-02524-26

2026302c2

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

61  
 62 Any dredging or filling under this subsection or improvements  
 63 under subsection (5) shall be approved only after public notice  
 64 as provided by s. 253.115.

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

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

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

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

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

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

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

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

Page 3 of 8

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601-02524-26

2026302c2

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

98 Section 2. Paragraph (e) of subsection (3) of section  
 99 258.42, Florida Statutes, is amended to read:

100 258.42 Maintenance of preserves.—The Board of Trustees of  
 101 the Internal Improvement Trust Fund shall maintain such aquatic  
 102 preserves subject to the following provisions:

103 (3)

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

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

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

Page 4 of 8

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601-02524-26

2026302c2

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

Page 5 of 8

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601-02524-26

2026302c2

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

Page 6 of 8

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601-02524-26 2026302c2

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

Page 7 of 8

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601-02524-26 2026302c2

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.

Page 8 of 8

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2.12.26

The Florida Senate

## APPEARANCE RECORD

302

Meeting Date

Fiscal Policy

Committee

Name **Steve Schale**

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-222-8900**

Address **204 S Monroe St**

Email \_\_\_\_\_

Street

City **Tallahassee**

State **Florida**

Zip **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:

**The Environmental Defense Fund**

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. 2020-2022JointRules.pdf (fisenate.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	<b>Fav/CS</b>
2. Gerbrandt	McKnight	AHS	<b>Favorable</b>
3. Smith	Siples	FP	<b>Favorable</b>

**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.<sup>1</sup> 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

<sup>1</sup> Section 787.06, F.S.

generate money for a trafficker.<sup>2</sup> 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.<sup>3</sup> 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,<sup>4</sup> the direct-support organization Florida Alliance to End Human Trafficking,<sup>5</sup> and the annual Human Trafficking Summit<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>
- 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.<sup>9</sup>
- 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

<sup>2</sup> 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).

<sup>3</sup> *Id.*

<sup>4</sup> 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).

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

<sup>6</sup> 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).

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

<sup>8</sup> *Id.*

<sup>9</sup> 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.<sup>10</sup>

### **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.<sup>11</sup>

There are approximately 55 of these courses available to licensees with prices ranging from \$0.00 to \$30.00.<sup>12</sup>

### **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).

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

<sup>11</sup> Section 464.013(3)(c), F.S.

<sup>12</sup> 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).<sup>13</sup>
- 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.<sup>14</sup> 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 Spanish<sup>15</sup> 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.

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

<sup>14</sup> 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).

<sup>15</sup> 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.<sup>16</sup>

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<sup>16</sup> CE Broker, course search results for “human trafficking” – Florida advanced practice registered nurse, available at <https://courses.cebroker.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.

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

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

588-02052-26

2026340c1

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

12       Section 1. Paragraph (e) is added to subsection (1) of  
13 section 464.008, Florida Statutes, to read:  
14       464.008 Licensure by examination.—  
15       (1) Any person desiring to be licensed as a registered  
16 nurse or licensed practical nurse shall apply to the department  
17 to take the licensure examination. The department shall examine  
18 each applicant who:  
19       (e) Beginning July 1, 2027, has completed a 2-hour course  
20 on human trafficking. The course must include the content  
21 required for the human trafficking continuing education course  
22 required under s. 464.013(3)(c).

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

1105

The Florida Senate

2/12/26

Meeting Date

Fiscal Policy

Committee

Name Florida Parent Teacher Association Committee Karen Mazzola Phone 407-855-7609  
 Address 1747 Orlando Central Parkway Email vp.leadership@floridapta.org  
 Street Orlando FL 32809  
 City State Zip

Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

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S-001 (08/10/2021)

340

Bill Number or Topic

Amendment Barcode (if applicable)

**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	<b>Favorable</b>
2. Kolich	Harkness	ACJ	<b>Favorable</b>
3. Vaughan	Siples	FP	<b>Favorable</b>

### **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.<sup>1</sup>

#### ***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.<sup>2,3</sup>

#### ***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.<sup>4</sup>

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<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> Section 943.13, F.S.

<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup>

### **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,

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submit, or electronically transmit, the documentation to the commission, in a format approved by the commission. Section 943.135, F.S.

<sup>5</sup> Section 627.6686, F.S.

<sup>6</sup> 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.<sup>7</sup> 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.

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

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<sup>7</sup> *Id.*

**By** Senator Jones

34-00167B-26

A bill to be entitled

2026418

Page 1 of 5

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

34-00167B-26

an effective date.

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

Section 1. Section 320.021, Florida Statutes, is created to read:

320.021 Blue envelope program.—

(1) The department shall establish a blue envelope program for the purpose of improving communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions.

(2) By January 1, 2027, the department shall develop and make available to individuals with autism spectrum disorder a blue envelope that is intended to hold a copy of an individual's driver license and his or her vehicle registration, proof of insurance, and emergency contact information, which envelope may be provided by the individual to a law enforcement officer during a motor vehicle-related interaction. The exterior of the blue envelope must identify the individual as an individual with autism spectrum disorder and include communication guidelines intended to assist law enforcement officers during interactions with drivers with autism spectrum disorder.

(3) Beginning January 1, 2027, an individual with autism spectrum disorder may request a blue envelope from the department or a tax collector's office.

Section 2. Section 943.1727, Florida Statutes, is amended to read:

943.1727 Continued Employment training relating to autism spectrum disorder.—

Page 2 of 5

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34-00167B-26

2026418

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

60       (a) "Agency" means the ability to make independent

61 decisions and act in one's own best interests.

62       (b) "Autism spectrum disorder" has the same meaning as in

63 s. 627.6686(2).

64       (2) The commission department shall establish an a

65 continued employment training component relating to individuals

66 with autism spectrum disorder. Such training component must be

67 developed jointly by the commission and an organization that

68 advocates on behalf of, and offers training to law enforcement

69 officers in this state on interactions with, individuals with

70 autism spectrum disorder as defined in s. 627.6686. The training

71 component shall include, but need not be limited to, instruction

72 on the recognition of the symptoms and characteristics of an

73 individual on the autism disorder spectrum and appropriate

74 responses to an individual exhibiting such symptoms and

75 characteristics. Completion of the training component counts may

76 count toward the 40 hours of instruction for continued

77 employment or appointment as a law enforcement officer required

78 under s. 943.135.

79       (3) The employment training component for law enforcement

80 officers which relates to interactions with individuals with

81 autism spectrum disorder must include in-person instruction for

82 initial certification and online or in-person instruction for

83 continued employment training or education required under s.

84 943.135(1) in all of the following:

85       (a) The nature and manifestation of autism spectrum

86 disorder.

87       (b) Techniques for interviewing or interrogating an

Page 3 of 5

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34-00167B-26

2026418

88       individual with autism spectrum disorder, including techniques

89 to ensure the legality of statements made by the individual and

90 techniques used to protect the rights of the individual.

91       (c) Techniques for locating an individual with autism

92 spectrum disorder who has run away and is in danger and for

93 returning that individual while causing as little stress as

94 possible to the individual.

95       (d) Techniques for recognizing the agency of an individual

96 with autism spectrum disorder while identifying potential

97 abusive or coercive situations.

98       (e) Techniques for de-escalating a potentially dangerous

99 situation to maximize the safety of both the officer and the

100 individual with autism spectrum disorder.

101       (f) Techniques for differentiating an individual with

102 autism spectrum disorder from an individual who is belligerent,

103 uncooperative, or otherwise displaying traits similar to the

104 characteristics of an individual with autism spectrum disorder

105 and for understanding the law as it relates to the use of the

106 Baker Act on an individual with autism spectrum disorder.

107       (g) The impact of an interaction with officers on

108 individuals with autism spectrum disorder.

109       (h) Information about the blue envelope program established

110 under s. 320.021 and the "SAFE" designation included in the

111 motor vehicle record pursuant to s. 320.02(15).

112       (4) All recruits must complete the employment training

113 component relating to individuals with autism spectrum disorder.

114 Such training component may be taught as part of other relevant

115 components of the training.

116       (5) The commission shall by rule require that each law

Page 4 of 5

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34-00167B-26

2026418\_\_

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

2/12/2026

Meeting Date

Fiscal Policy  
Committee

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SB 418

Bill Number or Topic

Amendment Barcode (if applicable)

Name Donna Lorman Phone 407-616-6201

Address 4743 Hearthsdie Dr.  
Street

Email dlorman@asgo.org

Orlando FL 32837  
City State Zip

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

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2/12/24

Meeting Date

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Committee

Name

Monica Carretero

Address

1764 Prairie View Ln

Street

Orlando

FL

City

State

32765

Zip

The Florida Senate

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787-486-9530

Phone

monica-carretero@  
hotmail.com

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

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2/12/26

Meeting Date

FISCAL Policy

Committee

Name Maya Hann

SB 418

Bill Number or Topic

Address 132 Rainbow St.  
Street  
Merritt Is., FL 32952  
City State Zip

Phone 909-289-3406

Email Maija@REACTforHope.org

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)

02/12/26

Meeting Date

Criminal Justice

Committee

Name Susan Farris

Address 545 Oxford Ave

Street

Melbourne FL

City

State

32935

Zip

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
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SB 418

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 804-605-7101

Email susanacfarris@gmail.com

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. [2020-2022JointRules.pdf](https://www.flsenate.gov/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: 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	<b>Favorable</b>
2. Gerbrandt	McKnight	AHS	<b>Favorable</b>
3. Looke	Siples	FP	<b>Favorable</b>

## **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.<sup>1</sup>

---

<sup>1</sup> 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.<sup>2</sup> Children aged four and under, however, drown nearly three times as often with a rate of approximately six per 100,000 population.<sup>3</sup> 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.<sup>4</sup>

### ***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).<sup>5</sup> 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.<sup>6</sup>

### ***Florida's Swimming Lesson Voucher Program (SLVP)***

In 2024, the Florida Legislature passed SB 544,<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup>

The SLVP initially received \$500,000 in funds from the state for Fiscal Year 2024-2025.<sup>10</sup> The DOH secured an additional \$200,000 in grant funding from the Consumer Product Safety

<sup>2</sup> 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).

<sup>3</sup> *Id.* (Rate type changed to “crude” and age range selected from “0 to 4”).

<sup>4</sup> *Id.*

<sup>5</sup> Florida Health Charts, *Deaths from Unintentional Drowning*.

<sup>6</sup> 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).

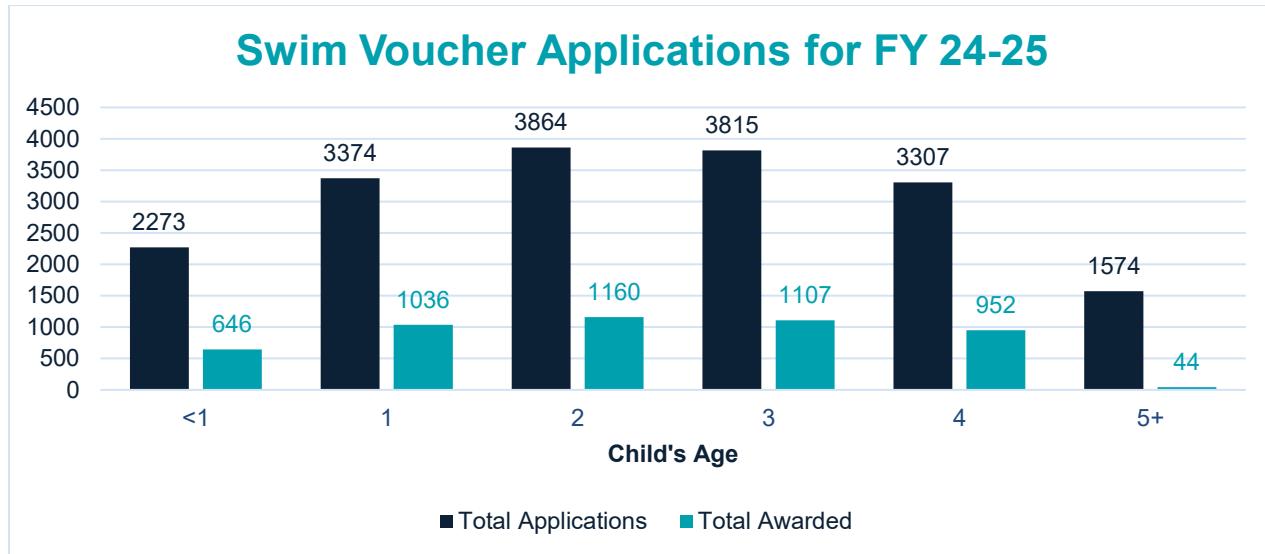
<sup>7</sup> Chapter 2024-89, L.O.F.

<sup>8</sup> Section 514.073, F.S.

<sup>9</sup> A list of swimming lesson providers who are part of the network, and the requirements that such providers must meet, are available at [WaterSmartFL](#), (last visited Jan. 14, 2026).

<sup>10</sup> 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.<sup>11</sup> For Fiscal Year 2024-2025, the DOH received 16,663 applications for swimming lesson vouchers and awarded 4,945.<sup>12</sup> 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.<sup>13</sup>

### 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.

<sup>11</sup> Swimming Lesson Voucher Program Legislative Report 2025, p. 8, on file with Senate Health Policy Committee staff.

<sup>12</sup> *Id.* at p. 10.

<sup>13</sup> *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.<sup>14</sup> Therefore the bill has no fiscal impact on state expenditures or revenues.<sup>15</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 514.073 of the Florida Statutes.

---

<sup>14</sup> 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

A bill to be entitled

An act relating to the Swimming Lesson Voucher Program; amending s. 514.073, F.S.; revising the age requirements for children receiving a voucher through the Swimming Lesson Voucher Program; providing an effective date.

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

Section 1. Subsection (1) and paragraph (b) of subsection (2) of section 514.073, Florida Statutes, are amended to read:

514.073 Swimming Lesson Voucher Program.—

(1) There is created within the department the Swimming Lesson Voucher Program. The purpose of the program is to increase water safety in this state by offering vouchers for swimming lessons at no cost to families with an income of no more than 200 percent of the federal poverty level who have one or more children between 1 and 7 4 years of age ~~or younger~~.

(2) The department shall do all of the following to implement the program:

(b) Establish a method for members of the public to apply for swimming lesson vouchers and for determining an applicant's eligibility. The department shall establish eligibility criteria necessary for a family to receive one or more vouchers from the program, including, but not limited to, the following:

1. The age of each child for whom a voucher is being sought, who must be between 1 and 7 ~~may be no more than~~ 4 years of age.

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

of the federal poverty level.

3. The family's address of residency in this state.

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

Page 2 of 2

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

2/12/25

Meeting Date

Senate Fiscal Policy

Committee

Name Will Moffett

Address 130 Corridor Rd, #564

Street

Ponte Vedra

City

FL

State

32082

Zip

The Florida Senate

## APPEARANCE RECORD

SB 428

Bill Number or Topic

Deliver both copies of this form to  
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Amendment Barcode (if applicable)

904-295-9799

Phone

Email

willm.moffett@gmail.com

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  
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(travel, meals, lodging, etc.),  
sponsored by:

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The Florida Senate

2/12/26

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SB 428

Bill Number or Topic

Name Maija Hahn

Amendment Barcode (if applicable)  
909-289-3406

Address 132 Lainbow St

Street

Merritt Is , FL 32952

City

State

Zip

Email Maija@ REACTforHope.org

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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The Florida Senate

2/12/26

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Fiscal Policy

Committee

Name

Rick Howard

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SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 227 239 5177

Address 1436 Rosetree Cr

Street

Clearwater

Fl

33764

City

State

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:

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S-001 (08/10/2021)

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Committee

mitchell Fox

Amendment Barcode (if applicable)

Name

Phone

9546571504

Address

1885 Silverstar

Email

36ACpool@flsenate.gov

Street

Weston FL 33327

City

State

Zip

**Reset Form**

Speaking:  For  Against  Information

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## PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

Feb. 12, 2026

The Florida Senate

## APPEARANCE RECORD

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Senate Fiscal Policy

Committee

Name Cora Merritt

Phone

Address 4235 Marsh Landing  
Street Jacksonville

Email

SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

850-755-5209

City State Zip

Speaking:  For  Against  Information

OR

Waive Speaking:

In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

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representing:

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(travel, meals, lodging, etc.),  
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Nemours Children's Health

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S-001 (08/10/2021)

2/12/26

The Florida Senate

## APPEARANCE RECORD

428

Bill Number or Topic

Fiscal Policy

Meeting Date

Committee

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Amendment Barcode (if applicable)

Name

Florida Parent Teacher Association Karen Mazzola

Phone

407-855-7609

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:

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Florida PTA

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S-001 (08/10/2021)

2/12/26

Meeting Date

Fiscal Policy

Committee

Name

Dallas Thiesen

The Florida Senate

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SB 428

Bill Number or Topic

Amendment Barcode (if applicable)

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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

2-12-26

Meeting Date

The Florida Senate

# APPEARANCE RECORD

SB 428

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name

Mickey Sigmon

Phone

772-519-9910

Address

4795 Christensen Rd

Email

poolproinc@yahoo.com

Street

Ft Pierce

State

FL

34981

City

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)

**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	<b>Fav/CS</b>
2. Gerbrandt	McKnight	AHS	<b>Favorable</b>
3. Looke	Siples	FP	<b>Fav/CS</b>

**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.<sup>1</sup>

### ***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.<sup>2</sup> Children aged four and under, however, drown nearly three times as often with a rate of approximately six per 100,000 population.<sup>3</sup> 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.<sup>4</sup>

### **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.”<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup>

#### ***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

<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> *Id.* (To see this result, change “rate type” to “crude” and select the age range from “0 to 4”).

<sup>4</sup> *Id.*

<sup>5</sup> National Drowning Prevention Alliance, *Learn the 5 Layers of Protection*, <https://ndpa.org/layers/> (last visited Jan. 15, 2026)

<sup>6</sup> 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).

<sup>7</sup> *Id.* at pp. 3-6.

is watching over the children in and near the water, or a lifeguard during water-centered gatherings.<sup>8</sup>

### ***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.<sup>9</sup>

### ***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.<sup>10</sup>

### ***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.<sup>11</sup>

## **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.

---

<sup>8</sup> *Id.* at p. 2.

<sup>9</sup> *Id.* at p. 8.

<sup>10</sup> National Drowning Prevention Alliance, *Life Jackets*, <https://ndpa.org/life-jackets/> (last visited Jan. 15, 2026).

<sup>11</sup> 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.

---

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

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LEGISLATIVE ACTION

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

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

1                   **Senate Amendment (with title amendment)**

2

3                   Delete lines 49 - 86

4 and insert:

5 postpartum education and care.

6                   (3) Childbirth educators shall provide the educational  
7 materials developed under subsection (1) to the parents or  
8 caregivers receiving childbirth education.

9                   Section 2. Paragraph (j) is added to subsection (4) of  
10 section 383.318, Florida Statutes, to read:



11        383.318 Postpartum care for birth center clients and  
12 infants.—

13        (4) The birth center shall provide a postpartum evaluation  
14 and followup care that includes all of the following:

15        (j) Provision of the educational materials on drowning  
16 prevention safety measures and safe bathing practices developed  
17 by the Department of Health under s. 383.3363.

18        Section 3. Section 395.1053, Florida Statutes, is amended  
19 to read:

20        395.1053 Postpartum education.—A hospital that provides  
21 birthing services shall provide each parent with postpartum  
22 education on the care of newborns, which must include all of the  
23 following:

24        (1) incorporate Information on safe sleep practices and the  
25 possible causes of Sudden Unexpected Infant Death. into the  
26 hospital's postpartum instruction on the care of newborns and  
27 provide to each parent

28        (2) Provision of the informational pamphlet on infant and  
29 childhood eye and vision disorders created by the department  
30 pursuant to s. 383.14(3)(h).

31        (3) Provision of the educational materials on drowning  
32 prevention safety measures and safe bathing practices developed  
33 by the department under s. 383.3363.

34  
35 ===== T I T L E A M E N D M E N T =====  
36 And the title is amended as follows:

37        Delete lines 10 - 15  
38 and insert:

39        their postpartum education and care; requiring



40

childbirth educators to provide the

**By** the Committee on Health Policy; and Senators Smith, Yarborough, Davis, and Berman

588-02060-26

2026606c1

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

30       part of postpartum or childbirth education provided by  
31       hospitals, birth centers, home birth providers, and childbirth  
32       educators in this state. The materials must include, but need  
33       not be limited to, instruction on all of the following:

34        (a) The increased risk of drowning for infants and toddlers  
35       in bathtubs, pools, and other water sources, citing available  
36       data on such drownings.

37        (b) Water safety measures parents can employ to prevent  
38       drowning, emphasizing the importance of constant supervision of  
39       infants and children while they are around water and the  
40       benefits of early childhood swimming lessons and water  
41       competency programs as an added layer of protection from  
42       drownings.

43        (c) Additional safety hazards in the home setting and  
44       evidence-based safe bathing practices.

45        (2) Each hospital, birth center, and home birth provider  
46       providing maternity, prenatal, and newborn services shall  
47       provide the educational materials developed under subsection (1)  
48       to the parents or caregivers of a newborn as part of its  
49       postpartum education and care. Hospitals and birth centers shall  
50       maintain proof of compliance with this subsection and make such  
51       records available to the Agency for Health Care Administration  
52       upon request.

53        (3) Childbirth educators shall provide the educational  
54       materials developed under subsection (1) to the parents or  
55       caregivers receiving childbirth education.

56        Section 2. Paragraph (j) is added to subsection (4) of  
57        section 383.318, Florida Statutes, to read:

58        383.318 Postpartum care for birth center clients and

Page 2 of 3

**CODING:** Words ~~strieken~~ 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

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

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. [2020-2022JointRules.pdf \(flsenate.gov\)](http://flsenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

The Florida Senate

2/12/2020

Meeting Date

Fiscal Policy  
Committee

## APPEARANCE RECORD

SB 606

Bill Number or Topic

Deliver both copies of this form to

Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Donna Lorman, President Autism Society of Greater Orlando Phone 407-616-6201

Address 4743 Hearthsidge Dr. Email dlorman@asgo.org  
Street

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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

2/12/24

Meeting Date

Fiscal Policy

Committee

Name

Mónica Carretero-Autism Society

Phone

Address

1764 Rain'e View Ln

Street

Oviedo FL

Zip

City

State

3275

The Florida Senate

## APPEARANCE RECORD

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

SB 606

Bill Number or Topic

Amendment Barcode (if applicable)

787-486-9530

Email

monica-carretero@  
hotmail.com

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. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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S-001 (08/10/2021)

2/12/26

Meeting Date

Fiscal Policy

Committee

Name Richard Smith

The Florida Senate

## APPEARANCE RECORD

606

Bill Number or Topic

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

Amendment Barcode (if applicable)

407-234-2761

Address 520 Bernasek Dr.  
Street DeBary, FL 32713  
City  State  Zip

Email richard.smith@sunsmart  
engineering.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:

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 \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

2-12-26

Meeting Date

**APPEARANCE RECORD**

SB 606

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Belkis Vigi

Phone

305-562-7010

Address

13201 S.W. 209 street

Email

belkis1868@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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

02/12/26

Meeting Date

Fiscal Policy

Committee

## APPEARANCE RECORD

606

Bill Number or Topic

Deliver both copies of this form to

Senate professional staff conducting the meeting

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:

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. 2020-2022JointRules.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: 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	<b>Favorable</b>
2. Griffin	Nortelus	ATD	<b>Favorable</b>
3. Johnson	Siples	FP	<b>Favorable</b>

**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.<sup>1</sup>

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.<sup>2</sup>

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

<sup>1</sup> Section 334.071(1), F.S.

<sup>2</sup> 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.<sup>3</sup>

### **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.<sup>4</sup>

### **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.

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<sup>3</sup> Section 334.071(3), F.S.

<sup>4</sup> 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.<sup>5</sup> 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.

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<sup>5</sup> 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

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

10           Section 1. Warrior Sacrifice Way designated; Department of  
11 Transportation to erect suitable markers.—  
12           (1) That portion of S.R. 295/Navy Boulevard between Duncan  
13 Road and S.R. 292/Gulf Beach Highway in Escambia County is  
14 designated as "Warrior Sacrifice Way."

15                   (2) The Department of Transportation is directed to erect  
16 suitable markers designating Warrior Sacrifice Way as described  
17 in subsection (1).

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

Page 1 of 1

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

**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. Barriero	Rogers	EN	<b>Favorable</b>
2. Reagan	Betta	AEG	<b>Fav/CS</b>
3. Barriero	Siples	FP	<b>Favorable</b>

**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 overtapped 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.<sup>1</sup> 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.<sup>2</sup>

Florida depends on its 825 miles of sandy beaches as a natural resource for the enjoyment of its residents and tourists.<sup>3</sup> 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 shoreline 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.<sup>4</sup>

### 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.<sup>5</sup> 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.<sup>6</sup>

---

<sup>1</sup> 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](https://floridadep.gov/sites/default/files/SBMP_Introduction_2023_2.pdf).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Fla. Admin. Code R. 62B-36.002(5).

<sup>6</sup> *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.<sup>7</sup> 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.<sup>8</sup>

Many designated critically eroded beaches have been restored through the placement of beach and dune fill material.<sup>9</sup> These shorelines have improved compared to their pre-project condition

<sup>7</sup> 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](https://floridadep.gov/sites/default/files/FDEP_Critically%20Eroded%20Beaches_08-2025_FINAL_1.pdf).

<sup>8</sup> *Id.*

<sup>9</sup> 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](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.<sup>10</sup> Roughly half of the designated critically eroded beaches are currently managed.<sup>11</sup> 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.<sup>12</sup>

As of August 2025, 55 percent (approximately 451 miles) of the state's sandy shorelines are designated as critically eroded.<sup>13</sup> An additional 88.9 miles are designated as non-critically eroded.<sup>14</sup>

## Beach Management

Beach management activities in Florida are governed by the Dennis L. Jones Beach and Shore Preservation Act.<sup>15</sup> 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.<sup>16</sup> 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.<sup>17</sup>

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.<sup>18</sup> 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.<sup>19</sup> 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

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<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 1.

<sup>12</sup> *Id.*

<sup>13</sup> DEP, *Critically Eroded Beaches Report* at 20.

<sup>14</sup> *Id.*

<sup>15</sup> DEP, *Strategic Beach Management Plan: Introduction*, 2 (2023), available at [https://floridadep.gov/sites/default/files/SBMP\\_Introduction\\_2023\\_2.pdf](https://floridadep.gov/sites/default/files/SBMP_Introduction_2023_2.pdf). See chapter 161, F.S.

<sup>16</sup> See section 161.101(1) and (2), F.S., and DEP, *Strategic Beach Management Plan* at 2.

<sup>17</sup> DEP, *Strategic Beach Management Plan* at 2; section 161.161(2), F.S.

<sup>18</sup> Section 161.161(2)(a), F.S.

<sup>19</sup> DEP, *Strategic Beach Management Plan* at 40.

- Reduce equipment mobilization and demobilization costs.<sup>20</sup>

The statewide plan includes seven separate regional plans.<sup>21</sup> Such regional plans, along with the long-range budget plan, serve as the basis for state funding decisions.<sup>22</sup> 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.<sup>23</sup> The local government in which such a beach is located is responsible for the balance of such costs.<sup>24</sup> 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.<sup>25</sup> 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.<sup>26</sup>

### 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.<sup>27</sup> 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.<sup>28</sup> State law specifies which areas may be considered for designation and establishes the process for doing so.

The Administration Commission<sup>29</sup> 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.<sup>30</sup>
- An area containing, or having a significant impact upon, historical or archaeological resources, sites, or statutorily defined historical or archaeological districts, the private or

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<sup>20</sup> DEP, *Strategic Beach Management Plan* at 2; section 161.091(2), F.S.

<sup>21</sup> See DEP, *Strategic Planning and Coordination*, <https://floridadep.gov/rpc/beaches-inlets-ports/content/strategic-planning-and-coordination#SBMP> (last visited Dec. 17, 2025).

<sup>22</sup> Section 161.161(2)(a), F.S.

<sup>23</sup> Section 161.101(1), F.S.

<sup>24</sup> *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.

<sup>25</sup> Section 161.101(12), F.S.

<sup>26</sup> Section 161.101(13), F.S.

<sup>27</sup> 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.

<sup>28</sup> 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.

<sup>29</sup> The Administration Commission consists of the Governor and the Cabinet. Section 380.031(1), F.S.

<sup>30</sup> Section 380.05(2)(a), F.S.

public development of which would cause substantial deterioration or complete loss of such resources, sites, or districts.<sup>31</sup>

- 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.<sup>32</sup>

The Florida Department of Commerce, the state land planning agency,<sup>33</sup> may recommend an area for designation as an area of critical state concern.<sup>34</sup> 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;<sup>35</sup>
- 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;<sup>36</sup>
- 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.<sup>37</sup>

If the Administration Commission adopts a recommendation, it will designate the area of critical state concern and applicable principles for guiding development by rule.<sup>38</sup> Such rules must be submitted to the Legislature for review.<sup>39</sup>

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.<sup>40</sup> 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

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<sup>31</sup> Section 380.05(2)(b), F.S.

<sup>32</sup> Section 380.05(2)(c), F.S.

<sup>33</sup> Section 380.031(18), F.S.

<sup>34</sup> 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.

<sup>35</sup> 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.

<sup>36</sup> 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.

<sup>37</sup> Section 380.05(1)(a), F.S.

<sup>38</sup> Section 380.05(1)(b), F.S.

<sup>39</sup> Section 380.05(1)(c), F.S. The Legislature may reject, modify, or take no action relative to the adopted rule. *Id.*

<sup>40</sup> 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.<sup>41</sup>

The current designated areas of critical state concern include:

- Big Cypress Area (portions of Collier, Miami-Dade, and Monroe Counties);<sup>42</sup>
- Green Swamp Area (portions of Polk and Lake Counties);<sup>43</sup>
- City of Key West and the Florida Keys Areas (Monroe County);<sup>44</sup>
- Apalachicola Bay Area (Franklin County);<sup>45</sup> and
- Brevard Barrier Island Area (portions of Brevard and Indian River Counties).<sup>46</sup>

### **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.

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<sup>41</sup> Section 380.05(22), F.S.

<sup>42</sup> Section 380.055, F.S.

<sup>43</sup> Section 380.0551, F.S.

<sup>44</sup> Section 380.0552, F.S.

<sup>45</sup> Section 380.0555, F.S.

<sup>46</sup> 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 overtapped 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.

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

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By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Leek

601-02526-26

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A bill to be entitled

2 An act relating to beach management; amending s.  
3 161.101, F.S.; requiring the Department of  
4 Environmental Protection to review certain data when  
5 designating certain beaches as critically eroded and  
6 in need of restoration and nourishment; requiring that  
7 certain beaches, whose local government preserved  
8 funds for a certain purpose and which possess  
9 specified features, be designated as critically  
10 eroded; authorizing the secretary of the department to  
11 require coastal local governments to develop local  
12 strategic beach management plans; requiring that such  
13 plans include an analysis of certain information;  
14 making a technical change; amending s. 161.161, F.S.;  
15 conforming a provision to changes made by the act;  
16 amending s. 380.05, F.S.; revising the list of areas  
17 that may receive designation as an area of critical  
18 state concern; reenacting s. 380.045(1), (3), and (5),  
19 F.S., relating to resource planning and management  
20 committees and objectives and procedures, to  
21 incorporate the amendment made to s. 380.05, F.S., in  
22 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

601-02526-26

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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

601-02526-26

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59 contains language stating the local government must assume  
 60 maintenance responsibilities for shoreline parcels and must  
 61 develop and implement a design whereby shoreline retreat is  
 62 sufficiently managed to protect high value inland developments;  
 63 and

64 2. Geological features of the dune, beach, and seabed  
 65 combined with insufficient spacing between the erosion control  
 66 line to upland assets, which results in repeated inland flooding  
 67 or structural damage. The local government in which the beach is  
 68 located shall be responsible for the balance of such costs.

69 (2)(a) To carry out the beach and shore preservation  
 70 programs, the department is hereby constituted as the beach and  
 71 shore preservation authority for the state. In this capacity,  
 72 the secretary of the department may at his or her own initiative  
 73 take all necessary steps as soon as practicable and desirable to  
 74 implement the provisions of this chapter.

75 (b) The secretary of the department may, as he or she deems  
 76 necessary, require coastal local governments to develop local  
 77 strategic beach management plans. Local strategic beach  
 78 management plans must include, but are not limited to, an  
 79 identification of the most visited shoreline recreational  
 80 facilities, university research centers, and shoreline  
 81 protection areas and an analysis of all of the following:

- 82 1. Compound flooding near the county's beaches.
- 83 2. Assessed values of upland properties and developments.
- 84 3. Environmentally sensitive lands and waters.
- 85 4. Any recommendation from a certified coastal engineer or
- 86 coastal engineering specialist.
- 87 5. Any recommendation from the United States Army Corps of

Page 3 of 8

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601-02526-26

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88 Engineers.

89 Section 2. Paragraph (a) of subsection (2) of section  
 90 161.161, Florida Statutes, is amended to read:

91 161.161 Procedure for approval of projects.—  
 92 (2) The comprehensive long-term management plan developed  
 93 and maintained by the department pursuant to subsection (1) must  
 94 include, at a minimum, a strategic beach management plan, a  
 95 critically eroded beaches report, and a statewide long-range  
 96 budget plan. The long-range budget plan must include a 3-year  
 97 work plan for beach restoration, beach nourishment, and inlet  
 98 management projects that lists planned projects for each of the  
 99 3 fiscal years addressed in the work plan.

100 (a) The strategic beach management plan must identify and  
 101 recommend appropriate measures for all of the state's critically  
 102 eroded sandy beaches and may incorporate plans prepared at the  
 103 regional level, including plans developed pursuant to s.

104 161.101(2)(b), taking into account areas of greatest need and  
 105 probable federal and local funding. Upon approval in accordance  
 106 with this section, such ~~regional~~ plans, along with the 3-year  
 107 work plan identified in subparagraph (c)1., must serve as the  
 108 basis for state funding decisions. Before finalizing the  
 109 strategic beach management plan, the department shall hold a  
 110 public meeting in the region for which the plan is prepared or  
 111 hold a publicly noticed webinar.

112 Section 3. Paragraph (a) of subsection (2) of section  
 113 380.05, Florida Statutes, is amended to read:

114 380.05 Areas of critical state concern.—  
 115 (2) An area of critical state concern may be designated  
 116 only for:

Page 4 of 8

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601-02526-26 2026636c1

117 (a) An area containing, or having a significant impact  
 118 upon, environmental or natural resources of regional or  
 119 statewide importance, including, but not limited to, state or  
 120 federal parks; ~~r~~ forests; ~~r~~ wildlife refuges; ~~r~~ wilderness areas; ~~r~~  
 121 aquatic preserves; ~~r~~ major rivers and estuaries; ~~r~~ state  
 122 environmentally endangered lands; ~~r~~ Outstanding Florida Waters; ~~r~~  
 123 low elevation sections immediately inland of the beach-dune  
 124 system which have been repeatedly breached or overtopped by  
 125 seawater flowing into an interconnected stormwater system or  
 126 which have been designated in a local emergency declaration for  
 127 a prolonged period; and aquifer recharge areas, the uncontrolled  
 128 private or public development of which would cause substantial  
 129 deterioration of such resources. Specific criteria which must  
 130 shall be considered in designating an area under this paragraph  
 131 include:  
 132 1. Whether the economic value of the area, as determined by  
 133 the type, variety, distribution, relative scarcity, and  
 134 condition of the environmental or natural resources within the  
 135 area, is of substantial regional or statewide importance.  
 136 2. Whether the ecological value of the area, as determined  
 137 by the physical and biological components of the environmental  
 138 system, is of substantial regional or statewide importance.  
 139 3. Whether the area is a designated critical habitat of any  
 140 state or federally designated threatened or endangered plant or  
 141 animal species.  
 142 4. Whether the area is inherently susceptible to  
 143 substantial development due to its geographic location or  
 144 natural aesthetics.  
 145 5. Whether any existing or planned substantial development

Page 5 of 8

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601-02526-26 2026636c1

146 within the area will directly, significantly, and deleteriously  
 147 affect any ~~or~~ all of the environmental or natural resources of  
 148 the area which are of regional or statewide importance.  
 149 Section 4. For the purpose of incorporating the amendment  
 150 made by this act to section 380.05, Florida Statutes, in  
 151 references thereto, subsections (1), (3), and (5) of section  
 152 380.045, Florida Statutes, are reenacted to read:  
 153 380.045 Resource planning and management committees;  
 154 objectives; procedures.—  
 155 (1) Prior to recommending an area as an area of critical  
 156 state concern pursuant to s. 380.05, the Governor, acting as the  
 157 chief planning officer of the state, shall appoint a resource  
 158 planning and management committee for the area under study by  
 159 the state land planning agency. The objective of the committee  
 160 shall be to organize a voluntary, cooperative resource planning  
 161 and management program to resolve existing, and prevent future,  
 162 problems which may endanger those resources, facilities, and  
 163 areas described in s. 380.05(2) within the area under study by  
 164 the state land planning agency.  
 165 (3) Not later than 12 months after its appointment by the  
 166 Governor, the committee shall either adopt a proposed voluntary  
 167 resource planning and management program for the area under  
 168 study or recommend that a voluntary resource planning and  
 169 management program not be adopted. The proposed voluntary  
 170 resource planning and management program shall contain the  
 171 committee findings with respect to problems that endanger those  
 172 resources, facilities, and areas described in s. 380.05(2) and  
 173 shall contain detailed recommendations for state, regional, and  
 174 local governmental actions necessary to resolve current and

Page 6 of 8

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601-02526-26

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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.

Page 7 of 8

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601-02526-26

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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.

Page 8 of 8

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The Florida Senate

2/12/26

Meeting Date

FP

Committee

# APPEARANCE RECORD

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

SB 636

Bill Number or Topic

Name Pepper Uchino

Phone 850 906 9227

Address PO Box 13146  
Street

Email pepper@fsbpa.com

Tallahassee FL

32317

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 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. [2020-2022JointRules.pdf](http://flsenate.gov/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/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	<b>Fav/CS</b>
2. Sanders	Betta	AEG	<b>Favorable</b>
3. Knudson	Siples	FP	<b>Fav/CS</b>

**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.<sup>1</sup> As part of their regulatory oversight, the OIR may suspend or revoke an insurer’s certificate of authority under certain conditions.<sup>2</sup> 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.<sup>3</sup> As part of the examination

<sup>1</sup> 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.

<sup>2</sup> Section 624.418, F.S.

<sup>3</sup> 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.<sup>4</sup> The OIR is also authorized to conduct market conduct examinations to determine compliance with applicable provisions of the Insurance Code.<sup>5</sup>

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,<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

### **Surplus Lines Insurance**

Surplus lines insurance is the market of last resort for difficult to place commercial and personal lines risks in Florida.<sup>9</sup> 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” insurer<sup>10</sup> 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.<sup>11</sup>

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.<sup>12</sup> 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.<sup>13</sup> 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.<sup>14</sup> In the event of a surplus lines insurer’s insolvency, surplus lines policies are not protected under

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<sup>4</sup> Section 624.318(2), F.S.

<sup>5</sup> Section 624.3161, F.S.

<sup>6</sup> An “authorized” or “admitted” insurer is one duly authorized by a COA to transact insurance in this state.

<sup>7</sup> The Insurance Code consists of chs. 624-632, 634, 635, 636, 641, 642, 648, and 651, F.S.

<sup>8</sup> 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.

<sup>9</sup> 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.).

<sup>10</sup> 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.

<sup>11</sup> Section 626.915, F.S.

<sup>12</sup> Section 626.916(1)(b), F.S.

<sup>13</sup> Section 626.916(1)(c), F.S.

<sup>14</sup> 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.<sup>15</sup> Citizens is not a private insurance company.<sup>16</sup> 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).<sup>17</sup>

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.<sup>18</sup> The Governor, President of the Senate, Speaker of the House of Representatives, and Chief Financial Officer each appoint two members to the board.<sup>19</sup> The Governor appoints an additional member who serves solely to advocate on behalf of the consumer.<sup>20</sup> 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.<sup>21</sup> 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

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<sup>15</sup> The term “admitted market” means insurance companies licensed to transact insurance in Florida.

<sup>16</sup> Section 627.351(6)(a)1., F.S.

<sup>17</sup> Section 2, ch. 2002-240, Laws of Fla.

<sup>18</sup> Section 627.351(6)(a)2., F.S.

<sup>19</sup> Section 627.351(6)(c)4.a., F.S.

<sup>20</sup> Section 627.351(6)(c)4., F.S.

<sup>21</sup> 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.<sup>22</sup>

- HO-4: Renter's insurance that covers the personal property of tenants damaged by a broad list perils specifically listed in the policy.<sup>23</sup>
- 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.<sup>24</sup>
- 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.<sup>25</sup>
  - 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.<sup>26</sup>
- Personal lines coverage covering manufactured homes and mobile homes.<sup>27</sup>
  - 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.<sup>28</sup>

<sup>22</sup> 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](https://content.naic.org/sites/default/files/committees_c_trans_read_wg_related_shopping_tool_singles.pdf) (last visited Jan. 23, 2026).

<sup>23</sup> 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).

<sup>24</sup> *See id.*

<sup>25</sup> 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](https://content.naic.org/sites/default/files/committees_c_trans_read_wg_related_shopping_tool_singles.pdf) (last visited Jan. 23, 2026).

<sup>26</sup> Citizens Property Insurance Corporation, *Insurance 101 – Policy Types – Personal Policies*, <https://www.citizensfla.com/es/personal-policies> (last accessed Jan. 23, 2026).

<sup>27</sup> *Id.*

<sup>28</sup> 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.<sup>29</sup>

### ***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.<sup>30</sup> 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.<sup>31</sup>

### ***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.<sup>32</sup> 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.<sup>33</sup> 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.<sup>34</sup>

### ***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.<sup>35</sup> 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.<sup>36</sup> 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.<sup>37</sup>

<sup>29</sup> See s. 627.351(2)(c) and s. 627.351(6)(c)1., F.S.

<sup>30</sup> Section 627.351(6)(c)5., F.S.

<sup>31</sup> 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).

<sup>32</sup> Section 627.351(6)(c)5., F.S.

<sup>33</sup> Section 627.351(6)(c)5.a., F.S.

<sup>34</sup> *Id.*

<sup>35</sup> Section 627.351(6)(a)3., F.S.

<sup>36</sup> Section 627.351(6)(a)3.d., F.S.

<sup>37</sup> The OIR, Final Order Case No: 165625-14, Dec. 22, 2014, [https://flio.r.gov/docs-sf/default-source/property-and-casualty/other-property-casualty-reports/citizens165625-14-o.pdf?sfvrsn=28d33b74\\_4](https://flio.r.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.<sup>38</sup>

### **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.<sup>39</sup>

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.<sup>40</sup> 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.<sup>41</sup> In 2021, the Legislature revised this glidepath to increase it one percent per year to up to 15 percent, as follows:<sup>42</sup>

- 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.<sup>43</sup> 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.<sup>44</sup> New or renewal personal lines policies that do not cover a primary residence<sup>45</sup> 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.<sup>46</sup>

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<sup>38</sup> 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).

<sup>39</sup> Section 627.351(6)(n), F.S.

<sup>40</sup> Section 15, ch. 2006-12, Laws of Fla.

<sup>41</sup> Section 10, ch. 2009-87, Laws of Fla.

<sup>42</sup> Section 627.351(6)(n)5., F.S.

<sup>43</sup> Section 627.351(6)(n)7., F.S.

<sup>44</sup> Section 627.351(6)(n)6., F.S.

<sup>45</sup> 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.”

<sup>46</sup> 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.<sup>47</sup> Citizens had 1,407,805 policies in force as of September 20, 2023.<sup>48</sup> Citizens' policies in force dropped below one million (988,901) in November 2024<sup>49</sup>, and dropped below 500,000 in November 2025 to a policy count of 437,095.<sup>50</sup>

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.

<sup>47</sup> 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.

<sup>48</sup> Citizens Property Insurance Corporation, Detail by Account (September 30, 2023),

<https://www.citizensfla.com/documents/20702/29445101/20230930+Detail+by+Account.pdf/5dd8e99a-ae67-d93a-9d40-f18348bf06c4?t=1706637209300> (last visited Jan. 23, 2026).

<sup>49</sup> 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).

<sup>50</sup> 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.<sup>51</sup> 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.<sup>52</sup> In 2025, the OIR approved 35 take-out programs.<sup>53</sup>

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.<sup>54</sup> 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.<sup>55</sup> 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.<sup>56</sup> The program is designed to ensure a risk is eligible for Citizens

<sup>51</sup> 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](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).

<sup>52</sup> Office of Insurance Regulation, *Take-Out Companies*, <https://floir.gov/property-casualty/take-out-companies> (last visited Jan. 23, 2026).

<sup>53</sup> Office of Insurance Regulation, *Take-Out Companies, 2025 Company Approvals*, <https://floir.gov/property-casualty/take-out-companies> (last visited Jan. 23, 2026).

<sup>54</sup> See Section 1 of chapter 2004-179, Laws of Florida.

<sup>55</sup> Section 627.351(6)(c)2.a.(III), F.S.

<sup>56</sup> 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.<sup>57</sup> 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.<sup>58</sup>

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.<sup>59</sup> 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.<sup>60</sup> 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.<sup>61</sup>

### **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

<sup>57</sup> Section 627.3518(2)-(3), F.S.

<sup>58</sup> Section 627.3518(5), F.S.

<sup>59</sup> Section 627.3518(2), F.S.

<sup>60</sup> 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).

<sup>61</sup> 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 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.<sup>62</sup>

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

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<sup>62</sup> 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.



LEGISLATIVE ACTION

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

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

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Paragraph (oo) is added to subsection (6) of  
6 section 627.351, Florida Statutes, to read:

7                   627.351 Insurance risk apportionment plans.—

8                   (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

9                   (oo) For commercial residential and commercial  
10 nonresidential risks, if an approved surplus lines clearinghouse



844932

11 insurer offers coverage under s. 627.3518(6)(c)2. and the total  
12 cost of such coverage is not more than 20 percent greater than  
13 the total cost of insurance coverage from the corporation, the  
14 corporation may not issue or renew coverage unless it imposes an  
15 equalization adjustment on such policy equal to the amount by  
16 which the total cost of insurance coverage offered by the  
17 approved surplus lines clearinghouse insurer exceeds the total  
18 cost of insurance coverage from the corporation. If the total  
19 cost of insurance from the approved surplus lines clearinghouse  
20 insurer does not exceed the total cost of corporation coverage,  
21 the corporation may not impose the equalization adjustment. If  
22 more than one approved surplus lines clearinghouse insurer  
23 offers coverage under s. 627.3518(6)(c)2., the lowest offered  
24 total cost of insurance coverage applies for purposes of this  
25 paragraph. The total cost of insurance coverage includes, but is  
26 not limited to, the premium, fees, surcharges, and applicable  
27 taxes. An offer submitted by a surplus lines clearinghouse  
28 insurer which is declined by the applicant or policyholder,  
29 expires, or is not accepted by the applicant or policyholder for  
30 any reason does not relieve the corporation from its obligation,  
31 if any, to impose an equalization adjustment as set forth in  
32 this paragraph. An equalization adjustment applied pursuant to  
33 this paragraph expires at the end of the policy term. For the  
34 purposes of this paragraph, the term "equalization adjustment"  
35 means a temporary policy term-only adjustment applied solely for  
36 purposes of evaluating and comparing offers of coverage on a  
37 comparable basis under this section. An equalization adjustment  
38 does not constitute a rate, premium, surcharge, or filing; does  
39 not modify or affect any rate, rating plan, rule, or filing



844932

40 approved for the corporation; and expires by operation of law at  
41 the end of the applicable policy term.

42       Section 2. Section 627.3518, Florida Statutes, is amended  
43 to read:

44       627.3518 Citizens Property Insurance Corporation  
45 policyholder eligibility clearinghouse program.—The purpose of  
46 this section is to provide a framework for the corporation to  
47 implement a clearinghouse program by January 1, 2014.

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

49           (a) "Approved surplus lines clearinghouse insurer" means an  
50 eligible surplus lines insurer that has a financial strength  
51 rating of "A-" or higher and a financial size category of A-VII  
52 or higher from A.M. Best Company which the clearinghouse  
53 administrator recommends for participation in the program and  
54 which the office verifies meets the requirements for  
55 participation in the program within 10 business days after the  
56 commercial lines clearinghouse administrator's recommendation.  
57 If the office does not complete such verification within the 10-  
58 business-day period, the insurer shall be deemed verified for  
59 purposes of participation in the program.

60           (b) "Authorized insurer" means an insurer authorized to act  
61 as an insurer by a subsisting certificate of authority issued to  
62 the insurer by the office.

63           (c) "Commercial lines clearinghouse administrator" means  
64 the individual or entity employed or otherwise contracted by the  
65 corporation to provide administrative or professional services  
66 to implement the commercial lines clearinghouse required  
67 pursuant to subparagraph (2) (b)1. within the corporation as set  
68 forth in paragraph (3) (b).



69        (d) "Comparable coverage" means coverage that has material  
70        terms and conditions that are substantially equivalent to or  
71        better than coverage from the corporation as to all aspects of  
72        such coverage, as determined by the corporation through the  
73        clearinghouse process and applicable program standards.

74        (e) "Corporation" means Citizens Property Insurance  
75        Corporation.

76        (f) (b) "Exclusive agent" means any licensed insurance agent  
77        that has, by contract, agreed to act exclusively for one company  
78        or group of affiliated insurance companies and is disallowed by  
79        the provisions of that contract to directly write for any other  
80        unaffiliated insurer absent express consent from the company or  
81        group of affiliated insurance companies.

82        (g) (e) "Independent agent" means any licensed insurance  
83        agent not described in paragraph (e) (b).

84        (h) "Primary residence" has the same meaning as in s.  
85        627.351(6)(c)2.a.

86        (i) (d) "Program" means the clearinghouse created under this  
87        section, consisting of the personal lines clearinghouse and the  
88        commercial lines clearinghouse.

89        (j) "Surplus lines agent" means an insurance agent licensed  
90        pursuant to s. 626.927 or s. 626.9272.

91        (2) (a) The corporation shall establish a personal lines  
92        clearinghouse in order to confirm an applicant's eligibility  
93        with the corporation, and to enhance access of new applicants  
94        for personal lines coverage and existing personal lines  
95        policyholders of the corporation to offers of coverage from  
96        authorized insurers, and the corporation shall establish a  
97        program for personal residential risks in order to facilitate



844932

98 the diversion of ineligible applicants and existing  
99 policyholders from the corporation into the voluntary insurance  
100 market.

101 (b)1. The corporation shall amend its plan of operation and  
102 implement on or before January 1, 2027, a commercial lines  
103 clearinghouse in order to enhance access to offers of coverage  
104 from approved surplus lines clearinghouse insurers for new  
105 applicants for commercial residential coverage and commercial  
106 nonresidential coverage and existing commercial residential and  
107 commercial nonresidential policyholders of the corporation.

108 2. To facilitate the diversion of ineligible applicants and  
109 existing policyholders from the corporation to authorized  
110 insurers, the corporation shall implement, on or before January  
111 1, 2027, a separate commercial lines clearinghouse to confirm  
112 eligibility for coverage from the corporation and to enhance  
113 access to offers of coverage from authorized insurers for new  
114 applicants for commercial residential and commercial  
115 nonresidential coverage and existing commercial residential and  
116 commercial nonresidential policyholders of the corporation shall  
117 also develop appropriate procedures for facilitating the  
118 diversion of ineligible applicants and existing policyholders  
119 for commercial residential coverage into the private insurance  
120 market and shall report such procedures to the President of the  
121 Senate and the Speaker of the House of Representatives by  
122 January 1, 2014.

123 (3) The corporation board shall establish the clearinghouse  
124 program as an organizational unit within the corporation. The  
125 program shall have all the rights and responsibilities in  
126 carrying out its duties as a licensed general lines agent and a



844932

127 surplus lines agent, but may not be required to employ or engage  
128 a licensed general lines agent or a surplus lines agent, or to  
129 maintain an insurance agency license to carry out its activities  
130 in the solicitation and placement of insurance coverage. In  
131 establishing the program, the corporation has all of the  
132 following rights and responsibilities may:

133 (a) Before binding or renewing coverage by the corporation,  
134 the corporation:

135 1. May require all new applications for personal lines  
136 coverage, and all personal lines policies due for renewal, to be  
137 submitted for coverage to the program in order to facilitate  
138 obtaining an offer of coverage from an authorized insurer.

139 2. May, if the corporation establishes a clearinghouse  
140 pursuant to subparagraph (2)b.2., require all new applications  
141 for commercial lines coverage, and all commercial lines policies  
142 due for renewal, to be submitted for coverage to the program in  
143 order to facilitate obtaining an offer of coverage from an  
144 authorized insurer.

145 3. Shall require all new applications for commercial lines  
146 coverage, and all commercial lines policies due for renewal, to  
147 be initially submitted for coverage through the commercial lines  
148 clearinghouse as a single point of intake for both the  
149 corporation and the program in order to facilitate obtaining an  
150 offer of coverage from an approved surplus lines clearinghouse  
151 insurer before binding or renewing coverage by the corporation.

152 (b) Shall establish and maintain the operational systems  
153 and procedures necessary to implement the program.

154 (c) May employ or otherwise contract with individuals or  
155 other entities for appropriate administrative or professional



844932

156 services to effectuate the plan within the corporation in  
157 accordance with the applicable purchasing requirements under s.  
158 627.351 and, for purposes of implementing the commercial lines  
159 clearinghouse and providing offers of coverage from approved  
160 surplus lines clearinghouse insurers on or before January 1,  
161 2027, contract with such individuals or entities in accordance  
162 with s. 287.057(3)(c).

163 (d) (e) May enter into contracts with any authorized insurer  
164 and any approved surplus lines clearinghouse insurer to  
165 participate in the program and accept an appointment by such  
166 insurer.

167 (e) (d) May provide funds to operate the program. Insurers  
168 and agents participating in the program are not required to pay  
169 a fee to offset or partially offset the cost of the program or  
170 use the program for renewal of policies initially written  
171 through the clearinghouse. Notwithstanding this paragraph, any  
172 commercial lines clearinghouse administrator may charge approved  
173 surplus lines clearinghouse insurers participating in the  
174 program reasonable transaction, technology, administration, and  
175 other similar fees. All fees charged by the commercial lines  
176 clearinghouse administrator must be fair.

177 (f) Shall include separate components for authorized  
178 insurers and approved surplus lines insurers with respect to the  
179 commercial lines clearinghouse, each of which shall be  
180 independently operated and independently funded.

181 (g) In the event that there is insufficient commercial  
182 support for any component of the commercial lines clearinghouse,  
183 shall be relieved of its obligations with respect to that  
184 component for which there is insufficient commercial support.



844932

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,



844932

214 establish criteria to determine the capabilities necessary for  
215 the commercial lines clearinghouse administrator. For  
216 facilitating offers of surplus lines coverage, such criteria  
217 must include confirmed expertise in the surplus lines market, at  
218 least 5 years of publicly available audited financial  
219 statements, the ability to facilitate all approved surplus lines  
220 clearinghouse insurers to participate in the commercial lines  
221 clearinghouse, and other criteria that the corporation  
222 determines necessary to effectively establish, administer,  
223 manage offers of surplus lines coverage through the commercial  
224 lines clearinghouse, and the ability to collect and remit,  
225 either directly or through a surplus lines agent, all taxes  
226 pursuant to s. 626.932 and service fees pursuant to s. 626.9325.

227 (l) Shall select a commercial lines clearinghouse  
228 administrator within 90 days after the effective date of this  
229 act.

230 (m) May allow the commercial lines clearinghouse  
231 administrator to establish procedures and account clearance  
232 requirements the commercial lines clearinghouse administrator  
233 deems necessary to ensure an orderly process for offers of  
234 coverage to be provided by authorized insurers or approved  
235 surplus lines clearinghouse insurers participating in the  
236 commercial lines clearinghouse and to avoid multiple offers of  
237 coverage from the same insurer for the same risk.

238 (n) Must submit to the commercial lines clearinghouse  
239 administrator its coverage terms and conditions, deductible  
240 structures, and unalterable indicated total cost of insurance  
241 coverage, which must include, but is not limited to, the  
242 premium, fees, surcharges, and applicable taxes for the subject



844932

243 risk before any approved surplus lines clearinghouse insurer is  
244 provided a submission for coverage pursuant to the program by  
245 any applicant for new coverage from the corporation or any  
246 policyholder of the corporation. Upon completion of such  
247 submission, the commercial lines clearinghouse administrator  
248 shall provide the corporation's unalterable indicated coverage  
249 terms and conditions and deductible structures, but may not  
250 provide the indicated total cost of corporation insurance  
251 coverage, to the approved surplus lines clearinghouse insurers  
252 participating in the program. The commercial lines clearinghouse  
253 administrator shall determine, through established procedures,  
254 whether a submission is complete before release, which  
255 submission requires, at a minimum, a validated application from  
256 the agent and the corporation's unalterable indicated total cost  
257 of insurance, coverage terms and conditions, and deductible  
258 structures. The commercial lines clearinghouse administrator  
259 shall then use the corporation's unalterable indication to  
260 determine whether any offers of coverage from approved surplus  
261 lines clearinghouse insurers satisfy the requirements set forth  
262 in s. 627.351(6)(oo) and subparagraph (6)(c)2. The corporation  
263 may not bind or otherwise communicate, indicate, or make an  
264 offer of coverage to an applicant or policyholder, or its agent,  
265 or otherwise accept coverage until the commercial lines  
266 clearinghouse administrator has determined that a complete  
267 submission has been made, affirmatively releases one or more  
268 offers of coverage from approved surplus lines clearinghouse  
269 insurers, or affirms that no clearinghouse insurer offer of  
270 coverage has been made, and at least 5 business days have  
271 elapsed from the date of such release, unless waived in writing.



844932

272 Any change to the corporation's coverage terms and conditions,  
273 deductible structures, or indicated total cost of insurance  
274 coverage constitutes a new submission by the corporation under  
275 this paragraph. The validation period described in this  
276 paragraph applies regardless of any proposed effective date,  
277 renewal date, or expiration date of the policy and may not be  
278 shortened or bypassed based on timing considerations relating to  
279 binding or renewal.

280 (4) The corporation may share risk exposure and policy  
281 information with the commercial lines clearinghouse  
282 administrator and, through the commercial lines clearinghouse,  
283 the commercial lines clearinghouse administrator may use such  
284 information as necessary to operate and administer the  
285 commercial lines clearinghouse and ensure the orderly, timely,  
286 and transparent assessment of risks by insurers participating in  
287 the commercial lines clearinghouse.

288 (5) Any authorized insurer may participate in the program;  
289 however, participation is not mandatory for any insurer.

290 Approved surplus lines clearinghouse insurers may participate in  
291 the commercial lines clearinghouse but may not participate in  
292 the personal lines clearinghouse; however, participation in the  
293 program is not mandatory for any surplus lines insurer. Insurers  
294 making offers of coverage to new applicants or renewal  
295 policyholders through the program:

296 (a) May not be required to individually appoint any agent  
297 whose customer is underwritten and bound through the program.  
298 Notwithstanding s. 626.112, insurers are not required to appoint  
299 any agent on a policy underwritten through the program for as  
300 long as that policy remains with the insurer. Insurers may, at



844932

301 their election, appoint any agent or surplus lines agent whose  
302 direct or indirect customer is initially underwritten and bound  
303 through the program. In the event an insurer accepts a policy  
304 from an agent who is not appointed pursuant to this paragraph,  
305 and thereafter elects to accept a policy from such agent, the  
306 provisions of s. 626.112 requiring appointment apply to the  
307 agent.

308 (b) Must enter into a limited agency agreement with each  
309 agent or surplus lines agent that is not appointed in accordance  
310 with paragraph (a) and whose direct or indirect customer is  
311 underwritten and bound through the program. In addition, a  
312 surplus lines agent that enters into a limited agency or broker  
313 agreement with an approved surplus lines clearinghouse insurer  
314 making an offer of coverage through the program must also enter  
315 into a limited agency or broker agreement with each producing  
316 agent whose customer is underwritten and bound through the  
317 program.

318 (c) Must enter into its standard agency agreement with each  
319 agent or surplus lines agent whose direct or indirect customer  
320 is underwritten and bound through the program when that agent or  
321 surplus lines agent has been appointed by the insurer pursuant  
322 to s. 626.112. In addition, a surplus lines agent that enters  
323 into a standard agency or broker agreement with an approved  
324 surplus lines clearinghouse insurer making an offer of coverage  
325 through the program must also enter into a limited agency or  
326 broker agreement with each producing agent whose customer is  
327 underwritten and bound through the program.

328 (d) Must comply with s. 627.4133(2) or, if the insurer is  
329 an approved surplus lines clearinghouse insurer, s. 626.9201.



844932

330        (e) May participate through their designated single-  
331 designated managing general agent, managing general underwriter,  
332 or broker, or surplus lines agent; however, the provisions of  
333 paragraph (7)(a) +6(a) regarding ownership, control, and use of  
334 the expirations continue to apply.

335        (f) For authorized insurers, must pay to the producing  
336 agent a commission equal to that paid by the corporation or the  
337 usual and customary commission paid by the insurer for that line  
338 of business, whichever is greater.

339        (g) For approved surplus lines clearinghouse insurers, when  
340 coverage is placed through the clearinghouse with an approved  
341 surplus lines clearinghouse insurer, must pay a total commission  
342 or equivalent compensation on gross written premium, exclusive  
343 of fees, surcharges, and taxes, to the surplus lines agent,  
344 managing general agent, or managing general underwriter placing  
345 the risk. The surplus lines agent, managing general agent, or  
346 managing general underwriter must pay the producing agent a  
347 commission that results in an effective commission percentage at  
348 least equal to the commission percentage published by the  
349 corporation and in effect on January 1, 2026, calculated in the  
350 same manner and on the same basis used by the corporation, and  
351 shall retain the remainder of the total commission or equivalent  
352 compensation. This paragraph does not prohibit an agent from  
353 voluntarily accepting a lower commission at the agent's sole  
354 discretion. As used in this paragraph, the term "effective  
355 commission percentage" means the commission expressed as a  
356 percentage of premium, exclusive of all fees, assessments,  
357 surcharges, and taxes.

358        (6) (a) +5 Notwithstanding s. 627.3517, any applicant for



844932

359 new personal lines coverage from the corporation is not eligible  
360 for coverage from the corporation if provided an offer of  
361 comparable coverage from an authorized insurer through the  
362 program at a premium that is at or below the eligibility  
363 threshold for applicants for new coverage of a primary residence  
364 established in s. 627.351(6)(c)5.a., or for applicants for new  
365 coverage of a risk that is not a primary residence established  
366 in s. 627.351(6)(c)5.b. Whenever an offer of comparable coverage  
367 for a personal lines risk is received for a policyholder of the  
368 corporation at renewal from an authorized insurer through the  
369 program which is at or below the eligibility threshold for  
370 primary residences of policyholders of the corporation  
371 established in s. 627.351(6)(c)5.a., or the eligibility  
372 threshold for risks that are not primary residences of  
373 policyholders of the corporation established in s.  
374 627.351(6)(c)5.b., the risk is not eligible for coverage with  
375 the corporation. In the event an offer of coverage for a new  
376 applicant is received from an authorized insurer through the  
377 program, and the premium offered exceeds the eligibility  
378 threshold for applicants for new coverage of a primary residence  
379 established in s. 627.351(6)(c)5.a., or the eligibility  
380 threshold for applicants for new coverage on a risk that is not  
381 a primary residence established in s. 627.351(6)(c)5.b., the  
382 applicant or insured may elect to accept such coverage, or may  
383 elect to accept or continue coverage with the corporation. In  
384 the event an offer of coverage for a personal lines risk is  
385 received from an authorized insurer at renewal through the  
386 program, and the premium offered exceeds the eligibility  
387 threshold for primary residences of policyholders of the



844932

388 corporation established in s. 627.351(6)(c)5.a., or exceeds the  
389 eligibility threshold for risks that are not primary residences  
390 of policyholders of the corporation established in s.  
391 627.351(6)(c)5.b., the insured may elect to accept such  
392 coverage, or may elect to accept or continue coverage with the  
393 corporation. Section 627.351(6)(c)5.a.(I) and b.(I) does not  
394 apply to an offer of coverage from an authorized insurer  
395 obtained through the program. ~~As used in this subsection, the~~  
396 ~~term "primary residence" has the same meaning as in s.~~  
397 ~~627.351(6)(c)2.a.~~

398 (b) Any applicant for new commercial lines residential  
399 coverage from the corporation is not eligible for coverage from  
400 the corporation if provided an offer of comparable coverage from  
401 the corporation as to all aspects of such coverage from an  
402 authorized insurer through the program at a premium that is at  
403 or below the eligibility threshold for applicants for new  
404 coverage established in s. 627.351(6)(c)5.c. The determination  
405 of whether an offer of comparable coverage from an authorized  
406 insurer through the program is at or below the eligibility  
407 threshold must be made before the submission of the  
408 corporation's coverage terms and conditions, deductible  
409 structures, and unalterable indicated total cost of insurance is  
410 provided to the commercial lines clearinghouse administrator.  
411 Whenever an offer of comparable coverage from the corporation as  
412 to all aspects of such coverage for a commercial lines  
413 residential risk is received for a policyholder of the  
414 corporation at renewal from an authorized insurer through the  
415 program which is at or below the eligibility threshold in s.  
416 627.351(6)(c)5.c., the risk is not eligible for coverage from



844932

417 the corporation. In the event that an offer of coverage for a  
418 new applicant is received from an authorized insurer through the  
419 program, and the premium offered exceeds the eligibility  
420 threshold established in s. 627.351(6)(c)5.c., the applicant or  
421 insured may elect to accept such coverage or may elect to accept  
422 or continue coverage with the corporation. In the event that an  
423 offer of coverage for a commercial lines residential risk is  
424 received from an authorized insurer at renewal through the  
425 program, and the premium offered exceeds the eligibility  
426 threshold for policyholders of the corporation established in s.  
427 627.351(6)(c)5.c., the insured may elect to accept such coverage  
428 or may elect to accept or continue coverage with the  
429 corporation. Section 627.351(6)(c)5.c.(I) does not apply to an  
430 offer of coverage from an authorized insurer obtained through  
431 the program.

432 (c)1. Except as provided in subparagraph 2., any applicant  
433 for new commercial lines residential coverage or commercial  
434 lines nonresidential coverage from the corporation and any  
435 policyholder of the corporation, when such applicant or  
436 corporation policyholder is offered commercial lines residential  
437 or commercial lines nonresidential coverage pursuant to the  
438 program by an approved surplus lines clearinghouse insurer,  
439 remains eligible for coverage from the corporation. The  
440 applicant or policyholder receiving an offer from an approved  
441 surplus lines clearinghouse insurer may elect to accept such  
442 coverage or may elect to accept or continue coverage with the  
443 corporation.

444 2. Any applicant for new commercial lines residential  
445 coverage or commercial lines nonresidential coverage from the



844932

446 corporation and any policyholder of the corporation, when such  
447 applicant or corporation policyholder is offered commercial  
448 lines residential or commercial lines nonresidential coverage by  
449 an approved surplus lines insurer pursuant to the program and  
450 such offered coverage is comparable coverage, and the total cost  
451 of such insurance coverage is not more than 20 percent greater  
452 than the total cost of insurance coverage from the corporation,  
453 may elect to accept such coverage from the approved surplus  
454 lines clearinghouse insurer or may elect to accept or continue  
455 coverage with the corporation, but, if electing corporation  
456 coverage, such applicant or policyholder must pay the total cost  
457 of insurance for corporation coverage that is subject to s.  
458 627.351(6)(oo).

459 3. Section 627.351(6)(c).5.c.(I) does not apply to an offer  
460 of coverage from an approved surplus lines clearinghouse insurer  
461 obtained through the program.

462 (7)(6) Independent insurance agents submitting new  
463 applications for coverage or that are the agent of record on a  
464 renewal policy submitted to the program:

465 (a) Are granted and must maintain ownership and the  
466 exclusive use of expirations, records, or other written or  
467 electronic information directly related to such applications or  
468 renewals written through the corporation or through an insurer  
469 participating in the program, notwithstanding s. 627.351(5)(a),  
470 s. 627.351(6)(c).5.a.(I)(B) and (II)(B), or s.  
471 627.351(6)(c).5.b.(I)(B) and (II)(B). Such ownership is granted  
472 for as long as the insured remains with the agency or until sold  
473 or surrendered in writing by the agent. Contracts with the  
474 corporation or required by the corporation or with any insurer



844932

475 or surplus lines agent may ~~must~~ not amend, modify, interfere  
476 with, or limit such rights of ownership. Such expirations,  
477 records, or other written or electronic information may be used  
478 to review an application, issue a policy, or for any other  
479 purpose necessary for placing such business through the program.

480 (b) May not be required to be appointed by any insurer  
481 participating in the program for policies written solely through  
482 the program, notwithstanding the provisions of s. 626.112.

483 (c) May accept an appointment from any insurer  
484 participating in the program.

485 (d) May enter into either a standard or limited agency  
486 agreement with the insurer, at the insurer's option, and may  
487 enter into agreements with a surplus lines agent.

488  
489 Applicants ineligible for coverage in accordance with subsection  
490 (6) ~~(5)~~ remain ineligible if their independent agent is  
491 unwilling or unable to enter into a standard or limited agency  
492 agreement with an insurer participating in the program.

493 (8) ~~(7)~~ Exclusive agents submitting new applications for  
494 coverage or that are the agent of record on a renewal policy  
495 submitted to the program:

496 (a) Must maintain ownership and the exclusive use of  
497 expirations, records, or other written or electronic information  
498 directly related to such applications or renewals written  
499 through the corporation or through an insurer participating in  
500 the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and  
501 (II)(B) or s. 627.351(6)(c)5.b.(I)(B) and (II)(B). Contracts  
502 with the corporation or required by the corporation must not  
503 amend, modify, interfere with, or limit such rights of



844932

504 ownership. Such expirations, records, or other written or  
505 electronic information may be used to review an application,  
506 issue a policy, or for any other purpose necessary for placing  
507 such business through the program.

508 (b) May not be required to be appointed by any insurer  
509 participating in the program for policies written solely through  
510 the program, notwithstanding the provisions of s. 626.112.

511 (c) Must only facilitate the placement of an offer of  
512 coverage from an insurer whose limited servicing agreement is  
513 approved by that exclusive agent's exclusive insurer.

514 (d) May enter into a limited servicing agreement with the  
515 insurer making an offer of coverage, and only after the  
516 exclusive agent's insurer has approved the limited servicing  
517 agreement terms. The exclusive agent's insurer must approve a  
518 limited service agreement for the program for any insurer for  
519 which it has approved a service agreement for other purposes.

520  
521 Applicants ineligible for coverage in accordance with subsection  
522 (6) ~~(5)~~ remain ineligible if their exclusive agent is unwilling  
523 or unable to enter into a standard or limited agency agreement  
524 with an insurer making an offer of coverage to that applicant.

525 (9) ~~(8)~~ Submission of an application for coverage by the  
526 corporation to the program does not constitute the binding of  
527 coverage by the corporation, and failure of the program to  
528 obtain an offer of coverage by an insurer may not be considered  
529 acceptance of coverage of the risk by the corporation.

530 (10) ~~(9)~~ The 45-day notice of nonrenewal requirement set  
531 forth in s. 627.4133(2)(b)5. applies when a policy is nonrenewed  
532 by the corporation because the risk has received an offer of



844932

533 coverage pursuant to this section which renders the risk  
534 ineligible for coverage by the corporation.

535 ~~(10) The program may not include commercial nonresidential  
536 policies.~~

537 (11) Proprietary business information provided to the  
538 corporation's clearinghouse by insurers with respect to  
539 identifying and selecting risks for an offer of coverage is  
540 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
541 of the State Constitution.

542 (a) As used in this subsection, the term "proprietary  
543 business information" means information, regardless of form or  
544 characteristics, which is owned or controlled by an insurer and:

545 1. Is identified by the insurer as proprietary business  
546 information and is intended to be and is treated by the insurer  
547 as private in that the disclosure of the information would cause  
548 harm to the insurer, an individual, or the company's business  
549 operations and has not been disclosed unless disclosed pursuant  
550 to a statutory requirement, an order of a court or  
551 administrative body, or a private agreement that provides that  
552 the information will not be released to the public;

553 2. Is not otherwise readily ascertainable or publicly  
554 available by proper means by other persons from another source  
555 in the same configuration as provided to the clearinghouse; and

556 3. Includes:

557 a. Trade secrets, as defined in s. 688.002.

558 b. Information relating to competitive interests, the  
559 disclosure of which would impair the competitive business of the  
560 provider of the information.



844932

562 Proprietary business information may be found in underwriting  
563 criteria or instructions which are used to identify and select  
564 risks through the program for an offer of coverage and are  
565 shared with the clearinghouse to facilitate the shopping of  
566 risks with the insurer.

567 (b) The clearinghouse may disclose confidential and exempt  
568 proprietary business information:

569 1. If the insurer to which it pertains gives prior written  
570 consent;

571 2. Pursuant to a court order; or

572 3. To another state agency in this or another state or to a  
573 federal agency if the recipient agrees in writing to maintain  
574 the confidential and exempt status of the document, material, or  
575 other information and has verified in writing its legal  
576 authority to maintain such confidentiality.

577 (12) To promote actuarial soundness, program integrity, and  
578 mitigation of solvency or assessment risk to the corporation,  
579 the office may review operational processes related to the  
580 program. Such review may include, but is not limited to, all of  
581 the following:

582 (a) Comparable coverage determinations upon complaint to  
583 the office by or on behalf of a policy applicant.

584 (b) Verification of the financial strength of approved  
585 surplus lines clearinghouse insurers participating in the  
586 program.

587 (c) The reasonableness of fees charged by the commercial  
588 lines clearinghouse administrator.

589 (d) The operational processes used by the commercial lines  
590 clearinghouse administrator to determine whether an offer of



844932

591 coverage from an insurer participating in the program precludes  
592 coverage from the corporation or requires an equalization  
593 adjustment by the corporation.

594 (e) The potential for material adverse impact to the  
595 corporation's surplus, solvency, or assessment exposure.

596 (13) (a) If, after a review under subsection (12), the  
597 office determines that program processes are creating a material  
598 risk to the solvency of the corporation, the office shall notify  
599 the corporation and submit written recommendations to the  
600 commission.

601 (b) Upon approval by the commission, the corporation may  
602 temporarily implement recommendations made by the office to  
603 address the solvency risk. Such recommendations may include, but  
604 are not limited to, all of the following:

605 1. Temporary suspension of the equalization adjustment  
606 authorized under s. 627.351(6)(oo).

607 2. Temporary exclusion of one or more participating  
608 insurers from the program.

609 3. Temporary modification of program procedural timelines.  
610 4. If exigent circumstances exist, temporary suspension of  
611 the requirement that any applicant for new commercial  
612 residential coverage or commercial nonresidential coverage from  
613 the corporation and any policyholder of the corporation submit  
614 applications for coverage through the commercial lines  
615 clearinghouse.

616 (14) This section does not authorize rebates or any  
617 activity that would violate part IX of chapter 626. The  
618 corporation and the commercial lines clearinghouse administrator  
619 shall implement procedures to ensure that participating agents



844932

and insurers are not induced to violate part IX of chapter 626.  
621 The office may review such compliance procedures solely for the  
622 purpose of submitting recommendations to the commission under  
623 subsection (13).

624 Section 3. This act shall take effect upon becoming a law.

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

627 | And the title is amended as follows:

628 Delete everything before the enacting clause  
629 and insert:

630 A bill to be entitled

631 An act relating to the Citizens Property Insurance  
632 Corporation; amending s. 627.351, F.S.; prohibiting  
633 the corporation from issuing or renewing coverage for  
634 commercial residential and commercial nonresidential  
635 risks under certain circumstances; prohibiting the  
636 corporation from imposing an equalization adjustment  
637 under certain circumstances; providing applicability;  
638 specifying the components of the total cost of  
639 insurance coverage; specifying that the corporation is  
640 not relieved from an obligation to impose an  
641 equalization adjustment under certain circumstances;  
642 specifying that certain adjustments expires at a  
643 specified time; defining the term "equalization  
644 adjustment"; amending s. 627.3518, F.S.; deleting an  
645 obsolete provision; defining terms; revising the  
646 definition of the term "program"; requiring the  
647 corporation to establish a personal lines  
648 clearinghouse for specified purposes; requiring, on or



844932

649 before a specified date, the corporation to amend its  
650 plan of operation and implement a commercial lines  
651 clearinghouse for a specified purpose; requiring, on  
652 or before a specified date, the corporation to  
653 implement a separate commercial lines clearinghouse  
654 for specified purposes; deleting obsolete provisions;  
655 revising the program's rights and responsibilities;  
656 revising the rights and responsibilities the  
657 corporation has in establishing the program;  
658 authorizing the corporation to share risk exposure and  
659 policy information with the commercial lines  
660 clearinghouse administrator; authorizing such  
661 administrator to use such information for a specified  
662 purpose; authorizing approved surplus lines  
663 clearinghouse insurers to participate in the  
664 commercial lines clearinghouse; prohibiting such  
665 insurers from participating in the personal lines  
666 clearinghouse; specifying that participation in the  
667 program is not mandatory for such insurers; revising  
668 prohibitions and requirements for insurers making  
669 offers of coverage to new applicants or renewal  
670 policyholders through the program; providing  
671 construction; defining the term "effective commission  
672 percentage"; specifying that applicants for new  
673 commercial lines residential coverage are not eligible  
674 for coverage from the corporation under certain  
675 circumstances; specifying the circumstances under  
676 which policyholders of the corporation are not  
677 eligible for new commercial lines residential coverage



844932

678 from the corporation; requiring that the determination  
679 of whether an offer of comparable coverage from an  
680 authorized insurer is at or below the eligibility  
681 threshold be made at a specified time; authorizing  
682 applicants or insureds to elect to accept coverage  
683 with authorized insurers or elect to accept or  
684 continue coverage with the corporation under certain  
685 circumstances; authorizing insureds to elect to accept  
686 coverage with specified insurers or elect to accept or  
687 continue coverage with the corporation under certain  
688 circumstances; providing applicability; specifying  
689 that certain applicants and policyholders remain  
690 eligible for coverage from the corporation;  
691 authorizing such applicants and policyholders to elect  
692 to accept coverage from clearinghouse insurers or  
693 elect to accept or continue coverage with the  
694 corporation; authorizing certain applicants and  
695 policyholders of the corporation to elect to accept  
696 coverage from clearinghouse insurers or elect to  
697 accept or continue coverage with the corporation;  
698 requiring such applicants or policyholders to pay a  
699 specified total cost of insurance for corporation  
700 coverage; providing applicability; revising the rights  
701 and authorizations for certain independent insurance  
702 agents; deleting a prohibition relating to commercial  
703 nonresidential policies; authorizing the Office of  
704 Insurance Regulation to review certain operational  
705 processes related to the program; specifying the  
706 contents of such review; requiring the office to



844932

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

597-01925-26

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Page 1 of 20

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597-01925-26

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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 from the corporation; 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

Page 2 of 20

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597-01925-26

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59 coverage; providing applicability; revising the rights  
 60 and authorizations for certain independent insurance  
 61 agents; deleting a prohibition relating to commercial  
 62 nonresidential policies; providing an effective date.  
 63

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

65  
 66 Section 1. Paragraph (oo) is added to subsection (6) of  
 67 section 627.351, Florida Statutes, to read:  
 68 627.351 Insurance risk apportionment plans.—  
 69 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—  
 70 (oo) For commercial residential and commercial  
 71 nonresidential risks, if an approved surplus lines clearinghouse  
 72 insurer offers coverage under s. 627.3518(5)(c)2. and the total  
 73 cost of such coverage is not more than 20 percent greater than  
 74 the total cost of insurance coverage from the corporation, the  
 75 corporation may not issue or renew coverage unless it imposes a  
 76 premium equalization adjustment on such policy equal to the  
 77 amount by which the total cost of insurance coverage offered by  
 78 the approved surplus lines clearinghouse insurer exceeds the  
 79 total cost of insurance coverage from the corporation. If the  
 80 total cost of insurance from the approved surplus lines  
 81 clearinghouse insurer does not exceed the total cost of  
 82 corporation coverage, the corporation may not impose the premium  
 83 equalization adjustment. If more than one approved surplus lines  
 84 clearinghouse insurer offers coverage under s. 627.3518(5)(c)2.,  
 85 the lowest offered total cost of insurance coverage applies for  
 86 purposes of this paragraph. The total cost of insurance coverage  
 87 includes, but is not limited to, the premium, fees, surcharges,

Page 3 of 20

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597-01925-26

20261028c1

88 and applicable taxes. A premium equalization adjustment applied  
 89 pursuant to this paragraph expires at the end of the policy  
 90 term.

91 Section 2. Section 627.3518, Florida Statutes, is amended  
 92 to read:

93 627.3518 Citizens Property Insurance Corporation  
 94 policyholder eligibility clearinghouse program.—The purpose of  
 95 this section is to provide a framework for the corporation to  
 96 implement a clearinghouse program by January 1, 2014.

97 (1) As used in this section, the term:  
 98 (a) Approved surplus lines clearinghouse insurer means an  
 99 eligible surplus lines insurer that has a financial strength  
 100 rating of "A-" or higher and a financial size category of A-VII  
 101 or higher from A.M. Best Company which the clearinghouse  
 102 administrator recommends for participation in the program and  
 103 which the office verifies meets the requirements for  
 104 participation in the program within 5 business days after the  
 105 commercial lines clearinghouse administrator's recommendation.

106 (b) Commercial lines clearinghouse administrator means  
 107 the individual or entity employed or otherwise contracted by the  
 108 corporation to provide administrative or professional services  
 109 to implement the commercial lines clearinghouse required  
 110 pursuant to subparagraph (2)(b)1. within the corporation as set  
 111 forth in paragraph (3)(b).

112 (c) Corporation means Citizens Property Insurance  
 113 Corporation.

114 (d) ~~(b)~~ Exclusive agent means any licensed insurance agent  
 115 that has, by contract, agreed to act exclusively for one company  
 116 or group of affiliated insurance companies and is disallowed by

Page 4 of 20

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20261028c1

597-01925-26  
 117 the provisions of that contract to directly write for any other  
 118 unaffiliated insurer absent express consent from the company or  
 119 group of affiliated insurance companies.

120 (e) ~~to~~ "Independent agent" means any licensed insurance  
 121 agent not described in paragraph (d) ~~to~~.

122 (f) "Primary residence" has the same meaning as in s.

123 627.351(6)(c)2.a.

124 (g) ~~(d)~~ "Program" means the clearinghouse created under this  
 125 section, consisting of the personal lines clearinghouse and the  
 126 commercial lines clearinghouse.

127 (h) "Surplus lines agent" means an insurance agent licensed  
 128 pursuant to s. 626.927 or s. 626.9272.

129 (2) (a) The corporation shall establish a personal lines  
 130 clearinghouse in order to confirm an applicant's eligibility  
 131 with the corporation, and to enhance access of new applicants  
 132 for personal lines coverage and existing personal lines  
 133 policyholders of the corporation to offers of coverage from  
 134 authorized insurers, and the corporation shall establish a  
 135 program for personal residential risks in order to facilitate  
 136 the diversion of ineligible applicants and existing  
 137 policyholders from the corporation into the voluntary insurance  
 138 market.

139 (b) 1. The corporation shall implement on or before January  
 140 1, 2027, a commercial lines clearinghouse in order to enhance  
 141 access to offers of coverage from approved surplus lines  
 142 clearinghouse insurers for new applicants for commercial  
 143 residential coverage and commercial nonresidential coverage and  
 144 existing commercial residential and commercial nonresidential  
 145 policyholders of the corporation.

Page 5 of 20

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597-01925-26  
 146 2. To facilitate the diversion of ineligible applicants and  
 147 existing policyholders from the corporation to authorized  
 148 insurers, the corporation may shall also develop and implement a  
 149 separate commercial lines clearinghouse to confirm eligibility  
 150 with the corporation and to enhance access to offers of such  
 151 coverage from authorized insurers for new applicants for  
 152 commercial residential or commercial nonresidential coverage and  
 153 existing commercial residential and commercial nonresidential  
 154 policyholders of the corporation appropriate procedures for  
 155 facilitating the diversion of ineligible applicants and existing  
 156 policyholders for commercial residential coverage into the  
 157 private insurance market and shall report such procedures to the  
 158 President of the Senate and the Speaker of the House of  
 159 Representatives by January 1, 2014.

160 (3) The corporation board shall establish the clearinghouse  
 161 program as an organizational unit within the corporation. The  
 162 program shall have all the rights and responsibilities in  
 163 carrying out its duties as a licensed general lines agent and a  
 164 surplus lines agent, but may not be required to employ or engage  
 165 a licensed general lines agent or a surplus lines agent, or to  
 166 maintain an insurance agency license to carry out its activities  
 167 in the solicitation and placement of insurance coverage. In  
 168 establishing the program, the corporation has all of the  
 169 following rights and responsibilities may:

170 (a) May require all new applications for personal lines  
 171 coverage, and all personal lines policies due for renewal, to be  
 172 submitted for coverage to the program in order to facilitate  
 173 obtaining an offer of coverage from an authorized insurer or, if  
 174 the risk is a commercial risk, shall require all new

Page 6 of 20

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597-01925-26  
 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

Page 7 of 20

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597-01925-26  
 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

Page 8 of 20

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20261028c1

597-01925-26

lines coverage through the commercial lines clearinghouse.

(i) Shall select a commercial lines clearinghouse administrator within 90 days after the effective date of this act.

(j) 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.

(k) Must submit to the commercial lines clearinghouse administrator its coverage terms and conditions, deductible structures, and its 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 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. 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

Page 9 of 20

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insurers satisfy the requirements set forth in s. 627.351(6)(oo) and subparagraph (5)(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 5 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. 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) 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 their election, appoint any agent or surplus lines agent whose

Page 10 of 20

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597-01925-26

20261028c1

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

Page 11 of 20

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597-01925-26

20261028c1

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

Page 12 of 20

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597-01925-26  
 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

Page 13 of 20

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20261028c1

597-01925-26  
 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)5.b.~~  
 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

Page 14 of 20

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597-01925-26

20261028c1

407     elect to accept such coverage or may elect to accept or continue  
 408     coverage with the corporation. Section 627.351(6)(c)5.c.(I) does  
 409     not apply to an offer of coverage from an authorized insurer  
 410     obtained through the program.

411        (c)1. Except as provided in subparagraph 2., any applicant  
 412     for new commercial lines residential coverage or commercial  
 413     lines nonresidential coverage from the corporation and any  
 414     policyholder of the corporation, when such applicant or  
 415     corporation policyholder is offered commercial lines residential  
 416     or commercial lines nonresidential coverage pursuant to the  
 417     program by an approved surplus lines clearinghouse insurer,  
 418     remains eligible for coverage from the corporation. The  
 419     applicant or policyholder receiving an offer from an approved  
 420     surplus lines clearinghouse insurer may elect to accept such  
 421     coverage or may elect to accept or continue coverage with the  
 422     corporation.

423        2. Any applicant for new commercial lines residential  
 424     coverage or commercial lines nonresidential coverage from the  
 425     corporation and any policyholder of the corporation, when such  
 426     applicant or corporation policyholder is offered commercial  
 427     lines residential or commercial lines nonresidential coverage by  
 428     an approved surplus lines insurer pursuant to the program and  
 429     such offered coverage has material terms and conditions that are  
 430     substantially equivalent to or better than coverage from the  
 431     corporation as to all aspects of such coverage, as determined by  
 432     the corporation through the clearinghouse process and applicable  
 433     program standards, and the total cost of such insurance coverage  
 434     is not more than 20 percent greater than the total cost of  
 435     insurance coverage from the corporation, may elect to accept

Page 15 of 20

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20261028c1

597-01925-26  
 436     such coverage from the approved surplus lines clearinghouse  
 437     insurer or may elect to accept or continue coverage with the  
 438     corporation, but, if electing corporation coverage, such  
 439     applicant or policyholder must pay a premium for corporation  
 440     coverage that is subject to s. 627.351(6)(oo).

441        3. Section 627.351(6)(c)5.c.(I) does not apply to an offer  
 442     of coverage from an approved surplus lines clearinghouse insurer  
 443     obtained through the program.

444        (6) Independent insurance agents submitting new  
 445     applications for coverage or that are the agent of record on a  
 446     renewal policy submitted to the program:

447        (a) Are granted and must maintain ownership and the  
 448     exclusive use of expirations, records, or other written or  
 449     electronic information directly related to such applications or  
 450     renewals written through the corporation or through an insurer  
 451     participating in the program, notwithstanding s. 627.351(5)(a),  
 452     s. 627.351(6)(c)5.a.(I)(B) and (II)(B), or s.

453        627.351(6)(c)5.b.(I)(B) and (II)(B). Such ownership is granted  
 454     for as long as the insured remains with the agency or until sold  
 455     or surrendered in writing by the agent. Contracts with the  
 456     corporation or required by the corporation or with any insurer  
 457     or surplus lines agent may ~~must~~ not amend, modify, interfere  
 458     with, or limit such rights of ownership. Such expirations,  
 459     records, or other written or electronic information may be used  
 460     to review an application, issue a policy, or for any other  
 461     purpose necessary for placing such business through the program.

462        (b) May not be required to be appointed by any insurer  
 463     participating in the program for policies written solely through  
 464     the program, notwithstanding the provisions of s. 626.112.

Page 16 of 20

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597-01925-26 20261028c1

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

Page 17 of 20

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597-01925-26 20261028c1

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

Page 18 of 20

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597-01925-26 20261028c1

523 of the State Constitution.

524 (a) As used in this subsection, the term "proprietary  
525 business information" means information, regardless of form or  
526 characteristics, which is owned or controlled by an insurer and:  
527 1. Is identified by the insurer as proprietary business  
528 information and is intended to be and is treated by the insurer  
529 as private in that the disclosure of the information would cause  
530 harm to the insurer, an individual, or the company's business  
531 operations and has not been disclosed unless disclosed pursuant  
532 to a statutory requirement, an order of a court or  
533 administrative body, or a private agreement that provides that  
534 the information will not be released to the public;  
535 2. Is not otherwise readily ascertainable or publicly  
536 available by proper means by other persons from another source  
537 in the same configuration as provided to the clearinghouse; and  
538 3. Includes:  
539 a. Trade secrets, as defined in s. 688.002.  
540 b. Information relating to competitive interests, the  
541 disclosure of which would impair the competitive business of the  
542 provider of the information.

543

544 Proprietary business information may be found in underwriting  
545 criteria or instructions which are used to identify and select  
546 risks through the program for an offer of coverage and are  
547 shared with the clearinghouse to facilitate the shopping of  
548 risks with the insurer.

549 (b) The clearinghouse may disclose confidential and exempt  
550 proprietary business information:  
551 1. If the insurer to which it pertains gives prior written

Page 19 of 20

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597-01925-26 20261028c1

552 consent;

553 2. Pursuant to a court order; or

554 3. To another state agency in this or another state or to a  
555 federal agency if the recipient agrees in writing to maintain  
556 the confidential and exempt status of the document, material, or  
557 other information and has verified in writing its legal  
558 authority to maintain such confidentiality.

559 Section 3. This act shall take effect upon becoming a law.

Page 20 of 20

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The Florida Senate  
**APPEARANCE RECORD**

Meeting Date

Deliver both copies of this form to  
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CS/SB 1028

Bill Number or Topic

Committee

Name BG Murphy

Amendment Barcode (if applicable)

SS0-893-4155

Address 319S Shamrock St. S.

Phone  Email bmurphy@faia.com

Street

Tallahassee

FL

32369

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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

*Chad* 1/12/26

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

*Michael Wilkerson*

Name

Phone

Amendment Barcode (if applicable)

Address

Street

Email

City

State

Zip

Speaking:  For  Against

Information

**OR**

Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

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something of value for my appearance  
(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. [2020-2022JointRules.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 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	<b>Favorable</b>
2. Atchley	Harkness	ACJ	<b>Favorable</b>
3. Parker	Siples	FP	<b>Fav/CS</b>

**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.”<sup>1</sup>

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<sup>1</sup> 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.<sup>2</sup>
- 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.<sup>3</sup>

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.<sup>4</sup>

### **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.<sup>5</sup>

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.<sup>6</sup>

### **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.<sup>7</sup>

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.<sup>8</sup>

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<sup>2</sup> Section 112.193(3), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Section 14.33(1), F.S.

<sup>6</sup> Section 14.33(2), F.S.

<sup>7</sup> Section 112.194(1), F.S.

<sup>8</sup> 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.<sup>9</sup>

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;<sup>10</sup>
- As a result of the officer's response to what is reasonably believed to be an emergency;<sup>11</sup>
- At the scene of a traffic accident to which the officer has responded;<sup>12</sup> or
- While the officer is enforcing what is reasonably believed to be a traffic law or ordinance.<sup>13</sup>

### ***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.<sup>14</sup>

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,<sup>15</sup> 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.<sup>16</sup>

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:

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<sup>9</sup> Section 112.19(2)(a), F.S.

<sup>10</sup> Section 112.19(2)(b)1., F.S.

<sup>11</sup> Section 112.19(2)(b)2., F.S.

<sup>12</sup> Section 112.19(2)(b)3., F.S.

<sup>13</sup> Section 112.19(2)(b)4., F.S.

<sup>14</sup> Section 112.19(2)(e), F.S.

<sup>15</sup> Section 112.19(2)(c), F.S.

<sup>16</sup> 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;<sup>17</sup> 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.<sup>18</sup>

### ***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;<sup>19</sup> 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.<sup>20</sup>

### ***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.<sup>21</sup>

### **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.<sup>22</sup>

<sup>17</sup> Section 112.19(2)(f)1., F.S.

<sup>18</sup> Section 112.19(2)(f)2., F.S.

<sup>19</sup> Section 112.19(2)(g)1., F.S.

<sup>20</sup> Section 112.19(2)(g)2., F.S.

<sup>21</sup> Section 112.19(2)(h)1., F.S.

<sup>22</sup> 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](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.<sup>23</sup>

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 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.

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.<sup>24</sup>

### ***Juvenile Detention Cost Sharing***

The state must pay all costs of detention care for juveniles residing in a fiscally constrained county<sup>25</sup> and for juveniles residing out of state. The state must pay all costs of detention care for

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<sup>23</sup> Section 984.09, F.S.

<sup>24</sup> Section 787.035(1)(b), F.S.

<sup>25</sup> 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.<sup>26</sup>

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.<sup>27</sup>

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.<sup>28</sup>

Funds paid by the counties to the DJJ pursuant to this section must be deposited into the Shared County/State Juvenile Detention Trust Fund.<sup>29</sup>

The DJJ shall determine each quarter whether the counties are remitting funds as required by this section.<sup>30</sup>

Funds received from counties pursuant to this section are not subject to the service charges<sup>31</sup> provided in s. 215.20, F.S.<sup>32</sup> The DJJ may adopt rules to administer juvenile detention costs.<sup>33</sup>

### 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.

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<sup>26</sup> Section 985.6865(3), F.S.

<sup>27</sup> Section 985.6865(2), F.S.

<sup>28</sup> Section 985.6865(4), F.S.

<sup>29</sup> Section 985.6865(5), F.S.

<sup>30</sup> Section 985.6865(6), F.S.

<sup>31</sup> Section 985.6865(7), F.S.

<sup>32</sup> 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.

<sup>33</sup> 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 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 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 to 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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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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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:

1                   **Senate Amendment (with title amendment)**

2

3                   Delete lines 390 - 421

4 and insert:

5 secure detention. The term includes all certified supervisory  
6 personnel whose duties include, in whole or in part, the  
7 supervision, training, and guidance of juvenile detention  
8 officers, but does not include support personnel employed by the  
9 employing agency.

10                   (24) "Juvenile probation officer" means an authorized agent



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11 of the Department of Juvenile Justice who performs the intake,  
12 case management, or supervision functions. The term includes all  
13 certified supervisory personnel whose duties include, in whole  
14 or in part, the supervision, training, and guidance of juvenile  
15 probation officers, but does not include support personnel  
16 employed by the employing agency.

17       Section 7. Subsection (15) of section 984.03, Florida  
18 Statutes, is amended to read:

19       984.03 Definitions.—When used in this chapter, the term:

20       (15) “Family in need of services” means a family that has a  
21 child who is running away; who is ungovernable and persistently  
22 disobeying reasonable and lawful demands of the parent, or legal  
23 guardian, or custodian and is beyond the control of the parent, or  
24 or legal guardian, or custodian; or who is a habitual truant or  
25 engaging in other serious behaviors that place the child at risk  
26 of future abuse, neglect, or abandonment or at risk of entering  
27 the juvenile justice system. The child must be referred to a law  
28 enforcement agency, the department, or an agency contracted to  
29 provide services to children in need of services. A family is  
30 not eligible to receive voluntary family services if, at the  
31 time of the referral, the child is currently under court-ordered  
32 supervision by the department for delinquency under chapter 985  
33 or under court-ordered supervision by the Department of Children  
34 and Families under chapter 39.

35       Section 8. Subsection (2) of section 984.09, Florida  
36 Statutes, is amended to read:

37       984.09 Punishment for contempt of court; alternative  
38 sanctions.—

39       (2) PLACEMENT IN A SHELTER.—A child subject to proceedings



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40 ~~under this chapter adjudicated as a child in need of services~~  
41 may only be placed in a shelter for purposes of punishment for  
42 contempt of court if alternative sanctions are unavailable or  
43 inappropriate, or if the child has already been ordered to serve  
44 an alternative sanction but failed to comply with the sanction.

45       Section 9. Section 985.6865, Florida Statutes, is amended  
46 to read:

47       985.6865 Juvenile detention costs.—

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

49           (a) "Detention care" means secure detention and respite  
50 beds for juveniles charged with a domestic violence crime.

51           (b) "Fiscally constrained county" means a county within a  
52 rural area of opportunity as designated by the Governor pursuant  
53 to s. 288.0656 or each county for which the value of a mill will  
54 raise no more than \$5 million in revenue, based on the certified  
55 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,  
56 from the previous July 1.

57           (c) "Total shared detention costs" means the amount of  
58 funds expended by the department for the costs of detention care  
59 for the prior fiscal year. This amount includes the most recent  
60 actual certify forward amounts minus any funds it expends on  
61 detention care for juveniles residing in fiscally constrained  
62 counties or out of state.

63       (2) Annually by July 15, the department shall calculate and  
64 provide to each county that is not a fiscally constrained county  
65 and that does not provide its own detention care for juveniles  
66 its annual percentage share by dividing the total number of  
67 detention days for juveniles residing in the county for the most  
68 recently completed 12-month period by the total number of



734952

69 detention days for juveniles in all counties that are not  
70 fiscally constrained counties during the same period. The annual  
71 percentage share of each county that is not a fiscally  
72 constrained county and that does not provide its own detention  
73 care for juveniles must be multiplied by 50 percent of the total  
74 shared detention costs to determine that county's share of  
75 detention costs. Beginning August 1, each such county shall pay  
76 to the department its share of detention costs, which shall be  
77 paid in 12 equal payments due on the first day of each month.  
78 The state shall pay the remaining actual costs of detention  
79 care.

80 (3) Each quarter, the department shall review county  
81 juvenile detention payments to ensure that counties fulfill  
82 their financial responsibilities required under this section. If  
83 the department determines that a county has not met its  
84 obligations, the department must direct the Department of  
85 Revenue to deduct the amount owed to the department from the  
86 funds provided to the county under s. 218.23. The Department of  
87 Revenue shall transfer the funds withheld into the Shared  
88 County/State Juvenile Detention Trust Fund.

89 (4) As an assurance to holders of bonds issued by counties  
90 before July 1 of each year, for which distributions made  
91 pursuant to s. 218.23 are pledged, or bonds issued to refund  
92 such bonds which mature no later than the bonds they refunded  
93 and which result in a reduction of debt service payable in each  
94 fiscal year, the amount available for distribution to a county  
95 shall remain as provided by law and continue to be subject to  
96 any lien or claim on behalf of the bondholders. The Department  
97 of Revenue must ensure, based on information provided by an



734952

98     affected county, that any reduction in amounts distributed  
99     pursuant to subsection (3) does not reduce the amount of  
100    distribution to a county below the amount necessary for the  
101    timely payment of principal and interest when due on the bonds  
102    and the amount necessary to comply with any covenant under the  
103    bond resolution or other documents relating to the issuance of  
104    the bonds. If a reduction to a county's monthly distribution  
105    must be decreased in order to comply with this section, the  
106    Department of Revenue must notify the department of the amount  
107    of the decrease, and the department must send a bill for payment  
108    of such amount to the affected county.

109        (5) The state shall pay all costs of detention care for  
110      juveniles residing in a fiscally constrained county and for  
111      juveniles residing out of state. The state shall pay all costs  
112      of detention care for juveniles housed in state detention  
113      centers from counties that provide their own detention care for  
114      juveniles.

115        (6)-(4) Each county that is not a fiscally constrained  
116      county and that does not provide its own detention care for  
117      juveniles shall incorporate into its annual county budget  
118      sufficient funds to pay its annual percentage share of the total  
119      shared detention costs required by subsection (2).

120        (7)-(5) Funds paid by the counties to the department  
121      pursuant to this section must be deposited into the Shared  
122      County/State Juvenile Detention Trust Fund.

123        (6) The department shall determine each quarter whether the  
124      counties are remitting funds as required by this section.

125        (8)-(7) Funds received from counties pursuant to this  
126      section are not subject to the service charges provided in s.



734952

127 215.20.  
128       (9)(8) The department may adopt rules to administer this  
129 section.

130

131 ===== T I T L E    A M E N D M E N T =====  
132 And the title is amended as follows:

133       Between lines 24 and 25

134 insert:

135       amending s. 985.6865, F.S.; requiring the Department  
136 of Juvenile Justice to direct the Department of  
137 Revenue to deduct specified amounts owed to the  
138 Department of Juvenile Justice upon a certain  
139 determination; requiring the Department of Revenue to  
140 transfer such funds into a certain trust fund;  
141 specifying requirements relating to such reductions in  
142 amounts distributed to counties;

By Senator Martin

33-00516C-26

20261734

Page 1 of 29

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33-00516C-26

20261734

790.233(3), F.S., relating to screening for sexually  
transmissible disease, inapplicability of ch. 493,  
F.S., violation of an injunction for protection  
against domestic violence, 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, and  
possession of firearm or ammunition prohibited when  
person is subject to an injunction against committing  
acts of domestic violence, stalking, or cyberstalking,  
and penalties, to incorporate the amendment made to s.  
943.10, F.S., in references thereto; reenacting ss.  
39.01(1) and (37)(e), 44.1011(2)(d), 44.102(2)(d),  
984.04(1), 984.071(1), 984.10(1) and (2), 984.12,  
984.13(3), and 985.03(23), F.S., relating to  
definitions in proceedings relating to children,  
definitions in dependency mediation, court-ordered  
mediation, early truancy intervention, families in  
need of services and children in need of services,  
procedures and jurisdiction, resources and  
information, intake, case staffing, services and  
treatment related to a family in need of services,  
taking a child into custody, and definitions relating  
to juvenile justice, respectively, to incorporate the  
amendment made to s. 984.03, F.S., in references  
thereto; reenacting ss. 984.03(33), 984.07(1), and  
984.151(12), F.S., relating to definitions relating to  
children and families in need of services, right to

Page 2 of 29

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33-00516C-26

20261734

59 counsel, waiver, appointed counsel, compensation, and  
60 early truancy intervention, truancy petition, and  
61 judgment, respectively, to incorporate the amendment  
62 made to s. 984.09, F.S., in references thereto;  
63 providing an effective date.

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

67 Section 1. Subsection (1) of section 14.33, Florida  
68 Statutes, is amended to read:

69 14.33 Medal of Heroism.—

70       (1) The Governor may award a Medal of Heroism of  
71 appropriate design, with ribbons and appurtenances, to a law  
72 enforcement, correctional, ~~or~~ correctional probation officer,  
73 juvenile detention officer, or juvenile probation officer, as  
74 defined in s. 943.10(14); a firefighter, as defined in s.  
75 112.191(1)(b); an emergency medical technician, as defined in s.  
76 401.23; or a paramedic, as defined in s. 401.23. A recipient  
77 must have distinguished himself or herself conspicuously by  
78 gallantry and intrepidity, must have risked his or her life  
79 deliberately above and beyond the call of duty while performing  
80 duty in his or her respective position, and must have engaged in  
81 hazardous or perilous activities to preserve lives with the  
82 knowledge that such activities might result in great personal  
83 harm.

84       Section 2. Section 112.19, Florida Statutes, is amended to  
85 read:

86           112.19 Law enforcement, correctional, and correctional  
87 probation officers; death benefits.—

Page 3 of 29

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33-00516C-26

20261734

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

89       (a) "Employer" means a state board, commission, department,  
90 division, bureau, or agency, or a county, municipality, or other  
91 political subdivision of the state, which employs, appoints, or  
92 otherwise engages the services of law enforcement, correctional,  
93 or correctional probation officers.

94 (b) "Fresh pursuit" means the pursuit of a person who has  
95 committed or is reasonably suspected of having committed a  
96 felony, misdemeanor, traffic infraction, or violation of a  
97 county or municipal ordinance. The term does not imply instant  
98 pursuit, but pursuit without unreasonable delay.

99 (c) "Insurance" means insurance procured from a stock  
100 company or mutual company or association or exchange authorized  
101 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

Page 4 of 29

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33-00516C-26

20261734

117 the state, certified pursuant to chapter 943, whose duties  
 118 require such officer to serve process or to attend a session of  
 119 a circuit or county court as bailiff.

120 (2)(a) The sum of \$75,000 must be paid as provided in this  
 121 section when a law enforcement, correctional, or correctional  
 122 probation officer, while engaged in the performance of the  
 123 officer's law enforcement duties, is accidentally killed or  
 124 receives accidental bodily injury which results in the loss of  
 125 the officer's life, provided that such killing is not the result  
 126 of suicide and that such bodily injury is not intentionally  
 127 self-inflicted.

128 (b) The sum of \$75,000 must be paid as provided in this  
 129 section if a law enforcement, correctional, or correctional  
 130 probation officer is accidentally killed as specified in  
 131 paragraph (a) and the accidental death occurs:

- 132 1. As a result of the officer's response to fresh pursuit;
- 133 2. As a result of the officer's response to what is  
 134 reasonably believed to be an emergency;
- 135 3. At the scene of a traffic accident to which the officer  
 136 has responded; or
- 137 4. While the officer is enforcing what is reasonably  
 138 believed to be a traffic law or ordinance.

139 This sum is in addition to any sum provided for in paragraph  
 140 (a).

142 (c) If a law enforcement, correctional, or correctional  
 143 probation officer, while engaged in the performance of the  
 144 officer's law enforcement duties, is unlawfully and  
 145 intentionally killed or dies as a result of such unlawful and

Page 5 of 29

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33-00516C-26

20261734

146 intentional act, the sum of \$225,000 must be paid as provided in  
 147 this section.

148 (d) Such payments, pursuant to paragraphs (a), (b), and  
 149 (c), whether secured by insurance or not, must be made to the  
 150 beneficiary designated by such law enforcement, correctional, or  
 151 correctional probation officer in writing, signed by the officer  
 152 and delivered to the employer during the officer's lifetime. If  
 153 no such designation is made, then the payments must be paid to  
 154 the officer's surviving child or children and to the officer's  
 155 surviving spouse in equal portions, and if there is no surviving  
 156 child or spouse, then to the officer's parent or parents. If a  
 157 beneficiary is not designated and there is no surviving child,  
 158 spouse, or parent, then the sum must be paid to the officer's  
 159 estate.

160 (e) Such payments, pursuant to paragraphs (a), (b), and  
 161 (c), are in addition to any workers' compensation or retirement  
 162 plan benefits and are exempt from the claims and demands of  
 163 creditors of such law enforcement, correctional, or correctional  
 164 probation officer.

165 (f) If a full-time law enforcement, correctional, or  
 166 correctional probation officer who is certified pursuant to  
 167 chapter 943 and employed by a state agency is killed in the line  
 168 of duty while the officer is engaged in the performance of law  
 169 enforcement duties or as a result of an assault against the  
 170 officer under riot conditions:

171 1. The sum of \$10,000 must be paid, as provided for in  
 172 paragraph (d), toward the funeral and burial expenses of such  
 173 officer. Such benefits are in addition to any other benefits to  
 174 which employee beneficiaries and dependents are entitled under

Page 6 of 29

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33-00516C-26

20261734

175 the Workers' Compensation Law or any other state or federal  
 176 statutes; and  
 177 2. The officer's employing agency may pay up to \$5,000  
 178 directly toward the venue expenses associated with the funeral  
 179 and burial services of such officer.

180 (g) Any political subdivision of the state that employs a  
 181 full-time law enforcement officer as defined in s. 943.10(1) or  
 182 a full-time correctional officer as defined in s. 943.10(2) who  
 183 is killed in the line of duty on or after July 1, 1993, as a  
 184 result of an act of violence inflicted by another person while  
 185 the officer is engaged in the performance of law enforcement  
 186 duties or as a result of an assault against the officer under  
 187 riot conditions shall pay the entire premium of the political  
 188 subdivision's health insurance plan for the employee's surviving  
 189 spouse until remarried, and for each dependent child of the  
 190 employee until the child reaches the age of majority or until  
 191 the end of the calendar year in which the child reaches the age  
 192 of 25 if:

193 1. At the time of the employee's death, the child is  
 194 dependent upon the employee for support; and

195 2. The surviving child continues to be dependent for  
 196 support, or the surviving child is a full-time or part-time  
 197 student and is dependent for support.

198 (h) 1. Any employer who employs a full-time law enforcement,  
 199 correctional, or correctional probation officer who, on or after  
 200 January 1, 1995, suffers a catastrophic injury, as defined in s.  
 201 440.02, Florida Statutes 2002, in the line of duty shall pay the  
 202 entire premium of the employer's health insurance plan for the  
 203 injured employee, the injured employee's spouse, and for each

Page 7 of 29

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33-00516C-26

20261734

204 dependent child of the injured employee until the child reaches  
 205 the age of majority or until the end of the calendar year in  
 206 which the child reaches the age of 25 if the child continues to  
 207 be dependent for support, or the child is a full-time or part-  
 208 time student and is dependent for support. The term "health  
 209 insurance plan" does not include supplemental benefits that are  
 210 not part of the basic group health insurance plan. If the  
 211 injured employee subsequently dies, the employer shall continue  
 212 to pay the entire health insurance premium for the surviving  
 213 spouse until remarried, and for the dependent children, under  
 214 the conditions outlined in this paragraph. However:

215 a. Health insurance benefits payable from any other source  
 216 shall reduce benefits payable under this section.

217 b. It is unlawful for a person to willfully and knowingly  
 218 make, or cause to be made, or to assist, conspire with, or urge  
 219 another to make, or cause to be made, any false, fraudulent, or  
 220 misleading oral or written statement to obtain health insurance  
 221 coverage as provided under this paragraph. A person who violates  
 222 this sub subparagraph commits a misdemeanor of the first degree,  
 223 punishable as provided in s. 775.082 or s. 775.083.

224 c. In addition to any applicable criminal penalty, upon  
 225 conviction for a violation as described in sub subparagraph b.,  
 226 a law enforcement, correctional, or correctional probation  
 227 officer or other beneficiary who receives or seeks to receive  
 228 health insurance benefits under this paragraph shall forfeit the  
 229 right to receive such health insurance benefits, and shall  
 230 reimburse the employer for all benefits paid due to the fraud or  
 231 other prohibited activity. For purposes of this sub-  
 232 subparagraph, the term "conviction" means a determination of

Page 8 of 29

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33-00516C-26 20261734

233 guilt that is the result of a plea or trial, regardless of  
 234 whether adjudication is withheld.  
 235     2. In order for the officer, spouse, and dependent children  
 236 to be eligible for such insurance coverage, the injury must have  
 237 occurred while the officer was in the line of duty or engaged in  
 238 an official training exercise. Except as otherwise provided  
 239 herein, this paragraph may not be construed to limit health  
 240 insurance coverage for which the officer, spouse, or dependent  
 241 children may otherwise be eligible, except that a person who  
 242 qualifies under this section is not eligible for the health  
 243 insurance subsidy provided under chapter 121, chapter 175, or  
 244 chapter 185.  
 245         (i) The Bureau of Crime Prevention and Training within the  
 246 Department of Legal Affairs shall adopt rules necessary to  
 247 implement paragraphs (a), (b), and (c).  
 248         (3) If a law enforcement, correctional, or correctional  
 249 probation officer is accidentally killed as specified in  
 250 paragraph (2)(b) on or after June 22, 1990, but before July 1,  
 251 2019, or unlawfully and intentionally killed as specified in  
 252 paragraph (2)(c) on or after July 1, 1980, but before July 1,  
 253 2019, the state must waive certain educational expenses that the  
 254 child or spouse of the deceased officer incurs while obtaining a  
 255 career certificate, an undergraduate education, or a  
 256 postgraduate education. The amount waived by the state must be  
 257 in an amount equal to the cost of tuition and matriculation and  
 258 registration fees for a total of 120 credit hours. The child or  
 259 spouse may attend a state career center, a Florida College  
 260 System institution, or a state university on either a full-time  
 261 or part-time basis. The benefits provided to a child under this

Page 9 of 29

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33-00516C-26 20261734

262 subsection shall continue until the child's 25th birthday. The  
 263 benefits provided to a spouse under this subsection must  
 264 commence within 5 years after the death occurs, and entitlement  
 265 thereto shall continue until the 10th anniversary of that death.  
 266         (a) Upon failure of any child or spouse who receives a  
 267 waiver in accordance with this subsection to comply with the  
 268 ordinary and minimum requirements regarding discipline and  
 269 scholarship of the institution attended, such benefits must be  
 270 withdrawn as to the child or spouse and no further moneys may be  
 271 expended for the child's or spouse's benefits so long as such  
 272 failure or delinquency continues.  
 273         (b) Only a student in good standing in his or her  
 274 respective institution may receive the benefits provided in this  
 275 subsection.  
 276         (c) A child or spouse receiving benefits under this  
 277 subsection must be enrolled according to the customary rules and  
 278 requirements of the institution attended.  
 279         (4)(a) The employer of such law enforcement, correctional,  
 280 or correctional probation officer is liable for the payment of  
 281 the sums specified in this section and is deemed self-insured,  
 282 unless it procures and maintains, or has already procured and  
 283 maintained, insurance to secure such payments. Any such  
 284 insurance may cover only the risks indicated in this section, in  
 285 the amounts indicated in this section, or it may cover those  
 286 risks and additional risks and may be in larger amounts. Any  
 287 such insurance must be placed by such employer only after public  
 288 bid of such insurance coverage which must be awarded to the  
 289 carrier making the lowest best bid.  
 290         (b) Payment of benefits to beneficiaries of state

Page 10 of 29

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33-00516C-26 20261734  
 291 employees, or of the premiums to cover the risk, under this  
 292 section must be paid from existing funds otherwise appropriated  
 293 to the department employing the law enforcement, correctional,  
 294 or correctional probation officers.

295 (5) The State Board of Education shall adopt rules and  
 296 procedures, and the Board of Governors shall adopt regulations  
 297 and procedures, as are appropriate and necessary to implement  
 298 the educational benefits provisions of this section.

299 (6) Notwithstanding any provision of this section to the  
 300 contrary, the death benefits provided in paragraphs (2)(c) and  
 301 (g) shall also be applicable and paid in cases where an officer  
 302 received bodily injury before July 1, 1993, and subsequently  
 303 died on or after July 1, 1993, as a result of such in-line-of-  
 304 duty injury attributable to an unlawful and intentional act, or  
 305 an act of violence inflicted by another, or an assault on the  
 306 officer under riot conditions. Payment of such benefits must be  
 307 in accordance with this section. This subsection may not be  
 308 construed to limit death benefits for which those individuals  
 309 listed in paragraph (2)(d) may otherwise be eligible.

310 Section 3. Paragraph (b) of subsection (1) and subsections  
 311 (2) and (3) of section 112.193, Florida Statutes, are amended to  
 312 read:

313 112.193 Law enforcement, correctional, and correctional  
 314 probation, juvenile detention, and juvenile probation officers'  
 315 commemorative service awards.-

316 (1) For the purposes of this section, the term:

317 (b) "Law enforcement, correctional, or correctional  
 318 probation, juvenile detention, or juvenile probation officer"  
 319 means any full-time, part-time, or auxiliary officer as defined

Page 11 of 29

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33-00516C-26 20261734  
 320 in s. 943.10(14).

321 (2) Each employer that employs or appoints law enforcement,  
 322 correctional, ~~or~~ correctional probation, juvenile detention, or  
 323 juvenile probation officers may present to each such employee  
 324 who retires under any provision of a state or municipal  
 325 retirement system, including medical disability retirement, or  
 326 who is eligible to retire under any such provision but, instead,  
 327 resigns from one employer to accept an elected public office,  
 328 one complete uniform including the badge worn by that officer,  
 329 the officer's service handgun, if one was issued as part of the  
 330 officer's equipment, and an identification card clearly marked  
 331 "RETIRED."

332 (3) Upon the death of a law enforcement, correctional, ~~or~~  
 333 correctional probation, juvenile detention, or juvenile  
 334 probation officer, the employer may present to the spouse or  
 335 other beneficiary of the officer, upon request, one complete  
 336 uniform, including the badge worn by the officer. However, if a  
 337 law enforcement, correctional, ~~or~~ correctional probation,  
 338 juvenile detention, or juvenile probation officer is killed in  
 339 the line of duty, the employer may present, upon request, to the  
 340 spouse or other beneficiary of the officer the officer's  
 341 service-issued handgun, if one was issued as part of the  
 342 officer's equipment. If the employer is not in possession of the  
 343 service-issued handgun, the employer may, within its discretion,  
 344 and upon written request of the spouse or other beneficiary,  
 345 present a similar handgun. The provisions of this section shall  
 346 also apply in that instance to a law enforcement or correctional  
 347 officer who died before May 1, 1993. In addition, the officer's  
 348 service handgun may be presented by the employer for any such

Page 12 of 29

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33-00516C-26 20261734

349 officer who was killed in the line of duty prior to this act  
 350 becoming a law.

351 Section 4. Subsections (1) and (3) of section 112.194,  
 352 Florida Statutes, are amended to read:

353 112.194 Law enforcement and correctional, juvenile  
 354 detention, and juvenile probation officers' Medal of Valor.—

355 (1) Any state board, commission, department, division,  
 356 bureau, or agency, or any county or municipality that employs or  
 357 appoints law enforcement officers, ~~or~~ correctional officers,  
 358 juvenile detention officers, or juvenile probation officers, as  
 359 defined in s. 943.10(14), may establish an award program to  
 360 award a Medal of Valor to any such officer whose actions are  
 361 extraordinary and expose the officer to peril beyond the call of  
 362 duty.

363 (3) Upon the death of such a law enforcement officer ~~or~~  
 364 correctional officer, juvenile detention officer, or juvenile  
 365 probation officer, the employer may present the Medal of Valor  
 366 posthumously to the officer's closest living relative.

367 Section 5. Paragraph (a) of subsection (1) of section  
 368 787.035, Florida Statutes, is amended to read:

369 787.035 Sheltering unmarried minors; aiding unmarried minor  
 370 runaways; violations.—

371 (1)(a) A person who is not an authorized agent of the  
 372 Department of Juvenile Justice or the Department of Children and  
 373 Families may not knowingly shelter an unmarried minor for more  
 374 than 24 hours without the consent of the minor's parent or  
 375 guardian or without notifying a law enforcement officer of the  
 376 minor's name and the fact that the minor is being provided  
 377 shelter.

Page 13 of 29

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33-00516C-26 20261734

378 Section 6. Subsection (14) of section 943.10, Florida  
 379 Statutes, is amended, and new subsections (23) and (24) are  
 380 added to that section, to read:

381 943.10 Definitions; ss. 943.085-943.255.—The following  
 382 words and phrases as used in ss. 943.085-943.255 are defined as  
 383 follows:

384 (14) "Officer" means any person employed or appointed as a  
 385 full-time, part-time, or auxiliary law enforcement officer,  
 386 correctional officer, ~~or~~ correctional probation officer,  
 387 juvenile detention officer, or juvenile probation officer.

388 (23) "Juvenile detention officer" means an officer who is  
 389 responsible for the direct supervision of youth who are held in  
 390 secure detention.

391 (24) "Juvenile probation officer" means an authorized agent  
 392 of the Department of Juvenile Justice who performs the intake,  
 393 case management, or supervision functions.

394 Section 7. Subsection (15) of section 984.03, Florida  
 395 Statutes, is amended to read:

396 984.03 Definitions.—When used in this chapter, the term:

397 (15) "Family in need of services" means a family that has a  
 398 child who is running away; who is ungovernable and persistently  
 399 disobeying reasonable and lawful demands of the parent, ~~or~~ legal  
 400 guardian, or custodian and is beyond the control of the parent,  
 401 ~~or~~ legal guardian, or custodian; or who is a habitual truant or  
 402 engaging in other serious behaviors that place the child at risk  
 403 of future abuse, neglect, or abandonment or at risk of entering  
 404 the juvenile justice system. The child must be referred to a law  
 405 enforcement agency, the department, or an agency contracted to  
 406 provide services to children in need of services. A family is

Page 14 of 29

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33-00516C-26

20261734

407 not eligible to receive voluntary family services if, at the  
 408 time of the referral, the child is currently under court-ordered  
 409 supervision by the department for delinquency under chapter 985  
 410 or under court-ordered supervision by the Department of Children  
 411 and Families under chapter 39.

412 Section 8. Subsection (2) of section 984.09, Florida  
 413 Statutes, is amended to read:

414 984.09 Punishment for contempt of court; alternative  
 415 sanctions.—

416 (2) PLACEMENT IN A SHELTER.—A child subject to proceedings  
 417 under this chapter adjudicated as a child in need of services  
 418 may only be placed in a shelter for purposes of punishment for  
 419 contempt of court if alternative sanctions are unavailable or  
 420 inappropriate, or if the child has already been ordered to serve  
 421 an alternative sanction but failed to comply with the sanction.

422 Section 9. For the purpose of incorporating the amendment  
 423 made by this act to section 112.19, Florida Statutes, in a  
 424 reference thereto, paragraph (a) of subsection (1) of section  
 425 112.1912, Florida Statutes, is reenacted to read:

426 112.1912 First responders; death benefits for educational  
 427 expenses.—

428 (1) As used in this section, the term "first responder"  
 429 means:

430 (a) A law enforcement, correctional, or correctional  
 431 probation officer as defined in s. 112.19(1) who is killed as  
 432 provided in s. 112.19(2) on or after July 1, 2019;

433 Section 10. For the purpose of incorporating the amendment  
 434 made by this act to section 943.10, Florida Statutes, in a  
 435 reference thereto, subsection (1) of section 384.287, Florida

Page 15 of 29

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33-00516C-26

20261734

436 Statutes, is reenacted to read:

437 384.287 Screening for sexually transmissible disease.—  
 438 (1) An officer as defined in s. 943.10(14); support  
 439 personnel as defined in s. 943.10(11) who are employed by the  
 440 Department of Law Enforcement, including, but not limited to,  
 441 any crime scene analyst, forensic technologist, or crime lab  
 442 analyst; firefighter as defined in s. 633.102; or ambulance  
 443 driver, paramedic, or emergency medical technician as defined in  
 444 s. 401.23, acting within the scope of employment, who comes into  
 445 contact with a person in such a way that significant exposure,  
 446 as defined in s. 381.004, has occurred may request that the  
 447 person be screened for a sexually transmissible disease that can  
 448 be transmitted through a significant exposure.

449 Section 11. For the purpose of incorporating the amendment  
 450 made by this act to section 943.10, Florida Statutes, in a  
 451 reference thereto, subsection (1) of section 493.6102, Florida  
 452 Statutes, is reenacted to read:

453 493.6102 Inapplicability of this chapter.—This chapter  
 454 shall not apply to:

455 (1) Any individual who is an "officer" as defined in s.  
 456 943.10(14) or is a law enforcement officer of the United States  
 457 Government, while such local, state, or federal officer is  
 458 engaged in her or his official duties or when performing off-  
 459 duty security activities approved by her or his superiors.

460 Section 12. For the purpose of incorporating the amendment  
 461 made by this act to section 943.10, Florida Statutes, in a  
 462 reference thereto, paragraph (b) of subsection (4) of section  
 463 741.31, Florida Statutes, is reenacted to read:

464 741.31 Violation of an injunction for protection against

Page 16 of 29

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33-00516C-26 20261734\_

465 domestic violence.—

466 (4)

467 (b)1. It is a violation of s. 790.233, and a misdemeanor of  
468 the first degree, punishable as provided in s. 775.082 or s.  
469 775.083, for a person to violate a final injunction for  
470 protection against domestic violence by having in his or her  
471 care, custody, possession, or control any firearm or ammunition.

472 2. It is the intent of the Legislature that the  
473 disabilities regarding possession of firearms and ammunition are  
474 consistent with federal law. Accordingly, this paragraph shall  
475 not apply to a state or local officer as defined in s.  
476 943.10(14), holding an active certification, who receives or  
477 possesses a firearm or ammunition for use in performing official  
478 duties on behalf of the officer's employing agency, unless  
479 otherwise prohibited by the employing agency.

480 Section 13. For the purpose of incorporating the amendment  
481 made by this act to section 943.10, Florida Statutes, in a  
482 reference thereto, subsection (4) of section 782.07, Florida  
483 Statutes, is reenacted to read:

484 782.07 Manslaughter; aggravated manslaughter of an elderly  
485 person or disabled adult; aggravated manslaughter of a child;  
486 aggravated manslaughter of an officer, a firefighter, an  
487 emergency medical technician, or a paramedic.—

488 (4) A person who causes the death, through culpable  
489 negligence, of an officer as defined in s. 943.10(14), a  
490 firefighter as defined in s. 112.191, an emergency medical  
491 technician as defined in s. 401.23, or a paramedic as defined in  
492 s. 401.23, while the officer, firefighter, emergency medical  
493 technician, or paramedic is performing duties that are within

Page 17 of 29

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33-00516C-26 20261734\_

494 the course of his or her employment, commits aggravated  
495 manslaughter of an officer, a firefighter, an emergency medical  
496 technician, or a paramedic, a felony of the first degree,  
497 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

498 Section 14. For the purpose of incorporating the amendment  
499 made by this act to section 943.10, Florida Statutes, in a  
500 reference thereto, subsection (3) of section 790.233, Florida  
501 Statutes, is reenacted to read:

502 790.233 Possession of firearm or ammunition prohibited when  
503 person is subject to an injunction against committing acts of  
504 domestic violence, stalking, or cyberstalking; penalties.—

505 (3) It is the intent of the Legislature that the  
506 disabilities regarding possession of firearms and ammunition are  
507 consistent with federal law. Accordingly, this section does not  
508 apply to a state or local officer as defined in s. 943.10(14),  
509 holding an active certification, who receives or possesses a  
510 firearm or ammunition for use in performing official duties on  
511 behalf of the officer's employing agency, unless otherwise  
512 prohibited by the employing agency.

513 Section 15. For the purpose of incorporating the amendment  
514 made by this act to section 984.03, Florida Statutes, in  
515 references thereto, subsection (1) and paragraph (e) of  
516 subsection (37) of section 39.01, Florida Statutes, are  
517 reenacted to read:

518 39.01 Definitions.—When used in this chapter, unless the  
519 context otherwise requires:

520 (1) "Abandoned" or "abandonment" means a situation in which  
521 the parent or legal custodian of a child or, in the absence of a  
522 parent or legal custodian, the caregiver, while being able, has

Page 18 of 29

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33-00516C-26

20261734

523 made no significant contribution to the child's care and  
 524 maintenance or has failed to establish or maintain a substantial  
 525 and positive relationship with the child, or both. For purposes  
 526 of this subsection, "establish or maintain a substantial and  
 527 positive relationship" includes, but is not limited to, frequent  
 528 and regular contact with the child through frequent and regular  
 529 visitation or frequent and regular communication to or with the  
 530 child, and the exercise of parental rights and responsibilities.  
 531 Marginal efforts and incidental or token visits or  
 532 communications are not sufficient to establish or maintain a  
 533 substantial and positive relationship with a child. A man's  
 534 acknowledgment of paternity of the child does not limit the  
 535 period of time considered in determining whether the child was  
 536 abandoned. The term does not include a surrendered infant as  
 537 described in s. 383.50, a "child in need of services" as defined  
 538 in chapter 984, or a "family in need of services" as defined in  
 539 chapter 984. The absence of a parent, legal custodian, or  
 540 caregiver responsible for a child's welfare, who is a  
 541 servicemember, by reason of deployment or anticipated deployment  
 542 as defined in 50 U.S.C. s. 3938(e), may not be considered or  
 543 used as a factor in determining abandonment. The incarceration,  
 544 repeated incarceration, or extended incarceration of a parent,  
 545 legal custodian, or caregiver responsible for a child's welfare  
 546 may support a finding of abandonment.

547 (37) "Harm" to a child's health or welfare can occur when  
 548 any person:

549 (e) Abandons the child. Within the context of the  
 550 definition of "harm," the term "abandoned the child" or  
 551 "abandonment of the child" means a situation in which the parent

Page 19 of 29

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33-00516C-26

20261734

552 or legal custodian of a child or, in the absence of a parent or  
 553 legal custodian, the caregiver, while being able, has made no  
 554 significant contribution to the child's care and maintenance or  
 555 has failed to establish or maintain a substantial and positive  
 556 relationship with the child, or both. For purposes of this  
 557 paragraph, "establish or maintain a substantial and positive  
 558 relationship" includes, but is not limited to, frequent and  
 559 regular contact with the child through frequent and regular  
 560 visitation or frequent and regular communication to or with the  
 561 child, and the exercise of parental rights and responsibilities.  
 562 Marginal efforts and incidental or token visits or  
 563 communications are not sufficient to establish or maintain a  
 564 substantial and positive relationship with a child. The term  
 565 "abandoned" does not include a surrendered infant as described  
 566 in s. 383.50, a child in need of services as defined in chapter  
 567 984, or a family in need of services as defined in chapter 984.  
 568 The incarceration, repeated incarceration, or extended  
 569 incarceration of a parent, legal custodian, or caregiver  
 570 responsible for a child's welfare may support a finding of  
 571 abandonment.

572 Section 16. For the purpose of incorporating the amendment  
 573 made by this act to section 984.03, Florida Statutes, in a  
 574 reference thereto, paragraph (d) of subsection (2) of section  
 575 44.1011, Florida Statutes, is reenacted to read:

576 44.1011 Definitions.—As used in this chapter:

577 (2) "Mediation" means a process whereby a neutral third  
 578 person called a mediator acts to encourage and facilitate the  
 579 resolution of a dispute between two or more parties. It is an  
 580 informal and nonadversarial process with the objective of

Page 20 of 29

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33-00516C-26

20261734

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

Page 21 of 29

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33-00516C-26

20261734

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

Page 22 of 29

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33-00516C-26 20261734

639 the information guide available to the parent.

640 Section 20. For the purpose of incorporating the amendment  
641 made by this act to section 984.03, Florida Statutes, in  
642 references thereto, subsections (1) and (2) of section 984.10,  
643 Florida Statutes, are reenacted to read:

644 984.10 Intake.—

645 (1) Intake shall be performed by the department or the  
646 department's authorized agent. A report alleging that a child is  
647 from a family in need of services shall be made to the intake  
648 office operating in the county in which the child is found or in  
649 which the case arose. Any person or agency, including, but not  
650 limited to, the parent, legal guardian, or custodian, the local  
651 school district, a law enforcement agency, or the Department of  
652 Children and Families, having knowledge of the facts may make a  
653 report.

654 (2) A representative of the department shall make a  
655 preliminary determination as to whether the report is complete.  
656 The criteria for the completeness of a report with respect to a  
657 child alleged to be from a family in need of services while  
658 subject to compulsory school attendance shall be governed by s.  
659 984.03. In any case in which the representative of the  
660 department finds that the report is incomplete, the  
661 representative of the department shall return the report without  
662 delay to the person or agency originating the report or having  
663 knowledge of the facts or to the appropriate law enforcement  
664 agency having investigative jurisdiction and request additional  
665 information in order to complete the report.

666 Section 21. For the purpose of incorporating the amendment  
667 made by this act to section 984.03, Florida Statutes, in a

Page 23 of 29

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668 reference thereto, section 984.12, Florida Statutes, is  
669 reenacted to read:

670 984.12 Case staffing; services and treatment related to a  
671 family in need of services.—

672 (1) The appropriate representative of the department shall  
673 request a meeting of the family and child with a case staffing  
674 committee to review the case of any family or child who the  
675 department determines is in need of services if:

676 (a) The family or child is not in agreement with the  
677 services or treatment offered;

678 (b) The family or child will not participate in the  
679 services or treatment selected; or

680 (c) The representative of the department needs assistance  
681 in developing an appropriate plan for services. The time and  
682 place selected for the meeting shall be convenient for the child  
683 and family.

684 (2) The composition of the case staffing committee shall be  
685 based on the needs of the family and child. It shall include a  
686 representative from the child's school district and a  
687 representative of the department, and may include the  
688 department's authorized agent and a supervisor of the  
689 department's contracted provider; a representative from the area  
690 of health, mental health, substance abuse, or social services; a  
691 representative of the state attorney; a representative of law  
692 enforcement; and any person recommended by the child, family, or  
693 department. The child and the child's parent, legal guardian, or  
694 custodian must be invited to attend the committee meeting.

695 (3) The case staffing committee shall:

696 (a) Identify the family's concerns and contributing

Page 24 of 29

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33-00516C-26 20261734

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

Page 25 of 29

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33-00516C-26 20261734

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

Page 26 of 29

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33-00516C-26

20261734\_\_

755 with a written report that details the reasons for the  
 756 committee's decision to recommend, or decline to recommend, that  
 757 the department file a petition alleging that the child is a  
 758 child in need of services.

759 (11) The case staffing committee may reconvene from time to  
 760 time as may be necessary to make adjustments to the plan.

761 Section 22. For the purpose of incorporating the amendment  
 762 made by this act to section 984.03, Florida Statutes, in a  
 763 reference thereto, subsection (3) of section 984.13, Florida  
 764 Statutes, is reenacted to read:

765 984.13 Taking a child into custody.—

766 (3) If the child is taken into custody and is delivered to  
 767 a shelter, the department's authorized agent shall review the  
 768 facts and make such further inquiry as necessary to determine  
 769 whether the child shall remain in shelter, receive voluntary  
 770 family services that would allow the child alleged to be from a  
 771 family in need of services to remain at home, or be released.

772 Section 23. For the purpose of incorporating the amendment  
 773 made by this act to section 984.03, Florida Statutes, in a  
 774 reference thereto, subsection (23) of section 985.03, Florida  
 775 Statutes, is reenacted to read:

776 985.03 Definitions.—As used in this chapter, the term:

777 (23) "Family in need of services" has the same meaning as  
 778 provided in s. 984.03.

779 Section 24. For the purpose of incorporating the amendment  
 780 made by this act to section 984.09, Florida Statutes, in a  
 781 reference thereto, subsection (33) of section 984.03, Florida  
 782 Statutes, is reenacted to read:

783 984.03 Definitions.—When used in this chapter, the term:

Page 27 of 29

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20261734\_\_

784 (33) "Shelter" means a department-approved shelter facility  
 785 for the temporary care of runaway children; for children placed  
 786 for voluntary shelter respite upon request of the child or the  
 787 child's parent, legal guardian, or custodian; or for placement  
 788 of a child who has been adjudicated a child in need of services  
 789 or who has been found in contempt of court under s. 984.09.  
 790 Shelters must provide 24-hour continual supervision. A shelter  
 791 must be licensed by the Department of Children and Families as a  
 792 licensed child-caring agency.

793 Section 25. For the purpose of incorporating the amendment  
 794 made by this act to section 984.09, Florida Statutes, in a  
 795 reference thereto, subsection (1) of section 984.07, Florida  
 796 Statutes, is reenacted to read:

797 984.07 Right to counsel; waiver; appointed counsel;  
 798 compensation.—

799 (1) When a petition is filed alleging that a child is a  
 800 child in need of services or if the child is subject to contempt  
 801 proceedings under s. 984.09, the child must be represented by  
 802 counsel at each court appearance. The court must appoint counsel  
 803 unless the child is not indigent and has counsel present to  
 804 represent the child or the record in that proceeding  
 805 affirmatively demonstrates by clear and convincing evidence that  
 806 the child knowingly and intelligently waived the right to  
 807 counsel after being fully advised by the court of the nature of  
 808 the proceedings and the dispositional alternatives available to  
 809 the court. If the child waives counsel at any proceeding, the  
 810 court shall advise the child with respect to the right to  
 811 counsel at every subsequent hearing.

812 Section 26. For the purpose of incorporating the amendment

Page 28 of 29

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20261734\_\_

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.

2/12/26

Meeting Date

Senate Fiscal Policy

Committee

Name Chris Klaben

Address 2737 Centerview Dr.

Street

gallagher

FL

32399

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. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

2/12/26

Meeting Date

Senate Fiscal Policy

Committee

Name Chris Klaban

Address 2737 Centurions Dr.

Street

Tallahassee

PL

32399

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. [2020-2022JointRules.pdf \(flesenate.gov\)](https://flesenate.gov/2020-2022JointRules.pdf)

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

S-001 (08/10/2021)

## The Florida Senate

2/12/26

Meeting Date

Fiscal Policy

Committee

## APPEARANCE RECORD

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

SB 1734 - JUVENILE JUSTICE

Bill Number or Topic

Name CHRISTIAN MINOR

Phone (321)223-4232

Address 2850 PAULS AVE

Street

Email cmminor@fjja.org

TENNESSEE

FL

32308

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 Juvenile Justice Association

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](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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

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 12<sup>th</sup>. 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".

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](http://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