

Tab 1 SB 1110 by Rouson; (Similar to CS/H 01177) Grease Waste Removal and Disposal							
962386	D	S	RCS	AEG, Rouson	Delete everything after	02/02	04:55 PM

Tab 2 CS/SB 1292 by BI, Gruters (CO-INTRODUCERS) Bradley; (Identical to CS/H 00749) Fraud Prevention							
631234	A	S	RCS	AEG, Gruters	Delete L.99 - 271:	02/02	04:55 PM
910384	AA	S	RCS	AEG, Gruters	Delete L.116 - 117:	02/02	04:55 PM

Tab 3 SB 7012 by EN; (Identical to H 01151) Per- and Polyfluoroalkyl Substances Task Force							
604202	D	S	RCS	AEG, Brodeur	Delete everything after	02/02	04:55 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE,
ENVIRONMENT, AND GENERAL GOVERNMENT**

**Senator Albritton, Chair
Senator Rodrigues, Vice Chair**

MEETING DATE: Wednesday, February 2, 2022
TIME: 4:00—5:30 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Albritton, Chair; Senator Rodrigues, Vice Chair; Senators Ausley, Berman, Boyd, Bradley, Brodeur, Garcia, Mayfield, and Stewart

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1110 Rouson (Similar CS/H 1177)	Grease Waste Removal and Disposal; Requiring grease waste haulers to dispose of grease waste at disposal facilities; prohibiting grease waste haulers from returning grease waste and graywater to certain grease interceptors and traps and from disposing of grease waste at locations other than disposal facilities; requiring haulers to document grease waste removal and disposal with service manifests; requiring inspecting entities to verify certain contracts and service manifests, etc. EN 01/24/2022 Favorable AEG 02/02/2022 Fav/CS AP	Fav/CS Yeas 9 Nays 0
2	CS/SB 1292 Banking and Insurance / Gruters (Identical CS/H 749)	Fraud Prevention; Requiring that the electronic credentialing system display certain vehicle information for specified purposes by a specified date; requiring sellers to allow consumers to cancel in a specified manner and by specified means service contracts that have automatic renewal provisions; revising maximum fines for public adjusters and public adjuster apprentices for certain violations under a specified circumstance; authorizing the Department of Financial Services to impose an administrative fine on insurers under certain circumstances; revising felony violations for which prosecutions must be commenced within a specified timeframe, etc. BI 01/18/2022 Fav/CS AEG 02/02/2022 Fav/CS AP	Fav/CS Yeas 9 Nays 0
3	SB 7012 Environment and Natural Resources (Identical H 1151)	Per- and Polyfluoroalkyl Substances Task Force; Creating the task force within the Department of Environmental Protection; providing the membership, organization, and duties of the task force; requiring the department to provide staffing to assist the task force in the performance of its duties; requiring the task force to convene by a specified date; requiring the task force to submit an annual report to the Governor and the Legislature by a specified date, etc. AEG 02/02/2022 Fav/CS AP	Fav/CS Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Agriculture, Environment, and General Government
Wednesday, February 2, 2022, 4:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	Review and Discussion of Fiscal Year 2022-2023 Budget Issues Relating to: Department of Agriculture and Consumer Services Department of Citrus Department of Environmental Protection Fish and Wildlife Conservation Commission Department of Business and Professional Regulation Department of Financial Services Office of Financial Regulation Office of Insurance Regulation Florida Gaming Control Commission Department of Lottery Department of Management Services Division of Administrative Hearings Florida Commission on Human Relations Public Employees Relations Commission Public Service Commission Department of Revenue		Discussed
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 Appropriations Subcommittee on Agriculture, Environment, and General Government

BILL: PCS/SB 1110 (935176)

INTRODUCER: Appropriations Subcommittee on Agriculture, Environment, and General Government;
and Senator Rouson

SUBJECT: Grease Waste Removal and Disposal

DATE: February 4, 2022 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carroll</u>	<u>Rogers</u>	<u>EN</u>	Favorable
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

I. Summary:

PCS/SB 1110 creates regulations for grease waste removal and disposal. The bill defines the terms disposal facility, graywater, grease interceptor or grease trap, grease waste, hauler, originator, and service manifest. The bill provides requirements for what a service manifest must contain and which entity must sign it and when.

The bill requires haulers to dispose of grease waste at a disposal facility and prevents them from returning grease waste or graywater to a grease interceptor or trap. The bill provides for compliance inspections. The bill also contains penalties for failure to provide or retain a service manifest, failure to clean a grease interceptor or grease trap, and unlawful disposal of grease. The bill provides for a local government to receive reports of violations and to collect fines and impose license actions. The bill does not prohibit a local government from adopting or enforcing an ordinance or rule to regulate the removal and disposal of grease waste which is more strict or extensive than what the bill provides.

The bill permits fiscally constrained counties and small counties to opt out of the bill's requirements.

The bill requires the Department of Environmental Protection (DEP) to adopt rules to implement the new regulations in the bill.

The DEP may incur costs from regulating grease disposal, periodic inspections, and rulemaking.

II. Present Situation:

Fats, Oils, and Grease

Fats, oils, and grease (FOG) are usually found in kitchens as ingredients or byproducts of cooking.¹ Examples include cooking oil; butter, margarine, or shortening; salad dressing; gravy; bacon and sausage grease; mayonnaise; peanut butter; and dairy products like milk, yogurt, cream, sour cream, and ice cream. Improper FOG disposal, usually down kitchen sinks, can cause environmental damage. In a sewer system, FOG can solidify and accumulate around the insides of underground sewer pipes, which can lead to blockages, backups, pipe bursts, and overflows.² When that happens, raw sewage carrying bacteria, excess nutrients, and disease-causing pathogens can enter waterbodies. Septic systems have similar problems, with FOG accumulating in septic tanks and lines and eventually causing blockages, backups, and overflows. Failing septic systems release raw sewage, which can be carried to nearby waterbodies by stormwater.³ Sewage disposal facilities are responsible for taking steps to prevent sanitary sewer overflows or underground pipe leaks, and for ensuring that collected wastewater reaches the facility for appropriate treatment.⁴ Some local governments have regulated grease disposal to protect local sewer systems.⁵

Grease Traps and Interceptors

Facilities that prepare and serve food must install grease removal devices in accordance with the Florida Building Code.⁶ Grease removal devices include grease traps and grease interceptors.⁷ A grease trap is a concrete or metal tank, usually located indoor or under a sink, that receives wastewater from kitchen pipes.⁸ FOG in the grease trap separates from the water and floats to the surface of the tank, thereby reducing the concentration of grease in the wastewater.⁹

A grease interceptor has more storage capability than a grease trap and is located underground outside of the regulated establishment.¹⁰ Wastewater from fixtures and floor drains in a kitchen flows into a grease interceptor where FOG separate from wastewater. The wastewater continues to flow from the interceptor to a wastewater treatment facility.

¹ Clemson Cooperative Extension, *F.O.G. (Fats, Oils, and Grease) Pollution*, <https://hgic.clemson.edu/factsheet/f-o-g-fats-oils-and-grease-pollution/> (last visited Jan. 10, 2022).

² Department of Environmental Protection, *Recommendations for Regulating Fat, Oil, and Grease Processing and Biofuel Production Facilities in Florida* (Mar. 15, 2013) available at https://floridadep.gov/sites/default/files/Guidance_FOG_Biofuel_15Mar13.pdf (last visited Jan. 21, 2022).

³ *Id.*

⁴ Section 403.086(7), F.S.

⁵ See, e.g., Alachua Ord. No. 38-140 (wastewater rates and charges); Cape Coral Ord. No. 19-8.2 (restricted use of the public sewers); Daytona Beach Ord. No. 7-7.2 (public sanitary sewer system pretreatment); and Tallahassee Ord. No. 21-493 (disposal of other special waste).

⁶ 2020 Florida Building Code, Chapter 10, Section 1003.3.1, available at <https://codes.iccsafe.org/content/FLPC2020P1/chapter-10-traps-interceptors-and-separators> (last visited Jan. 20, 2022). Sarasota County Public Utilities, *Fats, Oils, and Grease: Best Management Practices Guide*, 4, available at <https://www.scgov.net/home/showpublisheddocument/51221/637582391435000000> (last visited Jan. 20, 2022).

⁷ Sarasota County Public Utilities, *Fats, Oils, and Grease: Best Management Practices Guide* at 4.

⁸ *Id.*; Miami-Dade County, *FOG – Fats, Oils, and Grease*, 1, available at <https://www.miamidade.gov/environment/library/flyers/fats-oils-grease-fact-sheet.pdf> (last visited Jan. 20, 2022).

⁹ *Id.*

¹⁰ *Id.*

Current Regulation

To clean a grease interceptor, a service person must obtain an annual written permit from the DEP for the county in which the service company is located.¹¹ These permits authorize the disposal service to handle liquid waste associated with food operations and apply to all food establishment sludge which is collected for disposal from onsite sewage treatment and disposal systems.¹² Food establishment sludge is defined as oils, fats, greases, food scraps and other grease interceptor contents generated by a food operation or institutional food preparation facility that uses an onsite sewage treatment and disposal system.¹³ An onsite sewage treatment and disposal system is defined in part as a sewage system that contains a grease interceptor.¹⁴

Prior to issuance of the permit, the applicant must provide evidence of certain adequate equipment, including a tank truck with a liquid capacity of at least 1,500 gallons, pumps, off-truck stabilization tanks, and pH testing equipment.¹⁵ Untreated food establishment sludges must be transported to an approved treatment facility without leakage, spillage, or creation of a sanitary nuisance.¹⁶

Any food establishment sludge collected from onsite sewage treatment and disposal systems must be disposed of at a DEP-approved site and by a DEP-approved method.¹⁷ Food establishment sludge haulers who have collected the sludge from onsite sewage treatment and disposal systems are required to maintain a collection and hauling log at the treatment site or at the main business location, which must be retained for five years and must include:

- Date of collection;
- Address of collection;
- Whether the point of collection is a residence or business (and what type of business);
- Estimated volume of waste transported;
- Receipts for lime or other materials used for treatment;
- Location of the approved treatment facility;
- Date and time of discharge to the treatment facility; and
- Acknowledgement from treatment facility of receipt of waste.¹⁸

Current Regulation of Solid Waste

Solid waste is defined in statute as sludge unregulated under the federal Clean Water Act or Clean Air Act; sludge from a waste treatment works, water supply treatment plant, or air pollution control facility; or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.¹⁹ Sludge is the

¹¹ Fla. Admin. Code R. 62-6.010(1).

¹² *Id.*

¹³ Fla. Admin. Code R. 62-6.002(27).

¹⁴ Section 381.0065(2)(l), F.S.

¹⁵ Fla. Admin. Code R. 62-6.010(2)(a).

¹⁶ Fla. Admin. Code R. 62-6.010(5).

¹⁷ Fla. Admin. Code R. 62-6.010(7).

¹⁸ Fla. Admin. Code R. 62-6.010(7)(e).

¹⁹ Section 403.703(35), F.S.

accumulated solids, residues, and precipitates generated as a result of waste treatment or processing, including wastewater treatment or water supply treatment, and mixed liquids and solids pumped in part from septic tanks, grease traps, or similar waste disposal appurtenances.²⁰ The state's solid waste management program is required to include at a minimum:

- Procedures and requirements to ensure cooperative efforts in solid waste management by counties and municipalities;
- Provisions for the continuation of existing effective regional resources recovery, recycling, and solid waste management facilities and programs;
- Planning guidelines and technical assistance to counties and municipalities to aid in establishing recycling programs and meeting municipal recycling goals;
- Technical assistance to counties and municipalities in determining the full cost of solid waste management;
- Planning guidelines and technical assistance to counties and municipalities to develop and implement programs for alternative disposal or processing or recycling of certain types of solid wastes; and
- A public education program.²¹

It is a violation of the Florida Air and Water Pollution Control Act (act), which includes solid waste disposal regulations, for any person:

- To cause pollution, except as otherwise provided in the act, so as to harm or injure human health or welfare, animal, plant, or aquatic life or property;
- To fail to obtain a permit required by the act or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the DEP; and
- To knowingly make any false representation or certification in any application, record, report, plan, or other document filed or required to be maintained under the act, or to falsify or tamper with any monitoring device or method.²²

Violations of the act are as follows:

- A person who commits a violation is liable to the state for any damage caused and for civil penalties;
- A person who willfully causes pollution so as to harm or injure human health or welfare, animal, plant, or aquatic life or property commits a felony of the third degree, punishable by a fine of no more than \$50,000 or by imprisonment for five years, or both;
- A person who causes pollution so as to harm or injure human health or welfare, animal, plant, or aquatic life or property, or who fails to obtain any permit or comply with any rule, regulation, order, permit, or certification, due to reckless indifference or gross careless disregard commits a misdemeanor of the second degree, punishable by a fine of no more than \$10,000 or by 60 days in jail, or both; and
- A person who willfully fails to obtain any permit or comply with any rule, regulation, order, permit, or certification, or knowingly makes a false representation or certification commits a

²⁰ Section 403.703(34), F.S.

²¹ Section 403.705(2), F.S.

²² Section 403.161, F.S.

misdemeanor of the first degree, punishable by a fine of no more than \$10,000 or by six months in jail, or both.²³

The civil penalties and criminal fines imposed by a court must be of such amount as to ensure immediate and continued compliance with the section.²⁴

The administrative penalties for solid waste violations include a penalty of \$3,000 for the unpermitted or unauthorized disposal or storage of solid waste; plus \$1,000 if the solid waste is Class I;²⁵ plus \$1,500 if the waste is disposed of or stored in any natural or artificial body of water or within 500 feet of a potable water well; plus \$1,500 if the waste contains more than 25 gallons of used oil.²⁶ The DEP shall assess a penalty of \$4,500 for failure to properly maintain leachate control; unauthorized burning; failure to have a trained spotter on duty at the working face when accepting waste; or failure to provide access control for three consecutive inspections.²⁷

Current Regulation of Used Oil

Used oil is defined in statute as any oil that is refined from crude or synthetic oil and, as a result of use, storage, or handling, has become contaminated and unsuitable for its original purpose.²⁸ Certain actions are prohibited with respect to used oil, including:

- No person may collect, transport, store, recycle, use or dispose of used oil in a manner that endangers the public health or welfare;
- No person may discharge used oil into sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters;
- No person may mix or commingle used oil with solid waste that is to be disposed of in landfills or directly dispose of used oil in landfills unless approved by the DEP;
- No person may mix or commingle used oil with hazardous substances that make it unsuitable for recycling or beneficial use; and
- Used oil cannot be used for road oiling, dust control, weed abatement, or other similar uses that may release oil into the environment.²⁹

Oil transporters and transfer facilities, used oil processors and re-refiners, and used oil burners and fuel marketers are all required to register annually with the DEP pursuant to the agency's rules.³⁰ Each registered person who transports, processes, burns, or recycles used oil shall maintain records which identify:

- The source of the materials transported or recycled;
- The quantity of material received;
- The date of receipt; and

²³ *Id.*

²⁴ *Id.*

²⁵ Class I waste is solid waste that is not hazardous waste, and that is not prohibited from disposal in a lined landfill. Fla. Admin. Code R. 62-701.200.

²⁶ Section 403.121(3)(e), F.S.

²⁷ *Id.*

²⁸ Section 403.75(7), F.S.

²⁹ Section 403.751, F.S.

³⁰ Section 403.754(1), F.S.

- The destination or end use of the materials.³¹

Used oil transporters must also have certification to transport more than 500 gallons annually over public highways.³² The DEP developed this certification program and is responsible for issuing, denying, or revoking certifications.³³

Current Federal Regulation

The National Pretreatment Program (program) implements Clean Water Act requirements to pretreat pollutants that are introduced into publicly owned treatment works (POTWs).³⁴ POTWs collect wastewater from homes, commercial buildings, and industrial facilities and transport it to treatment plants.³⁵ The program aims in part to prevent excess loadings of oil and grease, which have caused violations or operational problems at POTWs.³⁶ The program's general pretreatment regulations establish responsibilities among federal, state, and local government; industry; and the public, although responsibility rests mainly on local municipalities.³⁷ The regulations apply to all nondomestic sources that introduce pollutants into a POTW.³⁸

Water Quality Assurance Trust Fund

The WQATF is a broad-based fund for use in responding to incidents of contamination that pose a serious danger to the quality of groundwater and surface water resources or otherwise pose a serious danger to the public health, safety, or welfare.³⁹ Moneys in the fund may be used:

- For assessment, cleanup, restoration, monitoring, and maintenance of any site involving spills, discharges, or escapes of pollutants or hazardous substances which occur as a result of procedures taken by private and governmental entities involving the storage, transportation, and disposal of such products;
- For assessment, cleanup, restoration, monitoring, and maintenance of sites involving dry-cleaning products;
- For activities to expeditiously restore or replace potable water supplies;
- For response actions under the Comprehensive Environmental Response, Compensation, and Liability Act; and
- To restore or replace contaminated private potable water wells or water systems.⁴⁰

³¹ Section 403.754(6), F.S.

³² Section 403.767, F.S.

³³ *Id.*; Fla. Admin. Code R. 62.710.600.

³⁴ U.S. Environmental Protection Agency, *Introduction to the National Pretreatment Program*, 1-1 (June 2011), available at https://www.epa.gov/sites/default/files/2015-10/documents/pretreatment_program_intro_2011.pdf (last visited Jan. 21, 2022).

³⁵ *Id.*

³⁶ *Id.* at 1-4.

³⁷ *Id.* at 2-2, 2-4.

³⁸ *Id.* at 2-2.

³⁹ Section 376.307(1), F.S.

⁴⁰ *Id.*

III. Effect of Proposed Changes:

Section 1 creates s. 403.742, F.S., to regulate grease waste removal and disposal. The bill defines the following six terms as follows:

- “Disposal facility” means a permitted or certified waste management facility that is authorized to receive grease waste.
- “Graywater” means kitchen sink wastewater.
- “Grease interceptor or grease trap” means a receptacle through which wastewater containing fats, oils, or grease flows before entering a drainage system and which is designed to trap or intercept such materials while allowing clear water to escape. This term does not include receptacles designed specifically to collect used cooking oil or fats and bones.
- “Grease waste” means liquid or solid material composed primarily of fatty substances, oils, and grease from animal or vegetable sources which is retained in a grease interceptor or grease trap.
- “Hauler” means a person who removes and disposes of grease waste.
- “Originator” means a food service establishment that processes, prepares, or serves food or beverages for consumption by the public, including restaurants, commercial kitchens, cafeterias, hotels, school kitchens, hospitals, prisons, correctional facilities, and care institutions.
- “Service manifest” means an electronic or hard copy recordkeeping system used for the collection and disposal of grease waste.

The bill requires the service manifest to include an originator section, a hauler section, and a disposal facility section. The bill requires the service manifest to contain, at a minimum, all of the following information:

- The name, address, and telephone number of the originator, the hauler, and the disposal facility.
- The condition of the originator’s grease interceptor or grease trap and verification that the grease interceptor or grease trap was cleaned by the hauler and that graywater was not returned to the grease interceptor or grease trap.
- The amount of grease waste removed from the originator’s grease interceptor or grease trap.
- The amount of grease waste disposed of at the disposal facility.
- The billing receipt or ticket number provided to the hauler by the disposal facility.

With respect to the disposal of grease waste, the bill requires a hauler who removes grease waste from a grease interceptor or grease trap to dispose of it at a disposal facility. The hauler may not return grease waste or graywater to a grease interceptor or grease trap or dispose of grease waste in any location other than a grease facility.

The bill requires a hauler to document the removal and disposal of grease waste with a service manifest. The originator and the hauler must sign the service manifest upon completion of grease waste removal during the originator’s hours of operation to verify that the information contained in the service manifest is accurate. The hauler must provide a copy of the signed service manifest to the originator. The bill provides that if the grease waste removal occurs when the originator is closed or before or after the originator’s hours of operation, the hauler must sign the manifest, verifying that the information contained in it is accurate, and leave a signed copy on the premises

in a location designated by the originator or make the service manifest available to the originator electronically.

The bill requires that upon completion of grease waste disposal, the disposal facility operator and the hauler must sign the service manifest, verifying that the information contained in it is accurate. The hauler must provide the originator and the county and municipality in which the originator is located with a copy of the completed service manifest showing the signatures of the originator, if signed, the hauler, and the disposal facility operator within 30 days after the date of disposal. The bill requires a copy of the signed completed service manifest to be retained on site by the originator and the hauler for one year.

With respect to compliance inspections, the bill requires an inspecting entity to verify that an originator has a contract with a hauler for grease waste removal and that grease removal and disposal are documented properly. The bill also requires the DEP to periodically inspect the service manifests retained by a hauler to ensure compliance.

The bill provides that a hauler who violates these provisions will be subject to the following penalties:

- For each failure to provide or retain a service manifest, an administrative fine not to exceed \$100;
- For each failure to clean a grease interceptor or grease trap, an administrative fine not to exceed \$250. The DEP shall authorize an inspecting entity to impose this penalty as part of a grease interceptor or grease trap inspection;
- For an unlawful disposal of grease waste, an administrative fine of at least \$2,500;
- For a second or subsequent unlawful disposal of grease waste, an administrative fine of at least \$5,000;
- For an unlawful disposal of grease waste, the penalty must include a license suspension of at least 30 days; and
- For a second or subsequent unlawful disposal of grease waste, the penalty must include a license revocation of at least 12 months.

The bill provides that local governments:

- May receive copies of service manifests from haulers;
- Receive reports of violations;
- Collect and retain fines for service manifest violations; and
- Impose license actions.

This bill does not prohibit a local government from adopting or enforcing an ordinance or rule to regulate the removal and disposal of grease waste which is more strict or extensive than the regulations found in the bill.

The bill permits fiscally constrained counties and small counties to opt out of the bill's requirements.

The bill requires the DEP to adopt rules to implement the regulations in the bill.

Section 2 provides an effective date of July 1, 2022.

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 DEP may incur costs from regulating grease disposal, from periodic inspections and rulemaking.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 403.742 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.)

Recommended CS by Appropriations Subcommittee on Agriculture, Environment, and General Government on February 2, 2022:

The committee substitute:

- Defines “grease interceptor or grease trap” to mean “a receptacle through which wastewater containing fats, oils, or grease flows before entering a drainage system and which is designed to trap or intercept the fats, oils, or grease while allowing clear water to escape. The term does not include receptacles designed specifically for collecting used cooking oil or fats and bones.”
- Allows a hauler to give a signed copy of the service manifest to the originator electronically.
- Requires a hauler to provide a copy of the completed service manifest to the county and municipality in which an originator is located.
- Provides that local governments may receive copies of service manifests from haulers, receive reports of violation, collect and retain fines for service manifest violations, and impose license actions.
- Removes the requirement that fines collected pursuant to the penalties subsection must be deposited into the Water Quality Assurance Trust Fund.
- Allows fiscally constrained counties and small counties to opt out of the bill’s requirements.
- Retains all other provisions in the bill except as otherwise described.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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Appropriations Subcommittee on Agriculture, Environment, and
General Government (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 403.0741, Florida Statutes, is created
to read:

403.0741 Grease waste removal and disposal.-

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

(a) "Disposal facility" means a permitted or certified
waste management facility that is authorized to receive grease



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11 waste.
12 (b) "Graywater" means kitchen sink wastewater.
13 (c) "Grease interceptor or grease trap" means a receptacle
14 through which wastewater containing fats, oils, or grease flows
15 before entering a drainage system and which is designed to trap
16 or intercept the fats, oils, or grease while allowing clear
17 water to escape. The term does not include receptacles designed
18 specifically for collecting used cooking oil or fats and bones.
19 (d) "Grease waste" means liquid or solid material composed
20 primarily of fatty substances, oils, and grease from animal or
21 vegetable sources which is retained in a grease interceptor or
22 grease trap.
23 (e) "Hauler" means a person who removes and disposes of
24 grease waste.
25 (f) "Originator" means a food service establishment that
26 processes, prepares, or serves food or beverages for consumption
27 by the public, including, but not limited to, restaurants,
28 commercial kitchens, cafeterias, hotels, school kitchens,
29 hospitals, prisons, correctional facilities, and care
30 institutions.
31 (g) "Service manifest" means an electronic or hard copy
32 recordkeeping system used for the collection and disposal of
33 grease waste pursuant to this section. The service manifest must
34 consist of an originator section, a hauler section, and a
35 disposal facility section and must contain, at a minimum, the
36 following information:
37 1. The name, address, and telephone number of the
38 originator.
39 2. The name, address, and telephone number of the hauler.



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40 3. The name, address, and telephone number of the disposal
41 facility.

42 4. The condition of the originator's grease interceptor or
43 grease trap and verification that the grease interceptor or
44 grease trap was cleaned by the hauler and that graywater was not
45 returned to the grease interceptor or grease trap.

46 5. The amount of grease waste removed from the originator's
47 grease interceptor or grease trap.

48 6. The amount of grease waste disposed of at the disposal
49 facility.

50 7. The billing receipt or ticket number provided to the
51 hauler by the disposal facility.

52 (2) DISPOSAL OF GREASE WASTE.—

53 (a) A hauler who removes grease waste from a grease
54 interceptor or grease trap must dispose of the grease waste at a
55 disposal facility.

56 (b) A hauler may not:

57 1. Return grease waste or graywater to a grease interceptor
58 or grease trap; or

59 2. Dispose of grease waste in any location other than a
60 disposal facility.

61 (3) GREASE WASTE SERVICE MANIFEST.—

62 (a) A hauler must document the removal and disposal of
63 grease waste with a service manifest.

64 (b) Upon completion of grease waste removal during the
65 originator's hours of operation, the originator and the hauler
66 must sign the service manifest, verifying that the information
67 contained in the service manifest is accurate. The hauler must
68 provide a copy of the signed service manifest to the originator.



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69 If the grease waste removal occurs when the originator is closed
70 or before or after the originator's hours of operation, the
71 hauler must sign the service manifest, verifying that the
72 information contained in the service manifest is accurate, and
73 leave a signed copy of the service manifest on the premises in a
74 location designated by the originator or make the service
75 manifest available to the originator electronically.

76 (c) Upon completion of grease waste disposal, the disposal
77 facility operator and the hauler must sign the service manifest,
78 verifying that the information contained in the service manifest
79 is accurate.

80 (d) The hauler must provide the originator and the county
81 and municipality in which the originator is located with a copy
82 of the completed service manifest showing the signatures of the
83 originator if signed pursuant to paragraph (b), the hauler, and
84 the disposal facility operator within 30 days after the date of
85 the disposal.

86 (e) A copy of the signed completed service manifest must be
87 retained onsite by the originator and the hauler for 1 year.

88 (4) COMPLIANCE INSPECTIONS.—

89 (a) An inspecting entity must verify that an originator has
90 a contract with a hauler for grease waste removal and that
91 grease waste removal and disposal are documented pursuant to
92 this section.

93 (b) The department shall periodically inspect the service
94 manifests retained by a hauler to ensure compliance with this
95 section.

96 (5) PENALTIES.—

97 (a) A hauler who violates this section is subject to the



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98 following penalties:

99 1. For each failure to provide or retain a service
100 manifest, an administrative fine not to exceed \$100.

101 2. For each failure to clean a grease interceptor or grease
102 trap, an administrative fine not to exceed \$250. The department
103 shall authorize an inspecting entity to impose this penalty as
104 part of a grease interceptor or grease trap inspection.

105 3. For an unlawful disposal of grease waste, an
106 administrative fine of at least \$2,500.

107 4. For a second or subsequent unlawful disposal of grease
108 waste, an administrative fine of at least \$5,000.

109 (b) For a violation of subparagraph (a)3., the penalty must
110 include a license suspension of at least 30 days.

111 (c) For a second or subsequent violation of subparagraph
112 (a)3., the penalty must include a license revocation of at least
113 12 months.

114 (6) REGULATION BY LOCAL GOVERNMENTS.—

115 (a) A local government may:

116 1. Receive copies of service manifests from haulers.

117 2. Receive reports of violations.

118 3. Collect and retain fines for service manifest
119 violations.

120 4. Impose license actions.

121 (b) This section does not prohibit a local government from
122 adopting or enforcing an ordinance or rule to regulate the
123 removal and disposal of grease waste which is stricter or more
124 extensive than this section.

125 (c) Fiscally constrained counties as described in s.
126 218.67(1) and small counties as defined in s. 339.2818(2) may



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127 opt out of the requirements of this section.

128 (7) RULES.—The department shall adopt rules to implement
129 this section.

130 Section 2. This act shall take effect July 1, 2022.

131

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

133 And the title is amended as follows:

134 Delete everything before the enacting clause
135 and insert:

136 A bill to be entitled
137 An act relating to grease waste removal and disposal;
138 creating s. 403.0741, F.S.; defining terms; requiring
139 grease waste haulers to dispose of grease waste at
140 disposal facilities; prohibiting grease waste haulers
141 from returning grease waste and graywater to grease
142 interceptors and traps and from disposing of grease
143 waste at locations other than disposal facilities;
144 requiring haulers to document grease waste removal and
145 disposal with service manifests; providing
146 requirements for the service manifests; requiring
147 inspecting entities to verify certain contracts and
148 service manifests; requiring the Department of
149 Environmental Protection to periodically inspect
150 service manifests; providing penalties; authorizing
151 local governments to regulate grease waste removal and
152 disposal; providing construction; authorizing certain
153 counties to opt out of specified requirements;
154 requiring the department to adopt rules; providing an
155 effective date.



962386

156

By Senator Rouson

19-00790A-22

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A bill to be entitled

An act relating to grease waste removal and disposal; creating s. 403.742, F.S.; defining terms; requiring grease waste haulers to dispose of grease waste at disposal facilities; prohibiting grease waste haulers from returning grease waste and graywater to certain grease interceptors and traps and from disposing of grease waste at locations other than disposal facilities; requiring haulers to document grease waste removal and disposal with service manifests; requiring inspecting entities to verify certain contracts and service manifests; requiring the Department of Environmental Protection to periodically inspect service manifests; providing penalties; requiring that the fines from such penalties be deposited into the Water Quality Assurance Trust Fund; requiring the department to adopt rules; providing construction; providing an effective date.

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

Section 1. Section 403.742, Florida Statutes, is created to read:

403.742 Grease waste removal and disposal.—

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

(a) "Disposal facility" means a permitted or certified waste management facility that is authorized to receive grease waste.

(b) "Graywater" means kitchen sink wastewater.

Page 1 of 5

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

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(c) "Grease waste" means liquid or solid material composed primarily of fatty substances, oils, and grease from animal or vegetable sources which is retained in a grease interceptor or grease trap.

(d) "Hauler" means a person who removes and disposes of grease waste.

(e) "Originator" means a food service establishment that processes, prepares, or serves food or beverages for consumption by the public, including, but not limited to, restaurants, commercial kitchens, cafeterias, hotels, school kitchens, hospitals, prisons, correctional facilities, and care institutions.

(f) "Service manifest" means an electronic (or hard copy recordkeeping system used for the collection and disposal of grease waste pursuant to this section. The service manifest must consist of an originator section, a hauler section, and a disposal facility section and must contain, at a minimum, the following information:

1. The name, address, and telephone number of the originator.

2. The name, address, and telephone number of the hauler.

3. The name, address, and telephone number of the disposal facility.

4. The condition of the originator's grease interceptor or grease trap and verification that the grease interceptor or grease trap was cleaned by the hauler and that graywater was not returned to the grease interceptor or grease trap.

5. The amount of grease waste removed from the originator's grease interceptor or grease trap.

Page 2 of 5

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

19-00790A-22 20221110__

59 6. The amount of grease waste disposed of at the disposal
60 facility.

61 7. The billing receipt or ticket number provided to the
62 hauler by the disposal facility.

63 (2) DISPOSAL OF GREASE WASTE.—

64 (a) A hauler who removes grease waste from a grease
65 interceptor or grease trap must dispose of the grease waste at a
66 disposal facility.

67 (b) A hauler may not:

68 1. Return grease waste or graywater to a grease interceptor
69 or grease trap; or

70 2. Dispose of grease waste in any location other than a
71 disposal facility.

72 (3) GREASE WASTE SERVICE MANIFEST.—

73 (a) A hauler must document the removal and disposal of
74 grease waste with a service manifest.

75 (b) Upon completion of grease waste removal during the
76 originator's hours of operation, the originator and the hauler
77 must sign the service manifest, verifying that the information
78 contained in the service manifest is accurate. The hauler must
79 provide a copy of the signed service manifest to the originator.
80 If the grease waste removal occurs when the originator is closed
81 or before or after the originator's hours of operation, the
82 hauler must sign the manifest, verifying that the information
83 contained in the service manifest is accurate, and leave a
84 signed copy of the service manifest on the premises in a
85 location designated by the originator.

86 (c) Upon completion of grease waste disposal, the disposal
87 facility operator and the hauler must sign the service manifest,

19-00790A-22 20221110__

88 verifying that the information contained in the service manifest
89 is accurate.

90 (d) The hauler must provide the originator with a copy of
91 the completed service manifest showing the signatures of the
92 originator if signed pursuant to paragraph (b), the hauler, and
93 the disposal facility operator within 30 days after the date of
94 the disposal.

95 (e) A copy of the signed completed service manifest must be
96 retained on site by the originator and the hauler for 1 year.

97 (4) COMPLIANCE INSPECTIONS.—

98 (a) An inspecting entity must verify that an originator has
99 a contract with a hauler for grease waste removal and that
100 grease removal and disposal are documented pursuant to this
101 section.

102 (b) The department shall periodically inspect the service
103 manifests retained by a hauler to ensure compliance with this
104 section.

105 (5) PENALTIES.—

106 (a) A hauler who violates this section is subject to the
107 following penalties:

108 1. For each failure to provide or retain a service
109 manifest, an administrative fine not to exceed \$100.

110 2. For each failure to clean a grease interceptor or grease
111 trap, an administrative fine not to exceed \$250. The department
112 shall authorize an inspecting entity to impose this penalty as
113 part of a grease interceptor or grease trap inspection.

114 3. For an unlawful disposal of grease waste, an
115 administrative fine of at least \$2,500.

116 4. For a second or subsequent unlawful disposal of grease

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117 waste, an administrative fine of at least \$5,000.
118 (b) For a violation of subparagraph (a)3., the penalty must
119 include a license suspension of at least 30 days.
120 (c) For a second or subsequent violation of subparagraph
121 (a)3., the penalty must include a license revocation of at least
122 12 months.
123 (d) Fines collected pursuant to this subsection must be
124 deposited into the Water Quality Assurance Trust Fund.
125 (6) RULES.—The department shall adopt rules to implement
126 this section. In addition to the requirements under this
127 section, the rules must provide for a local government to
128 receive reports of violations and to collect fines and impose
129 license actions.
130 (7) REGULATION BY LOCAL GOVERNMENTS.—This section does not
131 prohibit a local government from adopting or enforcing an
132 ordinance or rule to regulate the removal and disposal of grease
133 waste which is stricter or more extensive than this section.
134 Section 2. This act shall take effect July 1, 2022.



The Florida Senate

Committee Agenda Request

To: Senator Ben Albritton, Chair
Appropriations Subcommittee on Agriculture, Environment, and General
Government

Subject: Committee Agenda Request

Date: January 25, 2022

I respectfully request that **Senate Bill # 1110**, relating to Grease Waste Removal and Disposal, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in green ink that reads "Darryl Ervin Rouson".

Senator Darryl Ervin Rouson
Florida Senate, District 19

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 Appropriations Subcommittee on Agriculture, Environment, and General Government

BILL: PCS/CS/SB 1292 (895176)

INTRODUCER: Appropriations Subcommittee on Agriculture, Environment, and General Government; Banking and Insurance Committee; and Senator Gruters

SUBJECT: Fraud Prevention

DATE: February 4, 2022 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Arnold</u>	<u>Knudson</u>	<u>BI</u>	<u>Fav/CS</u>
2.	<u>Sanders</u>	<u>Betta</u>	<u>AEG</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1292 modifies provisions in several areas related to the prevention of various forms of fraud. The bill:

- Requires the electronic credentialing system administered by the Department of Highway Safety and Motor Vehicles (DHSMV) to display driver vehicle registration and insurance information, provide the driver notice of any lapse in insurance coverage, and allow the driver to use the system to update policy information;
- Requires the DHSMV to provide recommendations on the means by which the DHSMV, law enforcement agencies, and other entities authorized by the DHSMV may electronically verify a driver's compliance with chapter 324, Florida Statutes, the Financial Responsibility Law of 1955;
- Requires a seller of any service contract with an automatic renewal provision to allow a consumer to cancel the contract in the same manner, and by the same means, as the contract was executed;
- Subjects a public adjuster, public adjuster apprentice, or other person not otherwise exempt from licensure as a public adjuster, to a fine not to exceed \$20,000 per act for a violation of prohibited acts under section 626.854, Florida Statutes, during a state of emergency;
- Authorizes the Department of Financial Services (DFS) to impose a \$2,000 per day administrative fine on an insurer that fails or refuses to comply with section 633.126, Florida Statutes, related to fraudulent insurance claims and crimes with respect to a fire and explosion;

- Authorizes the DFS Division of Investigative and Forensic Services (DIFS) to adopt rules to administer section 633.126, Florida Statutes, related to fraudulent insurance claims and crimes with respect to a fire and explosion;
- Requires a motor vehicle service agreement company's written advertisement to fully disclose in at least 12-point, boldface font, the name, address, and Florida Company Code of the motor vehicle service agreement company;
- Requires a motor vehicle service agreement company's radio or television advertisement to fully disclose the full legal name of the licensed salesperson or the motor vehicle agreement company;
- Requires a motor vehicle service agreement company's telephone solicitation fully identify the soliciting licensed salesperson's full legal name and license number at the beginning of the telephone solicitation, and the salesperson's telephone number when the telephone solicitation ends;
- Clarifies a written advertisement does not include material prepared and presented to a consumer at the point of sale of the product to be covered by warranty or service agreement.
- Provides a technical change under section 775.15, Florida Statutes, related to time limitations for prosecuting criminal offenses, to allow separate prosecutions of workers' compensation fraud under section 440.105, Florida Statutes, and false and fraudulent insurance claims under section 817.234, Florida Statutes, within five years of a violation of either section; and
- Authorizes an insurer damaged as a result of insurance fraud to recover reasonable investigation and litigation expense, including attorney fees, at the trial and appellate court, if the insurer had reported the possible fraudulent insurance act to the DIFS and the possible fraudulent insurance act was criminally adjudicated as guilty.

The bill has an indeterminate, yet potentially negative impact on state revenues and expenditures. See **Section V. Fiscal Impact Statement** below.

The bill takes effect upon becoming a law, except as otherwise provided.

II. Present Situation:

Electronic Credentialing System

The 2021 Legislature¹ created the electronic credentialing system within the Department of Highway Safety and Motor Vehicles (DHSMV) for purposes of establishing a secure and uniform system for issuing an optional digital proof of driver license or identification card.² The electronic credentialing system may not retain internet protocol addresses, geolocation data, or other information that describes the location, computer, computer system, or computer network from which a customer accesses the system.³

¹ Chapter 2021-235, L.O.F.

² Section 322.032(2)(a), F.S.

³ Section 322.032(2)(b), F.S.

Required Notification of New, Cancelled, Nonrenewed, and Lapsed Motor Vehicle Insurance Coverages

Section 324.0221, F.S., requires insurers to report new, cancelled, or nonrenewed personal injury protection or property damage insurance coverages to DHSMV within 10 days. Prior to notifying the DHSMV, the insurer must provide the named insured, or the first-named insured in the case of a commercial fleet policy, with written notice the cancellation or nonrenewal will be reported to the DHSMV. The notice must also inform the named insured that failure to maintain personal injury protection and property damage insurance coverages on a motor vehicle when required by law may result in the loss of registration and driving privileges in Florida and inform the named insured of the amount of any reinstatement fees.

Service Contracts with Automatic Renewal Provisions

Florida law governs the automatic renewal provisions of service contracts such that a service contract may automatically renew at the end of its term without any additional action required by either party under certain circumstances.

If the automatic renewal provision renews a service contract for more than one month and caused the service contract to be in effect for more than six months after the service contract was executed, the seller must clearly and conspicuously disclose the automatic renewal provision to the consumer. Renewal is effective unless the consumer does not give notice to the seller of intent to terminate the service contract.⁴ However, in the case of a service contract with a term of 12 months that automatically renews for more than one month, the seller must provide written or electronic notification to consumers no more than 60 and no less than 30 days prior to the cancellation deadline pursuant to the automatic renewal provision.⁵

Violations of the disclosure and notice requirements void an automatic renewal provision, rendering it unenforceable,⁶ unless the seller demonstrates:

- It has established and implemented written procedures to comply with, and enforce, the requirements as part of their routine business practice;
- The failure to comply was the result of error; and
- It has provided, as part of its routine business practice, a refund or credit for the unearned portion of the renewed contract, starting from the date the seller is notified of the error.⁷

State and federal financial institutions or any subsidiary or affiliate thereof, health studios,⁸ licensed insurers, warranty associations,⁹ health care service organizations¹⁰ and programs,¹¹

⁴ Section 501.165(2)(a), F.S.

⁵ Section 501.165(2)(b), F.S.

⁶ Section 501.165(2)(e), F.S.

⁷ Section 501.165(2)(b), F.S.

⁸ Pursuant to s. 501.0125(1), F.S., any person who is engaged in the sale of services for instruction, training, or assistance in a program of physical exercise or in the sale of services for the right or privilege to use equipment or facilities in furtherance of a program of physical exercise. The term does not include an individual acting as a personal trainer.

⁹ Chapter 634, F.S., includes motor vehicle service agreement companies, home warranty associations, and service warranty associations.

¹⁰ Chapter 641, F.S., includes health maintenance organizations, prepaid health clinics, and health care services.

¹¹ Chapter 636, F.S., includes prepaid limited health service organizations and discount plan organizations.

electric utilities,¹² and private companies providing certain municipal services¹³ are expressly exempt.

The Department of Financial Services

The Department of Financial Services (DFS) is statutorily responsible for:

- Carrying out the state's accounting and auditing functions, including preparing the state's Comprehensive Annual Financial Report; monitoring state contracts; and making payment for state expenditures;
- Implementing state fire prevention and control measures, including the investigation of arson and other suspicious fires; training and certification of firefighter candidates; and regulation of explosive storage and use;
- Operating the state's risk management program and securing insurance and reinsurance for covered state liabilities;
- Managing the state Treasury and directing safekeeping and the investment of all state funds;
- Managing the deferred compensation program for state employees;
- Investigating fraud, including insurance fraud, public assistance fraud, and false claims against the state;
- Regulating cemeteries and funeral homes;
- Licensing and oversight of insurance agents and agencies;
- Ensuring Florida employers provide workers' compensation coverage for their employees in a cost effective manner;
- Assisting consumers in the resolution of issues pertaining to insurance and funeral services; and
- Collecting and returning unclaimed property belonging to Florida residents.¹⁴

The DFS is composed of the following divisions and offices:

- Accounting and Auditing;
- Administration;
- Consumer Services;
- Funeral, Cemetery, and Consumer Services;
- Insurance Agent and Agency Services;
- Insurance Consumer Advocate;
- Investigative and Forensic Services;
- Public Assistance Fraud;
- Rehabilitation and Liquidation;
- Risk Management;
- State Fire Marshal;
- Treasury;
- Unclaimed Property; and

¹² Pursuant to s. 366.02(2), F.S., any municipal electric utility, investor-owner electric utility, or rural electric cooperative which owns, maintains, or operates an electric generation, transmission, or distribution system within the state.

¹³ Pursuant to s. 180.05, F.S., any company or corporation duly authorized under the laws of the state to construct or operate water works systems, sewerage systems, sewage treatment works, garbage collection, and garbage disposal plants.

¹⁴ The Florida Department of Financial Services (DFS), *Statement of Agency Organization and Operation*, <https://www.myfloridacfo.com/sitePages/required/agencyorg.htm> (last visited Jan. 10, 2022).

- Workers' Compensation.¹⁵

The DFS Division of Investigative and Forensic Services

The Division of Investigative and Forensic Services (DIFS) houses all law enforcement and forensic components residing within the DFS. The DIFS has broad authority to investigate a wide range of fraudulent and criminal acts within and outside the state including, but not limited to, insurance fraud; workers' compensation fraud investigations; fire, arson, and explosives investigations; and fire and explosive sample analysis.¹⁶ The DIFS also refers any records tending to show criminal violations to state or federal law enforcement or prosecutorial agencies, and provides investigative to those agencies as required, when the DIFS believes that a criminal law of the state has been violated.¹⁷

The DFIS is composed of the following bureaus and offices:

- Forensic Services;
- Fire, Arson, and Explosives Investigations;
- Fiscal Integrity;
- Insurance Fraud; and
- Workers' Compensation Fraud.¹⁸

The DFS Division of State Fire Marshal

The Division of State Fire Marshal (State Fire Marshal) works to reduce the loss of life and property to fire and other disasters statewide through internal and external leadership, standards and training, and prevention and education. The State Fire Marshal has the expressed authority to enforce all laws and adopted rules related to:

- The prevention of fire and explosion through the regulation of conditions which could cause fire or explosion, the spread of fire, and panic resulting therefrom;
- Installation and maintenance of fire alarm systems and fire protection systems, including fire suppression systems, fire-extinguishing equipment, and fire sprinkler systems;
- Servicing, repairing, recharging, testing, marking, inspecting, installing, maintaining, and tagging of fire extinguishers, preengineered systems, and individually designed fire protection systems;
- The training and licensing of persons engaged in the business of servicing, repairing, recharging, testing, marking, inspecting, installing, maintaining, and tagging of fire extinguishers, preengineered systems, and individually designed fire protection systems;
- The maintenance of fire cause and loss records; and
- Suppression of arson and the investigation of the cause, origin, and circumstances of fire.¹⁹

The State Fire Marshal is composed of the Bureau of Fire Prevention and the Bureau of Fire Standards and Training.²⁰

¹⁵ Section 20.121(2), F.S.

¹⁶ See supra note 11.

¹⁷ Section 20.121(2)(e), F.S.

¹⁸ *Id.*

¹⁹ Section 633.104(2), F.S.

²⁰ See supra note 11.

Authority of the DFS to Compel Production of Records Related to Insurance Fraud and Arson Investigations

Under s. 633.126, F.S., the State Fire Marshal and DIFS investigators may request any insurance company or its agent, adjuster, employee, or attorney, investigating a claim under an insurance policy or contract with respect to a fire or explosion to release any information whatsoever in the possession of the insurance company or its agent, adjuster, employee, or attorney relative to a loss from that fire or explosion. A person who willfully refuses to release any information requested by a State Fire Marshal or DISF investigator commits a first degree misdemeanor.²¹

Regulation of Insurance Adjusters

Florida law requires all insurance adjusters to be licensed by the DFS and appointed by the appropriate entity or person²² in order to adjust claims. General requirements for licensure include submitting an application; paying required fees; satisfying pre-licensing examination requirements, when applicable; complying with requirements as to knowledge, experience, or instruction; and submitting fingerprints.²³

Under s. 626.864, F.S., there are both public adjusters and all-lines adjuster license types, with all-lines appointments further divided into independent adjusters,²⁴ company employee adjusters,²⁵ and public adjuster apprentices.²⁶ The same adjuster may not be concurrently licensed as a public adjuster and an all-lines adjuster.²⁷ In the case of an all-lines adjuster, the adjuster may be appointed as an independent adjuster, company employee adjuster, or public adjuster apprentice, but not more than one concurrently.²⁸

A public adjuster is any person, other than a licensed attorney, who, for compensation, prepares, completes, or files an insurance claim form for an insured or third-party claimant in negotiating or settling an insurance claim on behalf of an insured or third party.²⁹ Public adjusters operate independently and are not affiliated with any insurer.

An all-lines adjuster is any person who, for compensation, ascertains and determines the amount of any claim, loss, or damage payable under an insurance contract or settles such claim, loss, or damage on behalf of a public adjuster or insurer.³⁰

²¹ Section 633.126(9), F.S.

²² See s. 626.015(4), F.S., defining “appointment” as the authority given by an insurer or employer to a licensee to adjust claims on behalf of an insurer or employer.

²³ Section 626.171, F.S.

²⁴ Section 626.855, F.S.

²⁵ Section 626.856, F.S.

²⁶ Section 626.8561, F.S.

²⁷ Section 626.864(2), F.S.

²⁸ Section 626.864(3), F.S.

²⁹ Section 626.854(1), F.S.

³⁰ Section 626.8548, F.S.

An independent adjuster is any person who is self-employed or employed by an independent adjusting firm and who works for an insurer to ascertain and determine the amount of an insurance claim, loss, or damage, or to settle an insurance claim under an insurance contract.³¹

A company employee adjuster is any person employed in-house by an insurer, or a wholly owned subsidiary of the insurer, who ascertains and determines the amount of an insurance claim, loss, or damage, or settles such claim, loss or damage.³²

Discretion of the DFS to Act Against Licensees

Section 626.621, F.S., grants the DFS discretion, under certain circumstances, to deny applications for, revoke, or refuse to renew, the licenses or appointments of agents, adjusters, customer representatives, service representatives, and managing general agents. Examples of circumstances that can lead to such agency action include violation of the Florida Insurance Code, violation of lawful orders or rules of the DFS, and engaging in unfair and deceptive trade practices.³³

Discretion of the DFS to Act Against Public Adjusters

Section 626.854, F.S., grants the DFS discretion to discipline public adjusters who engage in certain prohibited acts. In addition to denying, suspending, or revoking a license, the DFS may subject public adjusters, public adjuster apprentices, and other persons not otherwise exempt from licensure, to a fine not exceed \$10,000 per prohibited act. Examples of prohibited acts under s. 626.854, F.S., include unfair and deceptive insurance trade practices or offering inducements in exchange for inspecting a residential property owner's roof or making an insurance claim for damage to a residential property owner's roof.

Motor Service Agreement Company Advertisements

Motor vehicle service agreements provide vehicle owners with protection when the manufacturer's warranty expires. A motor vehicle service agreement indemnifies the vehicle owner (or holder of the agreement) against loss caused by failure of any mechanical or other component part, or any mechanical or other component part that does not function as it was originally intended.³⁴ Motor vehicle service agreements can only be sold by a licensed and appointed salesperson.³⁵ Salespersons are licensed in the same manner as insurance representatives under ch. 626, F.S., with some exceptions to the requirements applied to insurance representatives.³⁶

It is a second degree misdemeanor for a motor vehicle service agreement company or salesperson to issue or cause to be issued an advertisement that:

- Does not fully disclose in boldfaced type the name, address, and license number of the service agreement company;

³¹ Section 626.855, F.S.

³² Section 626.856, F.S.

³³ Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651 constitute the "Florida Insurance Code."

³⁴ Section 634.011(8), F.S.

³⁵ Section 634.031, F.S.

³⁶ Section 634.171, F.S.

- In any respect is in violation of or does not comply with the Motor Vehicle Service Agreement Companies law, applicable provision of the Florida Insurance Code, or applicable rule of the Financial Services Commission;
- Is ambiguous, misleading, or deceptive; or
- Is false, deceptive, or misleading with respect to:
 - The service agreement company's affiliation with a motor vehicle manufacturer;
 - The service agreement company's possession of information regarding a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;
 - The expiration of a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty; or
 - Any requirement that the motor vehicle owner register for a new motor vehicle service agreement with the company in order to maintain coverage under the current motor vehicle service agreement or manufacturer's original equipment warranty.³⁷

The DFS also has the enforcement authority to deny, suspend, revoke, or refuse to renew or continue the appointment or license of any motor vehicle service agreement company or salesperson that violates these advertising disclosure requirements.³⁸

Time Limitations for Prosecuting Workers' Compensation Fraud and False and Fraudulent Insurance Claims

Under s. 775.15(11), F.S., a prosecution for workers' compensation fraud under s. 440.105, F.S., and false and fraudulent insurance claims under s. 817.234, F.S., must be commenced within five years after the violation is committed. There is general confusion as to whether the intent of the subsection is to tie the two violations together under a single prosecution within the five-year time limitation, or whether violations under either statute may be prosecuted separately within the five-year time limitation.

Attorney Fees for False and Fraudulent Insurance Claims

Under current law, an insurer damaged as a result of a false or fraudulent insurance claim can bring a cause of action to recover compensatory damages plus all reasonable investigation and litigation expenses, including attorneys' fees, at the trial and appellate courts, after there has been a criminal adjudication of guilt.³⁹

III. Effect of Proposed Changes:

Section 1 creates s. 324.252, F.S., related to electronic insurance verification, to require the electronic credentialing system administered by the Department of Highway Safety and Motor Vehicles (DHSMV) to display driver vehicle registration and insurance information, provide the driver with notification on any lapse in insurance coverages, and allow the driver to update his or her policy information via the electronic credentialing system.

³⁷ Section 634.095(3), F.S.

³⁸ Section 634.095, F.S.

³⁹ Section 817.234, F.S.

The bill requires the DHSMV to provide recommendations on the means by which the DHSMV, law enforcement agencies, and other entities authorized by the DHSMV may electronically verify a driver's compliance with ch. 324, F.S., the Financial Responsibility Law of 1955.

Section 2 amends s. 501.165, F.S., related to automatic renewals of service contracts, to require a service contract seller to allow a consumer to cancel a service contract with an automatic renewal provision in the same manner, and by the same means, as the service contract was executed.

Section 3 amends s. 626.854(22), F.S., related to prohibited acts by public adjusters, to subject public adjusters, public adjuster apprentices, and other persons not otherwise exempt from licensure, to a fine not to exceed \$20,000 per act for a violation of prohibited acts under the subsection during a state of emergency declared either by executive order or proclamation of the Governor.

Section 4 amends s. 633.126, F.S., related to investigations of fraudulent insurance claims and crimes with respect to a fire or explosion, to authorize the DFS to impose an administrative fine of not more than \$2,000 per day on an insurer that fails or otherwise refuses to comply with this section.

The bill grants the Division of Investigative and Forensic Services (DIFS) rulemaking authority to administer this section, provided any rules may not enlarge upon or extend the provisions of this section, identify specific factors that determine the grade of penalty, and specify mitigating and aggravating factors for any violation.

Section 5 amends s. 634.095, F.S., related to prohibited acts by motor vehicle service agreement companies, to require a written advertisement fully disclose in at least 12-point, boldface font, the name, address, and Florida Company Code of the motor vehicle service agreement company.

The bill clarifies a written advertisement does not include material prepared and presented to a consumer at the point of sale of the product to be covered by warranty or service agreement.

The bill requires a radio or television advertisement to fully disclose the full legal name of the licensed salesperson or the motor vehicle agreement company.

The bill also requires a telephone solicitation fully identify the soliciting licensed salesperson's full legal names and license number at the beginning of the telephone solicitation, and the salesperson's telephone number when the telephone solicitation ends. The telephone number may be the number on file with the DFS or the number at which the salesperson may be contacted.

Under s. 634.095, F.S., any service agreement company or salesperson that engages in violations of this act is, in addition to any applicable denial, suspension, revocation, or refusal to renew or continue any appointment or license, guilty of a second degree misdemeanor, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S.

This section is effective March 1, 2023.

Section 6 amends s. 775.15, F.S., related to time limitations for prosecuting criminal offenses, to provide a technical change allowing separate prosecutions of violations of s. 440.105, F.S., or s. 817.234, F.S., within five years of a violation of either section.

Section 7 amends s. 817.234, F.S., related to false and fraudulent insurance claims, to provide an insurer damaged as a result of insurance fraud may recover reasonable investigation and litigation expense, including attorney fees, at the trial and appellate court, if the insurer had reported the possible fraudulent insurance act to DIFS and the possible fraudulent insurance act was criminally adjudicated as guilty.

Section 8 provides that except as otherwise expressly provided for in this act, this act is effective upon becoming a 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:

Section 7 of the bill allows insurers to recover reasonable investigation and litigation expenses, including attorney fees, at the trial and appellate courts, due to criminal adjudication of guilt related to fraudulent insurance claims. Recovery of such expenses is reliant upon the insurer reporting possible false and fraudulent claims to the Division of Investigative and Forensic Services

C. Government Sector Impact:

Section 3 of the bill adds a cap on fines of \$20,000 for unlicensed activity during a state of emergency. The Department of Financial Services (DFS) has indicated should there be unlicensed activity, this change could create a minimal impact to revenues.

In addition, **Section 4** of the bill gives the DFS authority to assess an administrative fine up to \$2,000 per day against insurers who do not comply with reporting requirements. The DFS does not anticipate a significant fiscal impact from this change.

The Department of Highway Safety and Motor Vehicles estimates the bill has a fiscal impact of \$400,000 to one million dollars. The amount is indeterminate as the technology is new and the cost is unknown.⁴⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 501.165, 626.854, 633.126, 634.095, 775.15, and 817.234.

This bill creates section 324.252 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.)

Recommended CS by Appropriations Subcommittee on Agriculture, Environment, and General Government on February 2, 2022:

The committee substitute:

- Allows warranty companies time to comply with new requirements by extending the effective date from January 1, 2023 to March 1, 2023;
- Removes a section related to rulemaking authority and increased administrative fines for fraudulent insurance acts under s. 626.989, F.S.; and
- Clarifies a written advertisement does not include material prepared and presented to a consumer at the point of sale of the product to be covered by warranty or service agreement.

⁴⁰ Telephone conversation between Elizabeth Wells, Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development with Department of Highway Safety and Motor Vehicles staff (Jan. 18, 2022).

CS by Banking and Insurance on January 18, 2022:

The committee substitute:

- Removes the provisions from Section 3 and 4 of the original bill that revised the definition of an active investigation for purposes of specified public records exemptions;
- Creates s. 324.252, F.S., related to electronic insurance verification, to require the electronic credentialing system administered by the Department of Highway Safety and Motor Vehicles (DHSMV) to display driver vehicle registration and insurance information, provide the driver with notification on any lapse in personal injury or property damage insurance coverages, and allow the driver to update his or her policy information via the electronic credentialing system; and
- Requires the DHSMV to provide recommendations on the means by which the DHSMV, law enforcement agencies, and other entities authorized by the DHSMV may electronically verify a driver's compliance with ch. 324, F.S., the Financial Responsibility Law of 1955.

B. Amendments:

None.



631234

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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Appropriations Subcommittee on Agriculture, Environment, and
General Government (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete lines 99 - 271

and insert:

(d) A seller who enters into or renews any service contract with a consumer which includes an automatic renewal provision must allow the consumer to cancel the service contract in the same manner, and by the same means, as the consumer manifested his or her acceptance of the service contract.

(e) This subsection does not apply to:



631234

11 1. A financial institution as defined in s. 655.005 or any
12 depository institution as defined in 12 U.S.C. s. 1813(c)(2).

13 2. A foreign bank maintaining a branch or agency licensed
14 under the laws of any state of the United States.

15 3. Any subsidiary or affiliate of an entity described in
16 subparagraph 1. or subparagraph 2.

17 4. A health studio as defined in s. 501.0125.

18 5. Any entity licensed under chapter 624, chapter 627,
19 chapter 634, chapter 636, or chapter 641.

20 6. Any electric utility as defined in s. 366.02.

21 7. Any private company as defined in s. 180.05 providing
22 services described in chapter 180 which is competing against a
23 governmental entity or has a governmental entity providing
24 billing services on its behalf.

25 ~~(f)(e)~~ A violation of this subsection renders the automatic
26 renewal provision void and unenforceable.

27 Section 3. Paragraphs (b) and (c) of subsection (22) of
28 section 626.854, Florida Statutes, are amended, and paragraph
29 (a) of that subsection is republished, to read:

30 626.854 "Public adjuster" defined; prohibitions.—The
31 Legislature finds that it is necessary for the protection of the
32 public to regulate public insurance adjusters and to prevent the
33 unauthorized practice of law.

34 (22) (a) Any following act by a public adjuster, a public
35 adjuster apprentice, or a person acting on behalf of a public
36 adjuster or public adjuster apprentice is prohibited and shall
37 result in discipline as applicable under this part:

38 1. Offering to a residential property owner a rebate, gift,
39 gift card, cash, coupon, waiver of any insurance deductible, or



631234

40 any other thing of value in exchange for:

41 a. Allowing a contractor, a public adjuster, a public
42 adjuster apprentice, or a person acting on behalf of a public
43 adjuster or public adjuster apprentice to conduct an inspection
44 of the residential property owner's roof; or

45 b. Making an insurance claim for damage to the residential
46 property owner's roof.

47 2. Offering, delivering, receiving, or accepting any
48 compensation, inducement, or reward for the referral of any
49 services for which property insurance proceeds would be used for
50 roofing repairs or replacement.

51 (b) Notwithstanding the fine set forth in s. 626.8698, a
52 public adjuster or public adjuster apprentice may be subject to
53 a fine not to exceed \$10,000 per act for a violation of this
54 subsection and a fine not to exceed \$20,000 per act for a
55 violation of this subsection that occurs during a state of
56 emergency declared by executive order or proclamation of the
57 Governor pursuant to s. 252.36.

58 (c) A person who engages in an act prohibited by this
59 subsection and who is not a public adjuster or a public adjuster
60 apprentice, or is not otherwise exempt from licensure, is guilty
61 of the unlicensed practice of public adjusting and may be:

62 1. Subject to all applicable penalties set forth in this
63 part.

64 2. Notwithstanding subparagraph 1., subject to a fine not
65 to exceed \$10,000 per act for a violation of this subsection and
66 a fine not to exceed \$20,000 per act for a violation of this
67 subsection that occurs during a state of emergency declared by
68 executive order or proclamation of the Governor pursuant to s.



631234

69 252.36.

70 Section 4. Subsection (9) of section 633.126, Florida
71 Statutes, is amended, subsection (10) is added to that section,
72 and subsection (2) of that section is republished, to read:

73 633.126 Investigation of fraudulent insurance claims and
74 crimes; immunity of insurance companies supplying information.—

75 (2) If an insurance company has reason to suspect that a
76 fire or explosion loss to its insured's real or personal
77 property was caused by intentional means, the company shall
78 notify the State Fire Marshal and shall furnish her or him with
79 all material acquired by the company during its investigation.
80 The State Fire Marshal may adopt rules to implement this
81 subsection.

82 (9) If an insurance company fails or otherwise refuses to
83 comply with this section, the department may impose an
84 administrative fine of not more than \$2,000 per day for such
85 failure until the department deems the insurance company to be
86 in compliance ~~A person who willfully violates this section~~
87 ~~commits a misdemeanor of the first degree, punishable as~~
88 ~~provided in s. 775.082 or s. 775.083.~~

89 (10) The Division of Investigative and Forensic Services
90 may adopt reasonable rules as are necessary to administer this
91 section. Such rules must meet all of the following requirements:

92 (a) They may not enlarge upon or extend the provisions of
93 this section.

94 (b) They must identify specific factors that determine the
95 grades of penalty.

96 (c) They must specify mitigating and aggravating factors
97 for a violation of this section.



631234

98 Section 5. Effective March 1, 2023, present paragraphs (b),
99 (c), and (d) of subsection (3) of section 634.095, Florida
100 Statutes, are redesignated as paragraphs (d), (e), and (f),
101 respectively, new paragraphs (b) and (c) are added to that
102 subsection, and paragraph (a) of that subsection is amended, to
103 read:

104 634.095 Prohibited acts.—Any service agreement company or
105 salesperson that engages in one or more of the following acts
106 is, in addition to any applicable denial, suspension,
107 revocation, or refusal to renew or continue any appointment or
108 license, guilty of a misdemeanor of the second degree,
109 punishable as provided in s. 775.082 or s. 775.083:

110 (3) Issuing or causing to be issued any advertisement
111 which:

112 (a) Does not fully disclose in a written advertisement, in
113 at least 12-point, boldface ~~boldfaced~~ type, the name, address,
114 and Florida Company Code ~~license number~~ of the service agreement
115 company. As used in this paragraph, the term "written
116 advertisement" does not include materials provided in
117 conjunction with the sale of goods or services.

118
119 ===== T I T L E A M E N D M E N T =====

120 And the title is amended as follows:

121 Delete lines 19 - 30

122 and insert:

123 633.126, F.S.; authorizing the Department of Financial
124 Services to impose an administrative fine on insurance
125 companies under certain circumstances; deleting
126 criminal penalties; authorizing the Division of



631234

127 Investigative and Forensic Services to adopt certain
128 rules; amending s. 634.095, F.S.; revising
129 requirements for advertisements issued or caused to be
130 issued by service agreement companies or salespersons;
131 specifying that certain materials are not included in
132 the definition of the term "written advertisement";
133 amending s. 775.15, F.S.; revising



910384

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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Appropriations Subcommittee on Agriculture, Environment, and
General Government (Gruters) recommended the following:

Senate Amendment to Amendment (631234)

Delete lines 116 - 117
and insert:
advertisement" does not include material prepared for a specific
consumer and presented to that consumer at the point of sale of
the product to be covered by a warranty or service agreement.

By the Committee on Banking and Insurance; and Senator Gruters

597-02088-22

20221292c1

1 A bill to be entitled
 2 An act relating to fraud prevention; creating s.
 3 324.252, F.S.; requiring that the electronic
 4 credentialing system display certain vehicle
 5 information for specified purposes by a specified
 6 date; requiring the Department of Highway Safety and
 7 Motor Vehicles to provide the Legislature with
 8 recommendations for compliance verification with
 9 certain financial responsibility requirements by a
 10 specified date; amending s. 501.165, F.S.; requiring
 11 sellers to allow consumers to cancel in a specified
 12 manner and by specified means service contracts that
 13 have automatic renewal provisions; amending s.
 14 626.854, F.S.; revising maximum fines for public
 15 adjusters and public adjuster apprentices for certain
 16 violations under a specified circumstance; revising
 17 maximum fines for certain violations by certain
 18 persons under a specified circumstance; amending s.
 19 626.989, F.S.; authorizing the Department of Financial
 20 Services to impose an administrative fine on insurers
 21 under certain circumstances; authorizing the Division
 22 of Investigative and Forensic Services to adopt
 23 certain rules; amending s. 633.126, F.S.; authorizing
 24 the department to impose an administrative fine on
 25 insurance companies under certain circumstances;
 26 deleting criminal penalties; authorizing the division
 27 to adopt certain rules; amending s. 634.095, F.S.;
 28 revising requirements for advertisements issued or
 29 caused to be issued by service agreement companies or

Page 1 of 11

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597-02088-22

20221292c1

30 salespersons; amending s. 775.15, F.S.; revising
 31 felony violations for which prosecutions must be
 32 commenced within a specified timeframe; amending s.
 33 817.234, F.S.; providing that certain insurers are
 34 entitled to recover specified expenses at the trial
 35 and appellate courts under certain circumstances;
 36 providing effective dates.

37
 38 Be It Enacted by the Legislature of the State of Florida:

39
 40 Section 1. Section 324.252, Florida Statutes, is created to
 41 read:

42 324.252 Electronic insurance verification.—

43 (1) In order to empower drivers in this state and reduce
 44 the incidence of automobile insurance fraud within this state,
 45 by July 1, 2023, the electronic credentialing system, as defined
 46 in s. 322.032(1), must display driver vehicle registration and
 47 insurance information, provide a driver with notification of any
 48 lapse in his or her insurance coverage needed for compliance
 49 with the financial responsibility requirements of this chapter,
 50 and allow the driver to update his or her policy information via
 51 the system.

52 (2) By October 1, 2023, the department shall provide the
 53 Legislature with recommendations on the means by which the
 54 department, law enforcement agencies, and other entities
 55 authorized by the department may electronically verify a
 56 driver's compliance with the financial responsibility
 57 requirements of this chapter.

58 Section 2. Subsection (2) of section 501.165, Florida

Page 2 of 11

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597-02088-22

20221292c1

59 Statutes, is amended to read:

60 501.165 Automatic renewal of service contracts.-

61 (2) SERVICE CONTRACTS WITH AUTOMATIC RENEWAL PROVISIONS.-

62 (a) ~~A Any~~ seller that sells, leases, or offers to sell or
63 lease any service to a consumer pursuant to a service contract
64 that has an automatic renewal provision, unless the consumer
65 cancels that contract, shall disclose the automatic renewal
66 provision clearly and conspicuously in the contract or contract
67 offer.

68 (b) ~~A Any~~ seller that sells or offers to sell any service
69 to a consumer pursuant to a service contract the term of which
70 is a specified period of 12 months or more and that
71 automatically renews for a specified period of more than 1
72 month, unless the consumer cancels the contract, shall provide
73 the consumer with written or electronic notification of the
74 automatic renewal provision. Notification shall be provided to
75 the consumer no less than 30 days or no more than 60 days before
76 the cancellation deadline pursuant to the automatic renewal
77 provision. Such notification shall disclose clearly and
78 conspicuously:

79 1. That unless the consumer cancels the contract the
80 contract will automatically renew.

81 2. Methods by which the consumer may obtain details of the
82 automatic renewal provision and cancellation procedure, whether
83 by contacting the seller at a specified telephone number or
84 address, by referring to the contract, or by any other method.

85 (c) A seller that fails to comply with the requirements of
86 this subsection ~~violates is in violation of~~ this subsection
87 unless the seller demonstrates that:

Page 3 of 11

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597-02088-22

20221292c1

88 1. As part of the seller's routine business practice, the
89 seller has established and implemented written procedures to
90 comply with this section and enforces compliance with the
91 procedures;

92 2. Any failure to comply with this subsection is the result
93 of error; and

94 3. As part of the seller's routine business practice, where
95 an error has caused the failure to comply with this subsection,
96 the unearned portion of the contract subject to the automatic
97 renewal provision is refunded as of the date on which the seller
98 is notified of the error.

99 (d) A seller shall allow a consumer to cancel a service
100 contract that has an automatic renewal provision in the same
101 manner, and by the same means, as the service contract was
102 entered into.

103 (e) This subsection does not apply to:

104 1. A financial institution as defined in s. 655.005 or any
105 depository institution as defined in 12 U.S.C. s. 1813(c)(2).

106 2. A foreign bank maintaining a branch or agency licensed
107 under the laws of any state of the United States.

108 3. Any subsidiary or affiliate of an entity described in
109 subparagraph 1. or subparagraph 2.

110 4. A health studio as defined in s. 501.0125.

111 5. Any entity licensed under chapter 624, chapter 627,
112 chapter 634, chapter 636, or chapter 641.

113 6. Any electric utility as defined in s. 366.02.

114 7. Any private company as defined in s. 180.05 providing
115 services described in chapter 180 which is competing against a
116 governmental entity or has a governmental entity providing

Page 4 of 11

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597-02088-22

20221292c1

117 billing services on its behalf.

118 (f) ~~(e)~~ A violation of this subsection renders the automatic
119 renewal provision void and unenforceable.

120 Section 3. Paragraphs (b) and (c) of subsection (22) of
121 section 626.854, Florida Statutes, are amended, and paragraph
122 (a) of that subsection is republished, to read:

123 626.854 "Public adjuster" defined; prohibitions.—The
124 Legislature finds that it is necessary for the protection of the
125 public to regulate public insurance adjusters and to prevent the
126 unauthorized practice of law.

127 (22) (a) Any following act by a public adjuster, a public
128 adjuster apprentice, or a person acting on behalf of a public
129 adjuster or public adjuster apprentice is prohibited and shall
130 result in discipline as applicable under this part:

131 1. Offering to a residential property owner a rebate, gift,
132 gift card, cash, coupon, waiver of any insurance deductible, or
133 any other thing of value in exchange for:

134 a. Allowing a contractor, a public adjuster, a public
135 adjuster apprentice, or a person acting on behalf of a public
136 adjuster or public adjuster apprentice to conduct an inspection
137 of the residential property owner's roof; or

138 b. Making an insurance claim for damage to the residential
139 property owner's roof.

140 2. Offering, delivering, receiving, or accepting any
141 compensation, inducement, or reward for the referral of any
142 services for which property insurance proceeds would be used for
143 roofing repairs or replacement.

144 (b) Notwithstanding the fine set forth in s. 626.8698, a
145 public adjuster or public adjuster apprentice may be subject to

597-02088-22

20221292c1

146 a fine not to exceed \$10,000 per act for a violation of this
147 subsection and a fine not to exceed \$20,000 per act for a
148 violation of this subsection that occurs during a state of
149 emergency declared by executive order or proclamation of the
150 Governor pursuant to s. 252.36.

151 (c) A person who engages in an act prohibited by this
152 subsection and who is not a public adjuster or a public adjuster
153 apprentice, or is not otherwise exempt from licensure, is guilty
154 of the unlicensed practice of public adjusting and may be:

155 1. Subject to all applicable penalties set forth in this
156 part.

157 2. Notwithstanding subparagraph 1., subject to a fine not
158 to exceed \$10,000 per act for a violation of this subsection and
159 a fine not to exceed \$20,000 per act for a violation of this
160 subsection that occurs during a state of emergency declared by
161 executive order or proclamation of the Governor pursuant to s.
162 252.36.

163 Section 4. Present subsections (7), (8), and (9) of section
164 626.989, Florida Statutes, are redesignated as subsections (9),
165 (10), and (11), respectively, new subsections (7) and (8) and
166 subsection (12) are added to that section, and subsection (6) of
167 that section is amended, to read:

168 626.989 Investigation by department or Division of
169 Investigative and Forensic Services; compliance; immunity;
170 confidential information; reports to division; division
171 investigator's power of arrest.—

172 (6) Any person, other than an insurer, agent, or other
173 person licensed under the code, or an employee thereof, having
174 knowledge or who believes that a fraudulent insurance act or any

597-02088-22

20221292c1

175 other act or practice which, upon conviction, constitutes a
 176 felony or a misdemeanor under the code, or under s. 817.234, is
 177 being or has been committed may send to the Division of
 178 Investigative and Forensic Services a report or information
 179 pertinent to such knowledge or belief and such additional
 180 information relative thereto as the department may request. Any
 181 professional practitioner licensed or regulated by the
 182 Department of Business and Professional Regulation, except as
 183 otherwise provided by law, any medical review committee as
 184 defined in s. 766.101, any private medical review committee, and
 185 any insurer, agent, or other person licensed under the code, or
 186 an employee thereof, having knowledge or who believes that a
 187 fraudulent insurance act or any other act or practice which,
 188 upon conviction, constitutes a felony or a misdemeanor under the
 189 code, or under s. 817.234, is being or has been committed shall
 190 send to the Division of Investigative and Forensic Services a
 191 report or information pertinent to such knowledge or belief and
 192 such additional information relative thereto as the department
 193 may require.

194 (7) If an insurer fails or otherwise refuses to comply with
 195 this section, the department may impose an administrative fine
 196 of not more than \$2,000 per day for such failure until the
 197 department deems the insurer to be in compliance.

198 (8) The Division of Investigative and Forensic Services
 199 shall review such information or reports and select such
 200 information or reports as, in its judgment, may require further
 201 investigation. It shall then cause an independent examination of
 202 the facts surrounding such information or report to be made to
 203 determine the extent, if any, to which a fraudulent insurance

Page 7 of 11

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597-02088-22

20221292c1

204 act or any other act or practice which, upon conviction,
 205 constitutes a felony or a misdemeanor under the code, or under
 206 s. 817.234, is being committed. The Division of Investigative
 207 and Forensic Services shall report any alleged violations of law
 208 which its investigations disclose to the appropriate licensing
 209 agency and state attorney or other prosecuting agency having
 210 jurisdiction with respect to any such violation, as provided in
 211 s. 624.310. If prosecution by the state attorney or other
 212 prosecuting agency having jurisdiction with respect to such
 213 violation is not begun within 60 days of the division's report,
 214 the state attorney or other prosecuting agency having
 215 jurisdiction with respect to such violation shall inform the
 216 division of the reasons for the lack of prosecution.

217 (12) The Division of Investigative and Forensic Services
 218 may adopt reasonable rules as are necessary to administer this
 219 section. Such rules must meet all of the following requirements:

220 (a) They may not enlarge upon or extend the provisions of
 221 this section.

222 (b) They must identify specific factors that determine the
 223 grades of penalty.

224 (c) They must specify mitigating and aggravating factors
 225 for a violation of this section.

226 Section 5. Subsection (9) of section 633.126, Florida
 227 Statutes, is amended, subsection (10) is added to that section,
 228 and subsection (2) of that section is republished, to read:

229 633.126 Investigation of fraudulent insurance claims and
 230 crimes; immunity of insurance companies supplying information.—

231 (2) If an insurance company has reason to suspect that a
 232 fire or explosion loss to its insured's real or personal

Page 8 of 11

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597-02088-22 20221292c1

233 property was caused by intentional means, the company shall
 234 notify the State Fire Marshal and shall furnish her or him with
 235 all material acquired by the company during its investigation.
 236 The State Fire Marshal may adopt rules to implement this
 237 subsection.

238 (9) If an insurance company fails or otherwise refuses to
 239 comply with this section, the department may impose an
 240 administrative fine of not more than \$2,000 per day for such
 241 failure until the department deems the insurance company to be
 242 in compliance. ~~A person who willfully violates this section~~
 243 ~~commits a misdemeanor of the first degree, punishable as~~
 244 ~~provided in s. 775.082 or s. 775.083.~~

245 (10) The Division of Investigative and Forensic Services
 246 may adopt reasonable rules as are necessary to administer this
 247 section. Such rules must meet all of the following requirements:

248 (a) They may not enlarge upon or extend the provisions of
 249 this section.

250 (b) They must identify specific factors that determine the
 251 grades of penalty.

252 (c) They must specify mitigating and aggravating factors
 253 for a violation of this section.

254 Section 6. Effective January 1, 2023, present paragraphs
 255 (b), (c), and (d) of subsection (3) of section 634.095, Florida
 256 Statutes, are redesignated as paragraphs (d), (e), and (f),
 257 respectively, new paragraphs (b) and (c) are added to that
 258 subsection, and paragraph (a) of that subsection is amended, to
 259 read:

260 634.095 Prohibited acts.—Any service agreement company or
 261 salesperson that engages in one or more of the following acts

597-02088-22 20221292c1

262 is, in addition to any applicable denial, suspension,
 263 revocation, or refusal to renew or continue any appointment or
 264 license, guilty of a misdemeanor of the second degree,
 265 punishable as provided in s. 775.082 or s. 775.083:

266 (3) Issuing or causing to be issued any advertisement that
 267 which:

268 (a) Does not fully disclose in a written advertisement, in
 269 at least 12-point, boldface ~~boldfaced~~ type, the name, address,
 270 and Florida Company Code ~~license number~~ of the service agreement
 271 company.

272 (b) Does not fully disclose in a radio or television
 273 advertisement the full legal name of the licensed salesperson or
 274 the service agreement company.

275 (c) Does not fully identify the soliciting licensed
 276 salesperson's full legal name and license number when the
 277 salesperson begins, and the soliciting salesperson's telephone
 278 number when the salesperson concludes, each outbound telephone
 279 solicitation. For the purposes of this paragraph, the actual
 280 telephone number of the salesperson may be the number on file
 281 with the department or the number at which the salesperson may
 282 be contacted.

283 Section 7. Subsection (11) of section 775.15, Florida
 284 Statutes, is amended to read:

285 775.15 Time limitations; general time limitations;
 286 exceptions.—

287 (11) A prosecution for a felony violation of s. 440.105 or
 288 s. 817.234 ~~ss. 440.105 and 817.234~~ must be commenced within 5
 289 years after the violation is committed.

290 Section 8. Subsection (5) of section 817.234, Florida

597-02088-22

20221292c1

291 Statutes, is amended to read:

292 817.234 False and fraudulent insurance claims.—

293 (5)(a) Any insurer damaged as a result of a violation of
294 any provision of this section when there has been a criminal
295 adjudication of guilt shall have a cause of action to recover
296 compensatory damages, plus all reasonable investigation and
297 litigation expenses, including attorney ~~attorneys'~~ fees, at the
298 trial and appellate courts.

299 (b) If an insurer damaged as a result of a violation of any
300 provision of this section has reported the possible fraudulent
301 insurance act to the Division of Investigative and Forensic
302 Services pursuant to s. 626.9891 and if there has been a
303 criminal adjudication of guilt, the insurer is entitled to
304 recover reasonable investigation and litigation expenses,
305 including attorney fees, at the trial and appellate courts.

306 Section 9. Except as otherwise expressly provided in this
307 act, this act shall take effect upon becoming a law.



The Florida Senate

Committee Agenda Request

To: Senator Ben Albritton, Chair
Appropriations Subcommittee on Agriculture, Environment, and General
Government

Subject: Committee Agenda Request

Date: January 28, 2022

I respectfully request that **Senate Bill #1292**, relating to Fraud Prevention, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Joe Gruters".

Joe Gruters

Cc: Giovanni Betta, Staff Director
Caroline Goodner, Committee Administrative Assistant

The Florida Senate

APPEARANCE RECORD

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2/2/22

Meeting Date

1292

Bill Number or Topic

Approps on AEG

Committee

631234

Amendment Barcode (if applicable)

Name

Austin Stowers

Phone

850 413 5939

Address

200 E. Gaines St

Email

austin.stowers@myfloridacfo.com

Street

Tallahassee

City

FL

State

32399

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

CFO Jimmy Patronis

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

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

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The Florida Senate

APPEARANCE RECORD

2/2/22

Meeting Date

SB 1292

Bill Number or Topic

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Appropriations subcommittee on Agriculture, Environment and General Govt. Committee

631234

Amendment Barcode (if applicable)

Name TASHA CARTER, INSURANCE CONSUMER ADVOCATE Phone 850-413-2868

Address 200 E Gaines Street Street Email TASHA.Carter@myfloridacfo.com

Tallahassee FL 32399 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing: Office of the Insurance Consumer Advocate

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

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Feb. 2, 2022

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 1292

Bill Number or Topic

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Ag Approps

Committee

Amendment Barcode (if applicable)

Name **Reggie Garcia**

Phone **850-933-7150**

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Email **reggiegarcialaw@icloud.com**

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32302

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 Justice Association

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/2/22

Meeting Date

1292

Bill Number or Topic

Appropriation on AEG

Committee

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Amendment Barcode (if applicable)

Name Austin Stowers

Phone 850 413 5939

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Street

Email justin.stowers@myfloridacfo.com

Tallahassee

City

FL

State

32399

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

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

CFU Jimmy Patronis

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The Florida Senate

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2/2/22

Meeting Date

1292

Bill Number or Topic

Ag Approps

Committee

~~XXXXXXXXXX~~

Amendment Barcode (if applicable)

Name Doug Bell

Phone 850 205 9000

Address 119 S. Monroe

Email doug.bell@whdfirm.com

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TLH

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:

Progressive Ins.

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/2/22

Meeting Date

SB 1292

Bill Number or Topic

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Appropriations Subcommittee on

Committee

Agricultural, Emergent and General Govt.

Amendment Barcode (if applicable)

Name TASHA CARTER, Insurance Consumer Advocate

Phone 850-413-2868

Address 200 E. Gaines Street

Email TASHA.CARTER@myFloridaCFO.COM

Street

Tallahassee

FL

32399

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing: Office of the Insurance Consumer Advocate

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

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02-02-2022

Meeting Date

Appropriations Sc- Agrculture,..

Committee

Name **AARP Ivonne Fernandez**

Phone **954-850-7262**

Address **215 S Monroe Street, Suite 603**

Email **ifernandez@aarp.org**

Street

Tallahassee

FL

City

State

Zip

The Florida Senate

APPEARANCE RECORD

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DUPLICATE

SB - 1292

Bill Number or Topic

Amendment Barcode (if applicable)

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:

AARP

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](#) ([flisenate.gov](#))

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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 Appropriations Subcommittee on Agriculture, Environment, and General Government

BILL: PCS/SB 7012 (972752)

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

SUBJECT: Per- and Polyfluoroalkyl Substances Task Force

DATE: February 4, 2022 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	Anderson/Collazo	Rogers		EN Submitted as Committee Bill
1.	Reagan	Betta	AEG	Recommend: Fav/CS
2.			AP	

I. Summary:

PCS/SB 7012 does the following:

- Requires the Department of Environmental Protection (DEP) to adopt by rule statewide cleanup target levels (CTLs) for perfluoroalkyl and polyfluoroalkyl substances (PFAS) in soils and groundwater, which do not take effect until ratified by the Legislature;
- Provides a limitation of liability, until DEP’s rules have been ratified for a particular PFAS constituent, from actions brought by local or state government entities to compel or enjoin site rehabilitation, require payment of site rehabilitation costs, or require payment of fines or penalties regarding rehabilitation based on the presence of that particular PFAS constituent;
- Tolls any statute of limitations that would bar a state or local government entity from pursuing relief under its existing authority, from the effective date of the act until site rehabilitation is complete or the Legislature ratifies the CTLs;
- Requires the Office of Program Policy Analysis and Government Accountability to conduct an analysis of programs in other states for the assessment and cleanup of soils and groundwater contamination, and submit a report of its findings and recommendations to the Governor and Legislature by January 1, 2023; and
- Requires the DEP to adopt by rule cleanup target levels for PFAS in soils and groundwater which may result in increased costs for the DEP.

II. Present Situation:

Cleanup Target Levels

A cleanup target level (CTL) is the concentration for each contaminant identified by an applicable analytical test method, in the medium of concern, at which a site rehabilitation

program is deemed complete.¹ The Department of Environmental Protection (DEP) establishes by rule CTLs for specific contaminants.² These CTLs apply to requirements for site rehabilitation across numerous programs.

Risk-Based Corrective Action

Risk-Based Corrective Action (RBCA) is a decision-making process that combines site assessments and responses to chemical releases with human health and environmental risk assessments to determine the need for remedial action and tailor corrective actions to site-specific conditions and risks, which can vary greatly.³

In Florida, prior to 2003, RBCA was only used under specific DEP programs such as the brownfields or petroleum programs, and contamination at a site was typically remediated to the default CTLs contained in ch. 62-777 of the Florida Administrative Code.⁴ This meant there was little flexibility for site-specific remediation strategies.⁵

In 2003, the Legislature created s. 376.30701, F.S., to establish a “global RBCA” process.⁶ The original goal was a flexible site-specific cleanup process reflecting the intended use of the property following cleanup, while maintaining adequate protection of human health, safety, and the environment through the evaluation of contamination toxicity and exposure pathways.⁷ Section 376.30701, F.S., applies to all contaminated sites resulting from a discharge of pollutants or hazardous substances where legal responsibility for site rehabilitation exists, except for those contaminated sites subjected to the risk-based corrective action cleanup criteria established for the petroleum, brownfields, and drycleaning programs pursuant to ss. 376.3071, 376.81, and 376.3078, F.S., respectively.⁸

The statute requires the DEP to establish by rule criteria for determining on a site-specific basis the tasks comprising a site rehabilitation program and the level at which a task and a program may be deemed completed.⁹ Section 376.30701, F.S., contains requirements for determining or establishing appropriate CTLs for groundwater and soil using RBCA principles.¹⁰

¹ Section 376.301(8), F.S.

² See generally Fla. Admin. Code Ch. 62-777.

³ Dep’t of Environmental Protection (DEP), *Contaminated Soils Forum -- Policy Group, Waste Cleanup Focus Group, Issues paper-- “Universal” Applicability of Risk-Based Correction Action at Florida Waste Cleanup Sites*, 2 (1998), available at <https://floridadep.gov/sites/default/files/Universal-applicability-of-risk-based-corrective-action.pdf> (last visited Jan. 18, 2022).

⁴ Ralph DeMeo et al., *Risk-Based Corrective Action in Florida: How is it Working?*, 89 FLORIDA BAR JOURNAL 1, 47 (Jan. 2015), <https://www.floridabar.org/the-florida-bar-journal/risk-based-corrective-action-in-florida-how-is-it-working/> (last visited Jan. 18, 2022).

⁵ *Id.*

⁶ See ch. 2003-173, s. 1, Laws of Fla.

⁷ Ralph DeMeo et al., *Risk-Based Corrective Action in Florida: How is it Working?*, 89 FLORIDA BAR JOURNAL 1, 47 (Jan. 2015), <https://www.floridabar.org/the-florida-bar-journal/risk-based-corrective-action-in-florida-how-is-it-working/> (last visited Jan. 18, 2022).

⁸ Section 376.30701(1)(b), F.S.

⁹ Section 376.30701(2), F.S.

¹⁰ *Id.*

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) are a group of thousands of man-made compounds developed to provide oil and water repellency, chemical and thermal stability, and friction reduction.¹¹ Perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) are the most common and the best-studied of these compounds.¹² PFAS were widely used since the 1950s, with applications in many industries, including the aerospace, semiconductor, medical, automotive, construction, electronics, and aviation industries, as well as in consumer products (e.g., carpets, clothing, furniture, outdoor equipment, food packaging) and firefighting applications.¹³ While U.S. manufacturers have voluntarily phased out use of the chemicals,¹⁴ they persist in the environment, particularly at fire colleges, airports, and military installations.¹⁵ Although PFOA and PFOS are no longer manufactured in the U.S., they are still produced internationally and can be imported into the U.S. in consumer goods such as carpet, leather and apparel, textiles, paper and packaging, coatings, rubber, and plastics.¹⁶

PFAS chemicals do not break down in the environment, can move through soil and water, and can accumulate in fish and wildlife.¹⁷ Because of the widespread use and ease of transport, they can be found virtually everywhere. The Centers for Disease Control and Prevention has detected PFAS in nearly all persons it has tested, indicating widespread exposure in the U.S. population.¹⁸ Based on recent studies, health effects from PFAS potentially include increased risk of certain cancers, increased cholesterol levels, impacts on hormones and the immune system, and fetal and infant developmental effects.¹⁹

¹¹ Interstate Technology Regulatory Council (ITRC), *History and Use of PFAS*, 1 (2020), available at https://pfas-1.itrcweb.org/wp-content/uploads/2020/10/history_and_use_508_2020Aug_Final.pdf (last visited Jan. 18, 2022).

¹² Dep't of Health (DOH), *PFAS Chemical Awareness*, <http://www.floridahealth.gov/environmental-health/hazardous-waste-sites/contaminant-facts/documents/doh-pfas-poster.pdf> (last visited Jan. 18, 2022).

¹³ ITRC, *History and Use of PFAS*, 1, 8 (2020), available at https://pfas-1.itrcweb.org/wp-content/uploads/2020/10/history_and_use_508_2020Aug_Final.pdf (last visited Jan. 18, 2022).

¹⁴ DEP, *PFAS Update, Presentation to the Florida Senate Committee on Environment and Natural Resources*, 18:00 (Dec. 9, 2019), available at <https://thefloridachannel.org/videos/12-9-19-senate-committee-on-environment-and-natural-resources/> (last visited Jan. 18, 2022). In the U.S., PFOS was phased out of production around 2002, and PFOA was phased out around 2015.

¹⁵ U.S. Environmental Protection Agency (EPA), *PFAS Explained*, <https://www.epa.gov/pfas/pfas-explained> (last visited Jan. 18, 2022); EPA, *Our Current Understanding of the Human Health and Environmental Risks of PFAS*, <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas> (last visited Jan. 18, 2022).

¹⁶ *Id.*; see also DEP, *PFAS Update, Presentation to the Florida Senate Committee on Environment and Natural Resources*, 18:00 (Dec. 9, 2019), available at <https://thefloridachannel.org/videos/12-9-19-senate-committee-on-environment-and-natural-resources/> (last visited Jan. 18, 2022).

¹⁷ Centers for Disease Control and Prevention, *Per- and Polyfluorinated Substances (PFAS) Factsheet*, https://www.cdc.gov/biomonitoring/PFAS_FactSheet.html (last visited Jan. 18, 2022).

¹⁸ *Id.*

¹⁹ DOH, *PFAS Chemical Awareness*, 2, <http://www.floridahealth.gov/environmental-health/hazardous-waste-sites/contaminant-facts/documents/doh-pfas-poster.pdf> (last visited Jan. 18, 2022).

While the health effects from low-level concentrations of PFAS are not yet fully understood, litigation and public interest is increasing nation-wide.²⁰ In Florida, generally, issues exist regarding liability for cleanup and third-party liability.²¹

The U.S. Environmental Protection Agency (EPA) prioritizes research and data collection for new chemicals that are being discovered in water that previously had not been detected or are being detected at levels that may be different than expected.²² These are called “contaminants of emerging concern” (CEC). While CECs do not have regulatory limits, there may be a long-term potential risk to human health or the environment associated with them. As part of the EPA’s data collection on CECs, all large and selected smaller public water systems across the U.S. are required to monitor for CECs.²³ Once the EPA’s study and evaluation is complete, if the EPA decides not to regulate a CEC, then it may decide to develop a health advisory level (HAL) for the detected contaminants. While HALs are non-enforceable federal limits, they serve as technical guidance for federal, state, and local officials.²⁴ For drinking water, the EPA has established a HAL of 70 parts per trillion for PFOA and PFOS.²⁵ The Department of Health (DOH) has adopted the same HAL for those compounds.²⁶

The DEP has established provisional CTLs for PFAS to enable site cleanup under the DEP’s contaminated site cleanup criteria.²⁷ The DEP has created numerical provisional CTLs and screening levels for PFOS and PFOA in the following categories: Provisional Groundwater CTLs, Provisional Soil CTLs, Provisional Irrigation Water Screening Levels, and Surface Water Screening Levels.²⁸ These provisional standards are designed to protect human health, and the provisional groundwater CTLs are the same as the EPA’s HAL for drinking water.

PFAS is common in firefighting foams that have been stored and used for fire suppression, fire training, and flammable vapor suppression.²⁹ These firefighting agents include Class B fluorine-containing firefighting foams, such as aqueous film-forming foam (AFFF).³⁰ PFAS are so prevalent in firefighting agents that at least nine states have passed legislation to restrict or

²⁰ Ralph A. DeMeo & Jorge Caspary, *PFApocalypse Now: The PFAS Firestorm and Implications for Florida*, 94 FLORIDA BAR JOURNAL 3, 46 (May/June 2020), <https://www.floridabar.org/the-florida-bar-journal/pfapocalypse-now-the-pfas-firestorm-and-implications-for-florida/#u7068> (last visited Jan. 18, 2022).

²¹ *Id.*

²² DEP, *Regulated Drinking Water Contaminants and Contaminants of Emerging Concern*, <https://floridadep.gov/comm/press-office/content/regulated-drinking-water-contaminants-and-contaminants-emerging-concern> (last visited Jan. 18, 2022).

²³ *Id.*

²⁴ EPA, *How EPA Regulates Drinking Water Contaminants*, <https://www.epa.gov/dwregdev/how-epa-regulates-drinking-water-contaminants> (last visited Jan. 18, 2022).

²⁵ EPA, *Drinking Water Health Advisories for PFOA and PFOS*, <https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos> (last visited Jan. 18, 2022).

²⁶ DOH, *Maximum Contaminant Levels and Health Advisory Levels*, 5 (2016) available at <http://www.floridahealth.gov/environmental-health/drinking-water/documents/hal-list.pdf> (last visited Jan. 18, 2022).

²⁷ DEP, *PFAS Update, Presentation to the Florida Senate Committee on Environment and Natural Resources*, 25:00 (Dec. 9, 2019), available at <https://thefloridachannel.org/videos/12-9-19-senate-committee-on-environment-and-natural-resources/> (last visited Jan. 18, 2022); see Fla. Admin. Code Ch. 62-780.

²⁸ DEP, *Per- and Polyfluoroalkyl Substances (PFAS) Dynamic Plan*, 9-10 (Feb. 2021), available at https://floridadep.gov/sites/default/files/Dynamic_Plan_Revised_Feb2021.pdf (last visited Jan. 18, 2022).

²⁹ ITRC, *PFAS*, <https://pfas-1.itrcweb.org/3-firefighting-foams/> (last visited Jan. 18, 2022).

³⁰ *Id.*

prohibit the use of PFAS in firefighting agents or activities.³¹ In Florida, the DEP has already assessed each fire training facility in the state to ensure that PFAS-containing firefighting agents are disposed of and that only firefighting agents that do not have PFAS are being used.³² Of the 25 active facilities in the state with known or suspected use of AFFF, investigations indicate that 22 of the 25 had analytical results for PFOA and PFOS above the provisional groundwater CTL.³³ Where contamination is identified, the DEP will help the facility develop a cleanup plan to remove or contain the contamination to prevent future environmental impact and human exposure.³⁴

In February of 2021, the DEP published the current version of its PFAS Dynamic Plan.³⁵ The Dynamic Plan establishes a comprehensive path forward with the understanding that it may be necessary to change the approach as the science associated with these emerging contaminants continues to develop.³⁶ The plan describes the current screening and provisional CTLs, and summarizes data and lessons learned from prior and ongoing investigations. The plan states that future investigations will be based on potential risk and will include a continued coordinated response with the DOH to quickly evaluate and address any impacts to drinking water resources.³⁷

III. Effect of Proposed Changes:

Section 1 creates s. 376.91, F.S., entitled “Statewide cleanup of perfluoroalkyl and polyfluoroalkyl substances.”

The bill contains a definitions section, defining two terms as they are used in s. 376.91, F.S.:

- “Department” is defined as “the Department of Environmental Protection.”
- “PFAS” is defined as “perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS).”

The bill requires the DEP to adopt by rule statewide cleanup target levels for PFAS in soils and groundwater. These cleanup target levels must be developed using the criteria set forth in s. 376.30701, F.S., which establishes a process for risk-based corrective action, and priority must be given to PFOA and PFOS. The bill prohibits these cleanup target levels from taking effect until ratified by the Legislature.

³¹ National Law Review, *Expert Focus: US States Outpace EPA on PFAS Firefighting Foam Laws*, <https://www.natlawreview.com/article/expert-focus-us-states-outpace-epa-pfas-firefighting-foam-laws> (last visited Jan. 18, 2022); The New York State Senate, *Senate Bill S439A*, <https://www.nysenate.gov/legislation/bills/2019/S439> (last visited Jan. 18, 2022).

³² DEP, *PFAS Update, Presentation to the Florida Senate Committee on Environment and Natural Resources*, 36:00 (Dec. 9, 2019), available at <https://thefloridachannel.org/videos/12-9-19-senate-committee-on-environment-and-natural-resources/> (last visited Jan. 18, 2022).

³³ DEP, *Per-and Polyfluoroalkyl Substances (PFAS) Dynamic Plan*, 12 (Feb. 2021), available at https://floridadep.gov/sites/default/files/Dynamic_Plan_Revised_Feb2021.pdf (last visited Jan. 18, 2022).

³⁴ DEP, *Fire Training Facility Preliminary Site Assessments*, <https://floridadep.gov/waste/waste-cleanup/content/fire-training-facility-preliminary-site-assessments> (last visited Jan. 18, 2022).

³⁵ See DEP, *Per-and Polyfluoroalkyl Substances (PFAS) Dynamic Plan* (Feb. 2021), available at https://floridadep.gov/sites/default/files/Dynamic_Plan_Revised_Feb2021.pdf (last visited Jan. 18, 2022).

³⁶ *Id.* at 3.

³⁷ *Id.*

The bill provides that, until the DEP's rule for a particular PFAS constituent has been ratified by the Legislature, a person may not be subject to any administrative or judicial action brought by or on behalf of any state or local governmental entity to compel or enjoin site rehabilitation, to require payment for the costs of rehabilitation of environmental contamination, or to require payment of any fines or penalties regarding rehabilitation based on the presence of that particular PFAS constituent. The bill tolls any statute of limitations that would bar a state or local government entity from pursuing relief in accordance with its existing authority, from the effective date of the bill until site rehabilitation is completed or cleanup target levels are ratified by the Legislature. The bill states that it does not affect the ability or authority to seek contribution from any person who may have liability with respect to a contaminated site and who did not receive the liability protection provided by the bill.

Section 2 directs the Division of Law Revision to replace the phrase "the effective date of this act" wherever it occurs in the bill with the date the bill becomes a law.

Section 3 states that the bill takes effect upon becoming a 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's liability protections against state and local government actions regarding site rehabilitation for PFAS constituents may have an indeterminate, positive fiscal impact on private entities that receive such liability protections.

C. Government Sector Impact:

The bill may result in increased costs for the DEP. The bill requires the DEP to adopt by rule cleanup target levels for PFAS in soils and groundwater.

The bill's liability protections against state and local government actions regarding site rehabilitation for PFAS constituents may have an indeterminate, positive fiscal impact on public entities that receive such liability protections.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 376.91 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.)

Recommended by Appropriations Subcommittee on Agriculture, Environment, and General Government on February 2, 2022:

The committee substitute:

- Removes all provisions of the PFAS Task Force;
- Provides definitions for the “Department” and “PFAS”;
- Requires the Department of Environmental Protection (DEP) to adopt by rule statewide cleanup target levels (CTLs) for perfluoroalkyl and polyfluoroalkyl substances (PFAS) in soils and groundwater, which do not take effect until ratified by the Legislature;
- Provides a limitation of liability, until the DEP's rules have been ratified for a particular PFAS constituent, from actions brought by local or state government entities to compel or enjoin site rehabilitation, require payment of site rehabilitation costs, or require payment of fines or penalties regarding rehabilitation based on the presence of that particular PFAS constituent; and

- Tolls any statute of limitations that would bar a state or local government entity from pursuing relief under its existing authority, from the effective date of the act until site rehabilitation is complete or the Legislature ratifies the CTLs.

B. Amendments:

None.

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



604202

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
	.	
	.	
	.	

Appropriations Subcommittee on Agriculture, Environment, and
General Government (Brodeur) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 376.91, Florida Statutes, is created to
read:

376.91 Statewide cleanup of perfluoroalkyl and
polyfluoroalkyl substances.—

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

(a) "Department" means the Department of Environmental



604202

11 Protection.

12 (b) "PFAS" means perfluoroalkyl and polyfluoroalkyl
13 substances, including perfluorooctanoic acid (PFOA) and
14 perfluorooctane sulfonate (PFOS).

15 (2) STATEWIDE CLEANUP TARGET LEVELS.—

16 (a) By January 1, 2023, the department shall adopt by rule
17 statewide cleanup target levels for PFAS in soil and groundwater
18 using criteria set forth in s. 376.30701, with priority given to
19 PFOA and PFOS. The rules for statewide cleanup target levels may
20 not take effect until ratified by the Legislature.

21 (b) Until the department's rule for a particular PFAS
22 constituent has been ratified by the Legislature, a governmental
23 entity or private water supplier may not be subject to any
24 administrative or judicial action under this chapter brought by
25 any state or local governmental entity to compel or enjoin site
26 rehabilitation, to require payment for the cost of
27 rehabilitation of environmental contamination, or to require
28 payment of any fines or penalties regarding rehabilitation based
29 on the presence of that particular PFAS constituent.

30 (c) Until site rehabilitation is completed or rules for
31 statewide cleanup target levels are ratified by the Legislature,
32 any statute of limitations that would bar a state or local
33 governmental entity from pursuing relief in accordance with its
34 existing authority is tolled from the effective date of this
35 act.

36 (d) This section does not affect the ability or authority
37 to seek any recourse or relief from any person who may have
38 liability with respect to a contaminated site and who did not
39 receive protection under paragraph (b).



604202

40 Section 2. The Division of Law Revision is directed to
41 replace the phrase "the effective date of this act" wherever it
42 occurs in this act with the date this act becomes a law.

43 Section 3. This act shall take effect upon becoming a law.
44

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

46 And the title is amended as follows:

47 Delete everything before the enacting clause
48 and insert:

49 A bill to be entitled
50 An act relating to cleanup of perfluoroalkyl and
51 polyfluoroalkyl substances; creating s. 376.91, F.S.;
52 defining terms; requiring the Department of
53 Environmental Protection to adopt rules for statewide
54 cleanup target levels for perfluoroalkyl and
55 polyfluoroalkyl substances in soil and groundwater by
56 a specified date; prohibiting such rules from taking
57 effect until ratified by the Legislature; providing
58 that certain persons are not subject to administrative
59 or judicial action under certain circumstances;
60 providing that certain statutes of limitations are
61 tolled from a specified date; providing construction;
62 providing a directive to the Division of Law Revision;
63 providing an effective date.

By the Committee on Environment and Natural Resources

592-01303-22

20227012__

1 A bill to be entitled
 2 An act relating to a Per- and Polyfluoroalkyl
 3 Substances Task Force; creating the task force within
 4 the Department of Environmental Protection; providing
 5 the membership, organization, and duties of the task
 6 force; requiring the department to provide staffing to
 7 assist the task force in the performance of its
 8 duties; requiring the task force to convene by a
 9 specified date; requiring the task force to submit an
 10 annual report to the Governor and the Legislature by a
 11 specified date; providing requirements for the report;
 12 providing for the repeal of the task force; providing
 13 an effective date.

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

15 Section 1. Per- and Polyfluoroalkyl Substances (PFAS) Task
 16 Force.—

17 (1) The PFAS Task Force is created within the Department of
 18 Environmental Protection. The task force is composed of the
 19 following 16 members:

20 (a) One representative from each of the following state
 21 entities:

22 1. The Department of Environmental Protection, appointed by
 23 the secretary of the department.

24 2. The Department of Health, appointed by the State Surgeon
 25 General.

26 3. The Department of Agriculture and Consumer Services,
 27 appointed by the Commissioner of Agriculture.

28 Page 1 of 4

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

592-01303-22

20227012__

30 4. The Division of Emergency Management, appointed by the
 31 division director.

32 5. The Bureau of Fire Standards and Training within the
 33 Department of Financial Services, appointed by the Chief
 34 Financial Officer.

35 (b) One representative of each of the following
 36 organizations, appointed by the Governor:

37 1. The Florida League of Cities.

38 2. The Florida Association of Counties.

39 3. The Florida Water Environment Association.

40 4. The Florida Section of the American Water Works
 41 Association.

42 5. The Florida Airports Council.

43 6. The National Waste and Recycling Association.

44 7. The Florida Brownfields Association.

45 8. The Florida Ground Water Association.

46 9. The Florida Sunshine Chapter of the Solid Waste
 47 Association of North America.

48 10. The Manufacturers Association of Florida.

49 11. The Florida Professional Firefighters.

50 (2) The task force shall elect a chair from among its
 51 membership. Except as otherwise provided, the task force shall
 52 operate in a manner consistent with s. 20.052, Florida Statutes.

53 (3) The task force shall meet as necessary, but at least
 54 quarterly, and may conduct its meetings through teleconferencing
 55 or other similar means.

56 (4) Members of the task force are entitled to receive
 57 reimbursement for per diem and travel expenses, pursuant to s.
 58 112.061, Florida Statutes, for service on the task force.

Page 2 of 4

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

592-01303-22 20227012__

59 (5) The task force shall develop recommendations for all of
60 the following:

61 (a) Enforceable regulatory standards for PFAS in drinking
62 water, groundwater, and soil.

63 (b) A mechanism for the identification and cleanup of
64 contaminated areas.

65 (c) Methods to address liability for contamination and
66 financial responsibility for cleanup.

67 (d) Appropriate methods and technologies, considering cost,
68 for cleanup and treatment of PFAS contamination.

69 (e) Funding sources and mechanisms for prioritizing the
70 distribution of funds for cleanup and remediation of PFAS
71 contamination.

72 (f) Methods to manage waste containing PFAS to prevent
73 possible release or discharge into the environment which could
74 cause contamination of drinking water, groundwater, and soil.

75 (g) Appropriate testing for and monitoring of PFAS in
76 drinking water, groundwater, and soil to protect the public
77 health and welfare.

78 (h) Methods to eliminate workplace exposure within the
79 manufacturing and firefighting industries.

80 (6) The department shall provide staff to assist the task
81 force in performing its duties.

82 (7) The task force shall convene no later than October 1,
83 2022. The task force shall submit an annual report on its
84 progress and findings to the Governor, the President of the
85 Senate, and the Speaker of the House of Representatives by each
86 October 1, beginning in 2023. In addition to the recommendations
87 required by subsection (5), the report must also include the

Page 3 of 4

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

592-01303-22 20227012__

88 following information:

89 (a) The current science on PFAS, including harmful levels
90 and ingestion and exposure routes, with particular attention to
91 significant developments.

92 (b) Geographic areas with particularly high levels of
93 contamination identified in this state.

94 (c) Past and present actions by the state and federal
95 government to address PFAS.

96 (8) This section is repealed July 1, 2026.

97 Section 2. This act shall take effect July 1, 2022.

Page 4 of 4

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



The Florida Senate

Committee Agenda Request

To: Senator Ben Albritton, Chair
Appropriations Subcommittee on Agriculture, Environment, and General Government

Subject: Committee Agenda Request

Date: January 3, 2021

I respectfully request that **Senate Bill 7012**, relating to **Per- and Polyfluoroalkyl Substances Task Force**, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Jason Brodeur".

Senator Jason Brodeur
Florida Senate, District 9

02/02/22

Meeting Date

Apprp Sub Ag, Evt, Gen Govt

Committee

Name **Rebecca O'Hara**

Phone **850-339-6211**

Address **PO Box 1757**

Email **rohara@flcities.com**

Street

Tallahassee

FL

32302-1757

City

State

Zip

The Florida Senate APPEARANCE RECORD

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

7012

Bill Number or Topic

604202

Amendment Barcode (if applicable)

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 League of Cities

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

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

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

FEBRUARY 2ND, 2022

Meeting Date
APPROPRIATIONS SUBCOMMITTEE ON
AGRICULTURE, ENVIRONMENT
Committee

SENATE BILL 7012

Bill Number or Topic

Amendment Barcode (if applicable)

Name DAVID BALLARD GEDDIS JR

Phone (727) 483-1330

Address 802 GEORGIA AVENUE
Street

Email MYABRIDGEPOINT@GMAIL.COM

Palm Harbor
City

Florida
State

34683
Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

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

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

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

S-001 (08/10/2021)

2/2/22

The Florida Senate APPEARANCE RECORD

SB 7012

Meeting Date

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

Bill Number or Topic

Approps Sub on Ag's Ent.

Committee

Amendment Barcode (if applicable)

Name

Lisa Waters - Florida Airports Council

Phone

561-602-3624

Address

325 John Knox Rd.

Email

lisa@floridaairports.org

Street

Tallahassee FL

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 Airports Council

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

APPEARANCE RECORD

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

SB 7012

Bill Number or Topic

2/2/22

Meeting Date

S. APPROPs - AG, ENV + GG

Committee

Amendment Barcode (if applicable)

Name KEYNA CORY

Phone 850 681-1065

Address 730 E. PARK AVE

Email keynacory@pacconsultants.com

Street

TALLAHASSEE FL

32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

NATIONAL WASTE + RECYCLING ASSN
FL CHAPTER

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 \(flsenate.gov\)](#)

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



Senate Appropriations Subcommittee on Agriculture, Environment, and General Government

FY 2022-2023 Subcommittee Budget Proposal

Budget Spreadsheet

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
	AGRIC/CONSUMER SVCS/COMMR	3,726.25	73,735,962		130,325,476	1,475,999,116	1,680,060,554		
1	2401000				16,163,371		16,163,371	1	
2	2401500					2,105,883	2,105,883	2	
3	2402400					45,928	45,928	3	
4	2402500					59,400	59,400	4	
5	2503080					54,917	54,917	5	
6	3000220	6.00				571,437	571,437	6	
7	3000230	7.00	788,483	31,444			788,483	7	
8	3005100	25.00				1,690,669	1,690,669	8	
9	3005070	10.00			967,791		967,791	9	
10	3600PC0		424,234	424,234			424,234	10	
11	36280C0					730,096	730,096	11	
12	36290C0					543,080	543,080	12	
13	4900070	4.00	566,038	78,885			566,038	13	
14	4900090	1.00				1,015,074	1,015,074	14	
15	4900140	5.00				806,459	806,459	15	
16	4900180					71,472	71,472	16	
17	4900270					644,535	644,535	17	
18	4900280		8,763,753	8,763,753			8,763,753	18	
19	4900300	19.00				1,105,879	1,105,879	19	
20	4900700		19,000,000	1,000,000			19,000,000	20	
21	4900730		2,500,000	2,500,000			2,500,000	21	
22	4900900		100,000			100,000	200,000	22	
23	4900925		177,181	177,181			177,181	23	
24	4901065		13,800,000	13,800,000			13,800,000	24	
25	4901130		2,000,000	2,000,000			2,000,000	25	
26	4901820					50,000	50,000	26	
27	4902700				26,545,000		26,545,000	27	
28	4902715				15,000,000		15,000,000	28	
29	4903990					1,500,000	1,500,000	29	
30	4904007							30	
31			500,000	500,000			500,000	31	
32			600,000	600,000			600,000	32	
33			100,000	100,000			100,000	33	
34			100,000	100,000			100,000	34	
35			500,000	500,000			500,000	35	
36	4904045		2,500,000	2,500,000			2,500,000	36	
37	4906600					6,179,432	6,179,432	37	
38	4904060		500,000	500,000			500,000	38	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
39	4908710	CITRUS RESEARCH					8,000,000	8,000,000	39
40	4909940	GRANTS AND AIDS - BIO-FUEL INFRASTRUCTURE PARTNERSHIP - UNITED STATES DEPARTMENT OF AGRICULTURE					1,674,216	1,674,216	40
41	6207100	MIAMI INTERNATIONAL HORSE AND CATTLE SHOW		98,850	98,850			98,850	41
42	990C000	CODE CORRECTIONS							42
43	083715	CODE/LIFE SAFE SFM-STW					187,000	187,000	43
44	990E000	ENVIRONMENTAL PROJECTS							44
45	083621	LAKE OKEECHOBEE AGRI. PROJ				5,000,000		5,000,000	45
46	990G000	GRANTS AND AIDS - FIXED CAPITAL OUTLAY							46
47	140250	FLA STATE FAIR AUTHORITY		3,000,000	3,000,000			3,000,000	47
48	146556	US DEPT OF ENERGY/PROJECTS					3,500,000	3,500,000	48
49	990L000	LAND ACQUISITION							49
50	082002	LAND PROTECTION EASEMENTS - WILDLIFE COORIDORS		300,000,000	300,000,000			300,000,000	50
51	990M000	MAINTENANCE AND REPAIR							51
52	083622	FFS ROADS,BRIDGES/MAINT				4,894,964		4,894,964	52
53	083643	FFS MAIN/REP/CONST-STATEWIDE				3,233,000		3,233,000	53
54	083703	MAINT/REP SFM-STW					544,000	544,000	54
55	990S000	SPECIAL PURPOSE							55
56	145550	AGRICULTURAL PROMOTION/EDUCATION FACILITIES							56
57		Arcadia All-Florida Championship Rodeo		1,500,000	1,500,000			1,500,000	57
58		Baker County Ag Center		675,000	675,000			675,000	58
59		Bradford County Fair Association		3,000,000	3,000,000			3,000,000	59
60		Citrus County Fair Association		650,000	650,000			650,000	60
61		Flagler County Ag Museum - Pioneer Village		2,000,000	2,000,000			2,000,000	61
62		Flagler County-Welcome Center & Greenspace		500,000	500,000			500,000	62
63		Florida Gateway Fairgrounds		3,368,000	3,368,000			3,368,000	63
64		Greater Hillsborough County Fair Association		1,300,000	1,300,000			1,300,000	64
65		Hamilton County Arena & Fairgrounds		850,000	850,000			850,000	65
66		Hardee County Fair Association		425,000	425,000			425,000	66
67		Holmes County Ag Center		250,000	250,000			250,000	67
68		Holmes County Extension Facility		325,000	325,000			325,000	68
		Jackson County Ag Center Improvements		700,000	700,000			700,000	0
69		Jackson County School District		328,000	328,000			328,000	69
70		Kissimmee Valley Livestock Show & Fair		1,000,000	1,000,000			1,000,000	70
71		Lake County Ag Education and Expo Center		2,000,000	2,000,000			2,000,000	71
72		Martin County Fair Association		600,000	600,000			600,000	72
73		N.E. Florida Fair Association		990,000	990,000			990,000	73
74		Okeechobee Agri-Civic Center		500,000	500,000			500,000	74
75		Okeechobee Livestock and Expo Building		2,000,000	2,000,000			2,000,000	75
76		Pasco County Fairgrounds		2,500,000	2,500,000			2,500,000	76
77		Suwannee County Arena & Civic Center		750,000	750,000			750,000	77
78		Union County Ag Education Building		750,000	750,000			750,000	78
79		Washington County Ag Center		149,000	149,000			149,000	79
80		Washington County Ag Center Improvements		700,000	700,000			700,000	80
81	083791	REP FORESTRY STATIONS-STW					680,000	680,000	81
82		AGRIC/CONSUMER SVCS/COMMR TOTAL	3,803.25	457,564,501	364,484,347	202,129,602	1,507,858,593	2,167,552,696	82
83		CITRUS, DEPT OF	27.00	5,500,000			21,126,426	26,626,426	83
84	3000110	ADD GENERAL COUNSEL	1.00				92,496	92,496	84

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
85	3600PC0								
			125,000	125,000			125,000	85	
86	4900010		12,000,000	12,000,000			12,000,000	86	
87	990M000							87	
88	080956		1,500,000	1,500,000			1,500,000	88	
89			28.00	19,125,000	13,625,000	0	21,218,922	40,343,922	89
90			2,989.50	10,183,676		135,338,680	286,234,895	431,757,251	90
91						362,008,130	6,085,157	368,093,287	91
92	1600050						(1,023,395)	(1,023,395)	92
93	1600055						1,023,395	1,023,395	93
94	1700210	2.00					188,943	188,943	94
95	17C08C0						(2,986,000)	(2,986,000)	95
96	17C09C0						2,986,000	2,986,000	96
97	1800400		(66.00)			(4,159,163)	(1,300,049)	(5,459,212)	97
98	1800410	66.00				4,159,164	1,300,048	5,459,212	98
99	1804460		(3.00)				(337,829)	(337,829)	99
100	1804470	3.00					337,829	337,829	100
101	2000320		(2.00)				(113,261)	(113,261)	101
102	2000330	2.00				113,261		113,261	102
103	2000500						(100,000)	(100,000)	103
104	2000510						100,000	100,000	104
105	2000710					(140,000)	(251,084)	(391,084)	105
106	2000720					287,318	103,766	391,084	106
107	2001070						(700,000)	(700,000)	107
108	2001080						700,000	700,000	108
109	20022C0		(1.00)					0	109
110	20023C0	1.00						0	110

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
111	20026C0					(150,000)	(150,000)	111	
112	20027C0					150,000	150,000	112	
113	2401500				2,038,000	796,594	2,834,594	113	
114	2503080					(139,604)	(139,604)	114	
115	3000A00					93,039	93,039	115	
116	3000110	1.00				84,000	84,000	116	
117	3000170				250,288		250,288	117	
118	3000230					360,000	360,000	118	
119	3000320	2.00				169,456	169,456	119	
120	3000400	33.00			425,243	2,895,476	3,320,719	120	
121	3300800		(40.00)		(1,760,243)	(1,410,795)	(3,171,038)	121	
122	3300970		(28.00)		(1,478,145)	(1,184,700)	(2,662,845)	122	
123	3400010					(55,000)	(55,000)	123	
124	3400020					55,000	55,000	124	
125	3400440					(2,858,176)	(2,858,176)	125	
126	3400450					2,858,176	2,858,176	126	
127	3400880					123,418	123,418	127	
128	3400890					(123,418)	(123,418)	128	
129	3404130					(302,123)	(302,123)	129	
130	3404140					302,123	302,123	130	
131	3600PC0					342,034	342,034	131	
132	36220C0					63,101	63,101	132	
133	36312C0					450,080	450,080	133	
134	4400150					2,000,000	2,000,000	134	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
135	4405050		500,000	500,000			500,000	135	
136	4405070		495,000	495,000			495,000	136	
137	4500550		250,000	250,000			250,000	137	
138	4500060		300,000	300,000			300,000	138	
139	4500400				2,500,000		2,500,000	139	
140	4500440		10,800,000	10,800,000			10,800,000	140	
141	4700A00					100,000	100,000	141	
142	4700200					1,268,000	1,268,000	142	
143	4700390					150,000	150,000	143	
144	5200140					340,000	340,000	144	
145	5300110				1,500,000		1,500,000	145	
146	5300430					175,000	175,000	146	
147	6500900					3,500,000	3,500,000	147	
148	6500910	2.00				616,287	616,287	148	
149			3,298,419	3,298,419			3,298,419	149	
150	990D001							150	
151	089070					(11,055,563)	(11,055,563)	151	
152	089080					(7,689)	(7,689)	152	
153	089270					1,725	1,725	153	
154	990E001							154	
155	080083					53,000,000	53,000,000	155	
156	080524					7,000,000	7,000,000	156	
157	083654					5,546,506	5,546,506	157	
158	086000					1,000,000	1,000,000	158	
159	087125					11,600,000	11,600,000	159	
160	087127					500,000	500,000	160	
161	087889					125,000,000	125,000,000	161	
162	088502					3,000,000	3,000,000	162	
163	088964				25,000,000		25,000,000	163	
164	140063					10,000,000	10,000,000	164	
165	140065					100,000,000	100,000,000	165	
166	140076				5,000,000	10,000,000	15,000,000	166	
167	140078					20,000,000	20,000,000	167	
168	140122					500,000	500,000	168	
169	140126				8,648,931		8,648,931	169	
170	140129		8,942,000	8,942,000		124,187,979	133,129,979	170	
171	140131		10,726,600	10,726,600		195,746,466	206,473,066	171	
172	140134					3,000,000	3,000,000	172	
173	140893		5,000,000	5,000,000			5,000,000	173	
174	140895				10,000,000		10,000,000	174	
175	141117				256,623,196		256,623,196	175	
176	141118				43,400,000		43,400,000	176	
177	141132					3,000,000	3,000,000	177	
178	141138		40,000,000	40,000,000			40,000,000	178	
179	143276					10,000,000	10,000,000	179	
180						1,000,000	1,000,000	180	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
181	149936	G/A-WQI - EVERGLADES		400,000,000	400,000,000	50,000,000		450,000,000	181
182	143280	SEPTIC INCENTIVE UPGRADE PROGRAM				10,000,000		10,000,000	182
183	149945	WQI - SPRINGS COAST WATERSHED				20,000,000		20,000,000	183
184	149947	CALOOSAHATCHEE WQI/BMAP				10,000,000		10,000,000	184
185	140143	BISCAYNE BAY		20,000,000	20,000,000			20,000,000	185
186	141115	KEYS AREA OF CRITICAL STATE CONCERN		20,000,000	20,000,000			20,000,000	186
187	140047	WATER PROJECTS		91,508,362	91,508,362			91,508,362	187
188	140162	KEYS AQUEDUCT		20,000,000	20,000,000			20,000,000	188
189	141122	C51 PHASE 3		65,000,000	65,000,000			65,000,000	189
190	140163	DADE CITY WASTEWATER		39,725,000	39,725,000			39,725,000	190
191	149941	INDIAN RIVER LAGOON WQI							191
192		Brevard County South Beaches WWTF Conversion		12,000,000	12,000,000			12,000,000	192
193		Brevard County Riverside Drive Force Main		14,000,000	14,000,000			14,000,000	193
194		Cocoa Beach Muck Dredging and Capping		12,000,000	12,000,000			12,000,000	194
195	149950	G/A-WW GRANT PROGRAM					125,000,000	125,000,000	195
196	990G001	GRANTS AND AIDS - FIXED CAPITAL OUTLAY							196
197	140001	FED LAND/WATER CONSV/GRNTS					13,500,000	13,500,000	197
198	140002	FL RECR DEV ASST GRANTS				10,721,968		10,721,968	198
199	140160	MANATEE COUNTY WATER QUALITY IMPROVEMENT WITH NATIVE OYSTERS AND CLAMS RESTORATION		500,000	500,000			500,000	199
200	140152	PONTE VEDRA BEACH NORTH BEACH AND DUNE RESTORATION II		500,000	500,000			500,000	200
201	140694	LOCAL PARKS							201
202		Altha Park Perimeter Fencing		50,000	50,000			50,000	202
203		Bal Harbour Village Ada Compliant Park Enhancements		250,000	250,000			250,000	203
204		Bonita Springs Community Park Baseball Complex Phase 2		250,000	250,000			250,000	204
205		Citrus County Beverly Hills Community Parks Revitalization		850,000	850,000			850,000	205
206		Delray Beach Catherine Strong Park Improvements		100,000	100,000			100,000	206
207		Estero On The River Trails		750,000	750,000			750,000	207
208		Fairchild Tropical Botanic Garden		500,000	500,000			500,000	208
209		Indialantic The Mikey Goodwin Playground At Nance Park		200,000	200,000			200,000	209
210		Lakeland's Se7en Wetlands Educational Center Conservation		2,000,000	2,000,000			2,000,000	210
211		Marie Selby Botanical Gardens' Shoreline Restoration & Protection for Historic Spanish Point Campus		250,000	250,000			250,000	211
212		Museum Of Discovery And Science Pathways To Resilience		500,000	500,000			500,000	212
213		Naples Botanical Garden Florida Center For Nature-Based Solutions Phase 3		650,000	650,000			650,000	213
214		Oviedo Boulevard Trail Connector		300,000	300,000			300,000	214
215		Palm Beach County Chain Of Lakes Blueway Trail Access Project		250,000	250,000			250,000	215
216		Pinellas County ToyTown Environmental Remediation		1,000,000	1,000,000			1,000,000	216
217		Sneads Health And Recreation Renewal Project		500,000	500,000			500,000	217
218		Tamarac Ada Compatible & Smart Park Enhancements Caporella Park		300,000	300,000			300,000	218
219		The Bay Park - Sarasota		250,000	250,000			250,000	219
220		Wauchula Farr Field Park Improvements		1,500,000	1,500,000			1,500,000	220

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS		
			FTE	TOTAL GR	NR GR	LATF	OTHER TF			
221		West Inverness City Trail And Withlacoochee State Trail Connector		2,250,000	2,250,000			2,250,000	221	
222	140061	FLORIDA CZM PROGRAM					1,285,161	1,285,161	222	
223	140185	NAT'L REC TRAIL GRANTS					2,600,000	2,600,000	223	
224	149951	G/A - SRL PRGM ASSISTANCE					2,082,000	2,082,000	224	
225	990L001	LAND ACQUISITION							225	
226	084108	LAND ACQ, ENVIR/UNIQ, STW				90,000,000		90,000,000	226	
227	083045	GREEN HEART OF THE EVERGLADES LAND ACQUISITION		35,000,000	35,000,000			35,000,000	227	
228	083045	RATTLESNAKE KEY ACQUISITION		23,000,000	23,000,000			23,000,000	228	
229	087126	NFWF/DEEPWATER HORIZON					15,000,000	15,000,000	229	
230	990M001	MAINTENANCE AND REPAIR							230	
231	080039	STATE PARK FACILITY IMPROV				34,000,000		34,000,000	231	
232		BILLY JOE RISH STATE PARK				6,700,000		6,700,000	232	
233		FAKAHATCHEE STRAND STATE PARK				3,000,000		3,000,000	233	
234		ICHETUCKNEE SPRINGS STATE PARK				1,000,000		1,000,000	234	
235		WEEKI WACHEE SPRINGS STATE PARK				12,000,000		12,000,000	235	
236	088137	GRANTS & DONAT SPDG AUTH					8,000,000	8,000,000	236	
237		DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	2,961.50	856,429,057	846,245,381	1,086,113,376	1,154,466,220	3,097,008,653	237	
238	1100001	FISH/WILDLIFE CONSERV COMM	2,114.50	45,680,928		103,262,372	215,663,901	364,607,201	238	
239	17C08C0	DATA PROCESSING SERVICES CATEGORY - DEDUCT					(727,859)	(727,859)	239	
240	17C09C0	DATA PROCESSING SERVICES CATEGORY - ADD NORTHWEST REGIONAL DC					727,859	727,859	240	
241	1800030	TRANSFER ONE FULL TIME EQUIVALENT (FTE) FROM THE OFFICE OF EXECUTIVE DIRECTION TO HABITAT AND SPECIES CONSERVATION - ADD BACK	1.00						0	241
242	1800040	TRANSFER ONE FULL TIME EQUIVALENT (FTE) FROM THE OFFICE OF EXECUTIVE DIRECTION TO HABITAT AND SPECIES CONSERVATION - BACK OUT	(1.00)						0	242
243	1800200	REALLOCATE SPECIAL CATEGORY BUDGET FOR YOUTH HUNTING AND FISHING PROGRAMS - ADD BACK					25,000	25,000	243	
244	1800300	REALLOCATE SPECIAL CATEGORY BUDGET FOR YOUTH HUNTING AND FISHING PROGRAMS - BACK OUT					(25,000)	(25,000)	244	
245	2401030	REPLACEMENT EQUIPMENT - CONDUCTED ELECTRICAL WEAPONS		3,148,983	3,148,983			3,148,983	245	
246	2401500	REPLACEMENT OF MOTOR VEHICLES					2,710,345	2,710,345	246	
247	2401510	REPLACEMENT EQUIPMENT - HEAVY DUTY MOTOR VEHICLES				720,000		720,000	247	
248	2402500	REPLACEMENT EQUIPMENT - BOATS, MOTORS, AND TRAILERS		2,000,000	2,000,000		43,840	2,043,840	248	
249	2402610	NEW EQUIPMENT FOR GRANT SUPPORT					554,700	554,700	249	
250	2403000	REPLACEMENT OF PATROL VEHICLES		3,500,000	3,500,000			3,500,000	250	
251	2503080	ADJUSTMENT TO COST RECOVERY FUNDS DIRECT BILLING FOR ADMINISTRATIVE HEARINGS					(9,284)	(9,284)	251	
252	3400500	FUND SHIFT FROM DIV HABITAT AND SPECIES CONS TO FISH AND WILDLIFE RESERACH INSTITUTE FOR EUSTIS LAB - BACK OUT					(55,000)	(55,000)	252	
253	3400510	FUND SHIFT FROM DIV HABITAT AND SPECIES CONS TO FISH AND WILDLIFE RESEARCH INSTITUTE FOR EUSTIS LAB - ADD BACK					55,000	55,000	253	
254	3409900	MARINE ACTIVITIES TO FEDERAL GRANTS TRUST FUND - ADD					73,750	73,750	254	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
255	3409910	MARINE ACTIVITIES FROM MARINE RESOURCES CONSERVATION TRUST FUND - DEDUCT					(73,750)	(73,750)	255
256	3600PC0	FLORIDA PLANNING, ACCOUNTING, AND LEDGER MANAGEMENT (PALM) READINESS					315,360	315,360	256
257	30055C0	DATA CENTER WORKLOAD ADJUST TECHNOLOGY INFRASTRUCTURE SUPPORT					219,455	219,455	257
258	36220C0	LAW ENFORCEMENT FIELD OFFICERS LAPTOP COMPUTERS		750,000	750,000		379,000	379,000	258
260	4100100	CATEGORY SHIFT TO ACQUIRE EQUIPMENT FOR RED TIDE RESPONSE - BACK OUT		(272,000)	(272,000)			(272,000)	260
261	4100200	CATEGORY SHIFT TO ACQUIRE EQUIPMENT FOR RED TIDE RESPONSE - ADD BACK		272,000	272,000			272,000	261
262	4400120	LAND USE PLANNING PROGRAM	10.00				785,217	785,217	262
263	4400550	HURRICANE IRMA MARINE DEBRIS REMOVAL					1,850,000	1,850,000	263
264	4400560	HURRICANE IRMA MARINE FISHERIES DISASTER RECOVERY					1,317,456	1,317,456	264
265	4400810	CORAL REEF RESTORATION PROJECT					750,000	750,000	265
266	4404100	YOUTH CONSERVATION EDUCATION DONATIONS					250,000	250,000	266
267	4404280	WORKING TO KEEP FLORIDA NATIVE				2,000,000		2,000,000	267
268	4601200	MARINE TURTLE RESEARCH AND MANAGEMENT					150,000	150,000	268
269	5000900	SUPPORT GULF OF MEXICO AND SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL FUNDING					30,000	30,000	269
270	6502140	AVIATION OPERATIONS		1,984,311	215,000			1,984,311	270
271	6503700	LAW ENFORCEMENT BODY WORN CAMERAS		111,327				111,327	271
272	7005400	MOTE MARINE CORAL RESTORATION		1,000,000	1,000,000			1,000,000	272
273	8103300	TRANSFER GRANTS AND REVENUE CONTRACTS - BACK OUT					(709,579)	(709,579)	273
274	8103400	TRANSFER GRANTS AND REVENUE CONTRACTS - ADD BACK					709,579	709,579	274
275	8105A10	INCREASE SALARY GRANT AUTHORITY					57,000	57,000	275
276	8105800	NATURAL RESOURCE DAMAGE ASSESSMENT - DEEPWATER HORIZON OIL SPILL					483,000	483,000	276
277	8106000	FINAL NATURAL RESOURCE DAMAGE RESTORATION - DEEPWATER HORIZON OIL SPILL					1,393,278	1,393,278	277
278	8106200	NATIONAL FISH AND WILDLIFE FOUNDATION PROJECTS - DEEPWATER HORIZON OIL SPILL					1,123,400	1,123,400	278
279	8106210	NATIONAL FISH AND WILDLIFE FOUNDATION PROJECTS - APALACHICOLA BAY OYSTER RESTORATION					3,200,618	3,200,618	279
280	8109000	FISH AND WILDLIFE RESEARCH INSTITUTE CONTRACTS AND GRANTS					719,579	719,579	280
281	8508000	AUDIT WORKLOAD SUPPORT					120,000	120,000	281
282	990G000	GRANTS AND AIDS - FIXED CAPITAL OUTLAY							282
283	082800	BOATING INFRASTRUCTURE					5,200,000	5,200,000	283
284	140004	ART FISH REEF CONST PROG					600,000	600,000	284
285	140270	FL BOATING IMPROVEMENT PRG					2,043,704	2,043,704	285
286	141113	G/A - FINAL NRDR - DWH FCO					2,400,000	2,400,000	286
287	140107	A BILLION CLAMS FOR CHARLOTTE HARBOR		500,000	500,000			500,000	287
288	140102	CLEARWATER MARINE AQUARIUM MANATEE REHABILITATION EXHIBIT		750,000	750,000			750,000	288
289	140108	LEVY COUNTY BIRD CREEK BOAT RAMP IMPROVEMENTS		464,080	464,080			464,080	289

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
290	140109	LOGGERHEAD MARINE LIFE CENTER LIFESAVING WATER TREATMENT SYSTEM FOR SICK OR INJURED SEA TURTLES		250,000	250,000			250,000	290
291	140105	MADISON - LAKE FRANCIS FISHING PIER/DOCK REPLACEMENT		125,000	125,000			125,000	291
292	140101	MANATEE HOSPITAL OVERLOOK BRIDGE		500,000	500,000			500,000	292
293	140103	OSCEOLA COUNTY LAKE RUNNYMEDE BOAT RAMP AND VEGETATION HARVESTING PROJECT		375,000	375,000			375,000	293
294	140106	PELICAN HARBOR SEABIRD STATION		250,000	250,000			250,000	294
295	140104	VOLUSIA COUNTY SEA TURTLE, SEABIRD, AND MANATEE EDUCATION BLDG. IMPROVEMENTS/MARINE SCIENCE CENTER		500,000	500,000			500,000	295
	140028	ZOOTAMPA MANATEE NURSERY AND WATER FILTRATION SYSTEM		500,000	500,000			500,000	0
296	990M000	MAINTENANCE AND REPAIR							296
297	084362	BLACKWATER RDC RENOVATION					1,490,000	1,490,000	297
298	990S000	SPECIAL PURPOSE							298
299	080064	DERELICT VESSEL REMOVAL PG					500,468	500,468	299
300	080956	FACILITIES REPAIR & MAINT					743,000	743,000	300
301	140060	DERELICT VESSEL REMOVAL PG					1,501,405	1,501,405	301
302	140082	G/A-MARINE RECOVERY PROG					2,500,000	2,500,000	302
303	141113	G/A - FINAL NRDR - DWH FCO					1,148,210	1,148,210	303
304		FISH/WILDLIFE CONSERV COMM TOTAL	2,124.50	62,389,629	14,828,063	105,982,372	250,233,652	418,605,653	304
305		BUSINESS/PROFESSIONAL REG	1,653.25	1,454,912			164,642,436	166,097,348	305
306	1609020	REAPPROVAL OF EOG #B0197 - TRANSFER ONE FTE, RATE AND BUDGET FROM THE DIVISION OF REAL ESTATE TO THE FLORIDA ATHLETIC COMMISSION - DEDUCT	(1.00)				(67,244)	(67,244)	306
307	1609030	REAPPROVAL OF EOG #B0197 - TRANSFER ONE FTE, RATE AND BUDGET FROM THE DIVISION OF REAL ESTATE TO THE FLORIDA ATHLETIC COMMISSION - ADD	1.00				67,244	67,244	307
308	17C08C0	DATA PROCESSING SERVICES CATEGORY - DEDUCT					(2,045,725)	(2,045,725)	308
309	17C09C0	DATA PROCESSING SERVICES CATEGORY - ADD					2,045,725	2,045,725	309
310	1700510	REORGANIZATION/TYPE TWO TRANSFER AUTHORIZED IN CHAPTER 2021-269, LOF (CS/SB 4-A) - DEDUCT	(109.00)				(14,334,060)	(14,334,060)	310
311	2000A10	REALIGN OTHER PERSONAL SERVICES TO SALARIES AND BENEFITS TO ATTRACT AND RETAIN ATTORNEYS AND SENIOR ATTORNEYS - ADD					27,372	27,372	311
312	2000A20	REALIGN OTHER PERSONAL SERVICES TO SALARIES AND BENEFITS TO ATTRACT AND RETAIN ATTORNEYS AND SENIOR ATTORNEYS - DEDUCT					(27,372)	(27,372)	312
313	2000180	REALIGN BUDGET AUTHORITY FROM CONTRACTED SERVICES TO ACQUISITION OF MOTOR VEHICLES AND OPERATION OF MOTOR VEHICLES - DEDUCT					(3,500)	(3,500)	313
314	2000190	REALIGN BUDGET AUTHORITY FROM CONTRACTED SERVICES TO ACQUISITION OF MOTOR VEHICLES AND OPERATION OF MOTOR VEHICLES - ADD					3,500	3,500	314

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
315	2405000	LAW ENFORCEMENT EQUIPMENT - UTILIZATION OF FORFEITURE FUNDS FROM FEDERAL LAW ENFORCEMENT TRUST FUND					56,710	56,710	315
316	2503080	ADJUSTMENT TO COST RECOVERY FUNDS DIRECT BILLING FOR ADMINISTRATIVE HEARINGS					(58,298)	(58,298)	316
317	33V1800	REDUCE STAFF IN THE OFFICE OF THE GENERAL COUNSEL	(1.00)					0	317
318	3400140	TRANSFER THE ADMINISTRATIVE TRUST FUND TO THE PROFESSIONAL REGULATION TRUST FUND - ADD					11,156	11,156	318
319	3400150	TRANSFER THE ADMINISTRATIVE TRUST FUND TO THE PROFESSIONAL REGULATION TRUST FUND - DEDUCT					(11,156)	(11,156)	319
320	36265C0	CUSTOMER EXPERIENCE MODERNIZATION					450,000	450,000	320
321	36325C0	CUSTOMER RETURN CALL SOFTWARE FOR THE CUSTOMER CONTACT CENTER					287,222	287,222	321
322	3801500	LAW ENFORCEMENT TRAINING - UTILIZATION OF FORFEITURE FUNDS FROM FEDERAL LAW ENFORCEMENT TRUST FUND					108,750	108,750	322
323	4000040	IN-STATE TOURISM MARKETING CAMPAIGN					2,000,000	2,000,000	323
324	4007200	ADDITIONAL RESOURCES NEEDED DUE TO THE TRANSFER OF THE DIVISION OF PARI-MUTUEL WAGERING TO THE FLORIDA GAMING CONTROL COMMISSION					237,772	237,772	324
325	4200A10	ADDITIONAL RESOURCES TO ATTRACT AND RETAIN FULL TIME EMPLOYEES					118,470	118,470	325
326	4900570	MEDICAL GAS EDUCATION OUTREACH TRAINING PROGRAM					258,300	258,300	326
327	5200A10	COMPETITIVE PAY ADJUSTMENT TO ATTRACT AND RETAIN QUALIFIED AND EXPERIENCED SENIOR ATTORNEYS AND CONDO ARBITRATION ATTORNEYS- DEDUCT					(72,628)	(72,628)	327
328	5200A20	COMPETITIVE PAY ADJUSTMENT TO ATTRACT AND RETAIN QUALIFIED AND EXPERIENCED SENIOR ATTORNEYS AND CONDO ARBITRATION ATTORNEYS - ADD					72,628	72,628	328
329	5200A30	CONVERT OTHER PERSONAL SERVICES (OPS) TO FULL TIME EQUIVALENT (FTE) POSITIONS IN DRUGS, DEVICES AND COSMETICS - DEDUCT					(182,596)	(182,596)	329
330	5200A40	CONVERT OTHER PERSONAL SERVICES (OPS) TO FULL TIME EQUIVALENT (FTE) POSITIONS IN DRUGS, DEVICES AND COSMETICS - ADD	2.00				182,596	182,596	330
331	5200A90	COMPETITIVE PAY ADJUSTMENT TO ATTRACT AND RETAIN QUALIFIED AND EXPERIENCED ATTORNEYS					151,476	151,476	331
332		BUSINESS/PROFESSIONAL REG TOTAL	1,545.25	1,454,912	0	0	153,918,778	155,373,690	332
333		FL GAMING CONTROL COMM		9,827				9,827	333
334	1700520	REORGANIZATION/TWO TYPE TRANSFER AUTHORIZED IN CHAPTER 2021-269, LOF (CS/SB 4-A) - ADD	109.00				14,334,060	14,334,060	334
335	2402400	ADDITIONAL EQUIPMENT - MOTOR VEHICLES					447,900	447,900	335
336	2404150	LAW ENFORCEMENT EQUIPMENT FOR FLORIDA GAMING CONTROL COMMISSION					116,100	116,100	336
337	2404160	LAW ENFORCEMENT EQUIPMENT - SLERS RADIOS					129,539	129,539	337

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
338	33V0300	BASE BUDGET REDUCTION		(9,827)				(9,827)	338
339	36270C0	TECHNOLOGY RESOURCES FOR THE FLORIDA GAMING CONTROL COMMISSION					1,920,150	1,920,150	339
340	36280C0	TRANSFER TO DBPR FOR INFORMATION					680,243	680,243	340
341	3800710	LAW ENFORCEMENT TRAINING					91,310	91,310	341
342	4500010	STAFFING FOR FLORIDA GAMING CONTROL COMMISSION - EXECUTIVE DIRECTION	56.00				6,368,748	6,368,748	342
343	4500020	STAFFING FOR FLORIDA GAMING CONTROL COMMISSION - GAMING ENFORCEMENT	20.00				2,287,192	2,287,192	343
344	4500030	ESTABLISHMENT AND TRANSITION OF FLORIDA GAMING CONTROL COMMISSION OFFICE FACILITIES					500,000	500,000	344
345		FL GAMING CONTROL COMM TOTAL	185.00	0	0	0	26,875,242	26,875,242	345
346		FINANCIAL SERVICES	1,934.50	22,711,996			266,977,640	289,689,636	346
347	160F880	REALIGNMENT OF SALARIES AND BENEFITS BUDGET - SALARY RESTRUCTURING - ADDBACK					47,082	47,082	347
348	160F990	REALIGNMENT OF SALARIES AND BENEFITS BUDGET - SALARY RESTRUCTURING - DEDUCT					(47,082)	(47,082)	348
349	2000220	REALIGN SALARY BUDGET AUTHORITY TO MATCH RECURRING EXPENDITURES - DEDUCT					(65,000)	(65,000)	349
350	2000230	REALIGN SALARY BUDGET AUTHORITY TO MATCH RECURRING EXPENDITURES - ADD					65,000	65,000	350
351	2000330	REALIGN BUDGET AUTHORITY BETWEEN CATEGORIES FOR CONSTRUCTION MINING - DEDUCT		(600,619)				(600,619)	351
352	2000340	REALIGN BUDGET AUTHORITY BETWEEN CATEGORIES FOR CONSTRUCTION MINING - ADD		600,619				600,619	352
353	2401030	REPLACEMENT OF SAFETY EQUIPMENT - BOMB SQUADS					184,000	184,000	353
354	2401050	REPLACEMENT OF FIRE AND ARSON EQUIPMENT - PORTABLE X-RAY SYSTEM					248,000	248,000	354
355	2402400	ADDITIONAL EQUIPMENT - MOTOR VEHICLES					785,821	785,821	355
356	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS (DOAH ADJ)					9,706	9,706	356
357	3000550	LAW ENFORCEMENT INVESTIGATOR II - BUREAU OF FIRE AND ARSON INVESTIGATIONS	12.00				1,947,227	1,947,227	357
358	3001190	INSURANCE FRAUD - FINANCIAL CRIMES, LEADERSHIP, AND BEST PRACTICES TRAINING FOR LAW ENFORCEMENT PERSONNEL					285,000	285,000	358
359	3006150	ADDITIONAL POSITION FOR GRANT MANAGEMENT AT THE FIRE COLLEGE	1.00				73,349	73,349	359
360	3007120	ADDITIONAL POSITION FOR INVESTMENTS SECTION	1.00				104,007	104,007	360
361	33V1620	VACANT POSITIONS REDUCTION	(26.00)					0	361
362	3400280	FUND SHIFT DUE TO SALARY REALIGNMENT - DEDUCT					(65,000)	(65,000)	362
363	3400290	FUND SHIFT DUE TO SALARY REALIGNMENT - ADD					65,000	65,000	363
364	3600PC0	FLORIDA PLANNING, ACCOUNTING, AND LEDGER MANAGEMENT (PALM) READINESS					2,593,898	2,593,898	364
365	36105C0	FLAIR REPLACEMENT					38,976,535	38,976,535	365
366	36105C1	PLANNING, ACCOUNTING, AND LEDGER MANAGEMENT CONTRACT CONTINGENCY					1,500,000	1,500,000	366

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
367	36204C0	RISK MITIGATION: INFORMATION TECHNOLOGY SECURITY RISK ASSESSMENT				300,000	300,000	367	
368	36206C0	END OF LIFE: SHAREPOINT ONLINE MIGRATION				412,500	412,500	368	
369	36207C0	END OF LIFE: TELEPHONE AND CONTACT CENTER REFRESH				3,200,000	3,200,000	369	
370	36211C0	COST INCREASE: INFORMATION TECHNOLOGY CONTRACTUAL PRICE INCREASES				1,643,709	1,643,709	370	
371	36220C0	RISK MITIGATION: CUSTOMER RELATIONSHIP MANAGEMENT REPLACEMENT FEASIBILITY STUDY				450,000	450,000	371	
372	36304C0	NEW INITIATIVES: STATE FIRE MARSHAL INCIDENT DATA ANALYTICS FOR EXTERNAL STAKEHOLDERS				380,000	380,000	372	
373	36305C0	TECHNOLOGY SUSTAINMENT FOR EMERGENCY SUPPORT FUNCTIONS (ESF) 4 (FIREFIGHTING) AND 9 (SEARCH AND RESCUE)				52,036	52,036	373	
374	36307C0	MAINFRAME MIGRATION				350,000	350,000	374	
375	36315C0	REPLACE CONTINUING EDUCATION SYSTEM				250,000	250,000	375	
376	36336C0	COMPUTER ENHANCEMENTS FOR LAW ENFORCEMENT PERSONNEL				252,000	252,000	376	
377	4000020	INCREASE OTHER PERSONAL SERVICES (OPS) BUDGET AUTHORITY				67,600	67,600	377	
378	4000080	FIREFIGHTER CANCER RESEARCH				1,000,000	1,000,000	378	
379	4000210	GRANTS AND AIDS LOCAL GOVERNMENT FIRE SERVICES						379	
380		<i>Clermont Fire Station 101 Replacement Generator</i>				271,000	271,000	380	
381		<i>Clermont Station 103 Generator Enclosure</i>				17,982	17,982	381	
382		<i>Lealman Special Fire Control District Ladder Truck</i>				500,000	500,000	382	
383		<i>Madison County Fire Rescue Pumper Truck and Existing Engine Repair</i>				250,000	250,000	383	
384		<i>Nettle Ridge VFD Fire Truck</i>				345,000	345,000	384	
385	4000430	INCREASE CONTRACTED SERVICES FOR INVESTIGATIONS				53,550	53,550	385	
386	4000640	REGIONAL VOLUNTEER TRAINING				21,380	21,380	386	
387	4000670	INCREASE CONTRACTED MEDICAL SERVICES - MEDICAL BILL REVIEW				89,086	89,086	387	
388	40008C0	ACCESS TO ANTI-FRAUD DATABASE				984,000	984,000	388	
389	4000830	ROUTINE MAINTENANCE AND REPAIR				155,000	155,000	389	
390	990B010	GRANTS AND AIDS - FIXED CAPITAL OUTLAY						390	
391	140085	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY						391	
392		<i>City of Mount Dora Fire Station 34/Fire Administration/EOC</i>				500,000	500,000	392	
393		<i>Clermont Fire Station 102 Rebuild</i>				1,000,000	1,000,000	393	
394		<i>DeBary Fire Station</i>				250,000	250,000	394	
395		<i>Dixie County Emergency Operations Center Fire Station Addition</i>				250,000	250,000	395	
396		<i>Greenacres Fire Station Headquarters Renovation</i>				150,000	150,000	396	
397		<i>Jacksonville Fire and Rescue Department Health and Wellness Center</i>				1,000,000	1,000,000	397	
398		<i>Lake City Westside Fire Station</i>				500,000	500,000	398	
399		<i>Lake County Fire Rescue Station #71 Replacement</i>				2,200,000	2,200,000	399	
400		<i>Lake County Fire Rescue Station #109</i>				1,300,000	1,300,000	400	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

		COMMITTEE RECOMMENDATION							
Issue	Issue Title	FTE	TOTAL GR	NR GR	LATF	OTHER TF	ALL FUNDS		
401	Orange City Emergency Response Fire Station					250,000	250,000	401	
402	Palm Beach Historic North Fire Station Renovation					500,000	500,000	402	
403	Santa Rosa County Public Safety Consolidated Dispatch Center Planning and Design					500,000	500,000	403	
404	Sarasota County - Regional Fire/EMS Training Academy					500,000	500,000	404	
405	Spring Lake / Sebring Airport Area Fire Rescue Station					3,000,000	3,000,000	405	
406	St. Augustine Fire Station 2 Design					500,000	500,000	406	
407	West Putnam County Fire Station					500,000	500,000	407	
408	Winter Park Fire Station 62					300,000	300,000	408	
409	FINANCIAL SERVICES TOTAL	1,922.50	22,711,996	0	0	337,930,026	360,642,022	409	
410	OFFICE OF INSURANCE REGULATION	279.00				33,230,508	33,230,508	410	
411	1600270 REAPPROVAL OF BUDGET AMENDMENT TO TRANSFER BUDGET AUTHORITY WITHIN OIR - DEDUCT					(1,800)	(1,800)	411	
412	1600280 REAPPROVAL OF BUDGET AMENDMENT TO TRANSFER BUDGET AUTHORITY WITHIN OIR - ADD					1,800	1,800	412	
413	3000640 ADDITIONAL FUNDING FOR FLORIDA PUBLIC HURRICANE MODEL					62,000	62,000	413	
414	3002050 OFFICE OF INSURANCE REGULATION - STAFFING RESOURCES - PROPERTY AND CASUALTY PRODUCT REVIEW	2.00				327,635	327,635	414	
415	OFFICE OF INSURANCE REGULATION TOTAL	281.00	0	0	0	33,620,143	33,620,143	415	
416	OFFICE OF FINANCIAL REGULATION	354.00				43,116,183	43,116,183	416	
417	1800640 OFFICE OF FINANCIAL REGULATION - REALIGN ADMINISTRATIVE POSITIONS WITHIN OFR - DEDUCT					(292,230)	(292,230)	417	
418	1800650 OFFICE OF FINANCIAL REGULATION - REALIGN ADMINISTRATIVE POSITIONS WITHIN OFR - ADD					292,230	292,230	418	
419	2000550 OFFICE OF FINANCIAL REGULATION - REALIGN BUDGET AUTHORITY BETWEEN CATEGORIES FOR ANTI FRAUD PROGRAM - DEDUCT					(200,000)	(200,000)	419	
420	2000560 OFFICE OF FINANCIAL REGULATION - REALIGN BUDGET AUTHORITY BETWEEN CATEGORIES FOR ANTI FRAUD PROGRAM - ADD					200,000	200,000	420	
421	3005340 STAFFING/WORKLOAD INCREASES - OFFICE OF FINANCIAL REGULATION - CONSUMER FINANCE - BUREAU OF REGISTRATION	3.00				305,642	305,642	421	
422	33B2210 REDUCTION OF RENT - OFFICE OF FINANCIAL REGULATION					(313,621)	(313,621)	422	
423	OFFICE OF FINANCIAL REGULATION TOTAL	357.00	0	0	0	43,108,204	43,108,204	423	
424	LOTTERY, DEPARTMENT OF THE	418.50				197,928,429	197,928,429	424	
425	17C08C0 DATA PROCESSING SERVICES CONTRACT - DEDUCT					(20,425)	(20,425)	425	
426	17C09C0 DATA PROCESSING SERVICES CONTRACT - ADD					20,425	20,425	426	
427	4200A10 ESTABLISH CRITICAL MARKET PAY ADDITIVE IN SPECIFIED DISTRICT OFFICES					486,666	486,666	427	
428	5000110 INCREASE TO INSTANT TICKET PURCHASE APPROPRIATION					2,937,005	2,937,005	428	
429	5000230 INCREASE TO GAMING SYSTEM CONTRACT					5,243,002	5,243,002	429	
430	5000800 INCREASE FOR LEASES					95,348	95,348	430	
431	LOTTERY TOTAL	418.50	0	0	0	206,690,450	206,690,450	431	
432	MANAGEMENT SRVCS, DEPT OF	1,056.50	39,162,124			582,666,124	621,828,248	432	
433	MANAGEMENT SRVCS, DEPT OF (FCO)					20,040,320	20,040,320	433	

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
434	17C08C0	DATA PROCESSING SERVICES CATEGORY - DEDUCT		(26,809)			(1,470,631)	(1,497,440)	434
435	17C09C0	DATA PROCESSING SERVICES CATEGORY - ADD		26,809			1,470,631	1,497,440	435
436	17CXXC0	MERGE STATE DATA CENTER INTO NORTHWEST REGIONAL DATA CENTER	(145.00)				(52,683,280)	(52,683,280)	436
437	20006C0	REALIGN DATA CATALOG BUDGET - DEDUCT					(350,000)	(350,000)	437
438	20007C0	REALIGN DATA CATALOG BUDGET - ADD					350,000	350,000	438
439	24010C0	INFORMATION TECHNOLOGY INFRASTRUCTURE REPLACEMENT		145,000	145,000		250,000	395,000	439
440	2401500	REPLACEMENT OF MOTOR VEHICLES					67,690	67,690	440
441	24017C0	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM NETWORK TESTING EQUIPMENT					339,731	339,731	441
442	2402400	ADDITIONAL EQUIPMENT - MOTOR VEHICLES					248,034	248,034	442
443	2503080	ADJUSTMENT TO COST RECOVERY FUNDS DIRECT BILLING FOR ADMINISTRATIVE HEARINGS		(45,886)			(114,659)	(160,545)	443
444	4000030	RECREATION OF EXECUTIVE AIRCRAFT PROGRAM	11.00				4,212,152	4,212,152	444
445	4400180	TRANSFER TO RESTART AIRCRAFT PROGRAM		4,000,000	4,000,000			4,000,000	445
446	1700520	TRANSFER AVIATION SERVICES FROM FDLE	4.00	1,290,576			1,787,848	3,078,424	446
447	5500150	AIRCRAFT ACQUISITION		20,000,000	20,000,000			20,000,000	447
448	3008AC0	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM WORKLOAD INCREASE	2.00				203,483	203,483	448
449	3009AC0	ADDITIONAL POSITIONS FOR INFORMATION TECHNOLOGY	1.00				88,226	88,226	449
450	3009A90	FIXED CAPITAL OUTLAY PROJECT MANAGEMENT WORKLOAD INCREASE	3.00				925,105	925,105	450
451	33V0500	REDUCE MOTOR VEHICLE AND WATERCRAFT					(186,603)	(186,603)	451
452	33V0570	REDUCE POST PAYMENT CLAIMS AUDIT SERVICES					(200,000)	(200,000)	452
453	33V0620	REDUCE CONTRACTED LEGAL SERVICES					(30,000)	(30,000)	453
454	3400A50	FUND SHIFT FROM GENERAL REVENUE TO FEDERAL GRANTS TRUST FUND - DEDUCT	(3.00)	(164,973)				(164,973)	454
455	3400A60	FUND SHIFT FROM GENERAL REVENUE TO FEDERAL GRANTS TRUST FUND - ADD	3.00				164,973	164,973	455
456	3400560	FUND SHIFT OFFICE OF THE STATE CIO FROM WORKING CAPITAL TRUST FUND TO GENERAL REVENUE - DEDUCT	(40.00)				(6,574,688)	(6,574,688)	456
457	3400570	FUND SHIFT OFFICE OF THE STATE CIO FROM WORKING CAPITAL TRUST FUND TO GENERAL REVENUE - ADD	40.00	6,574,688				6,574,688	457
458	34010C0	FUND SHIFT STATEWIDE LAW ENFORCEMENT RADIO SYSTEM TRUST FUND TO GENERAL REVENUE FUND - DEDUCT					(2,500,000)	(2,500,000)	458
459	34011C0	FUND SHIFT STATEWIDE LAW ENFORCEMENT RADIO SYSTEM TRUST FUND TO GENERAL REVENUE FUND - ADD		2,500,000				2,500,000	459
460	36302C0	SPECIALIZED SERVICES INFORMATION TECHNOLOGY STAFF AUGMENTATION					180,000	180,000	460
461	36390C0	DIVISION OF RETIREMENT INFORMATION TECHNOLOGY RESOURCES					361,858	361,858	461
462	36393C0	FEDERAL PROPERTY ASSISTANCE - INFORMATION TECHNOLOGY					45,450	45,450	462

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
463	4A01A00	FEDERAL RECOVERY AND OVERSIGHT UNIT	2.00				209,659	209,659	463
464	4000A80	STATEWIDE PROCUREMENT TRAINING	2.00				221,163	221,163	464
465	40005C0	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACTED LEGAL SERVICES					250,000	250,000	465
466	40014C0	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM (SLERS) STAFF AUGMENTATION AND INDEPENDENT VERIFICATION AND VALIDATION SERVICES					1,500,000	1,500,000	466
467	40021C0	FRAUD, WASTE, AND ABUSE ANALYTIC SOLUTION					2,200,000	2,200,000	467
468	4100030	EMPLOYEE ASSISTANCE PROGRAM					219,561	219,561	468
469	4100270	OUTSIDE LEGAL COUNSEL					500,000	500,000	469
470	4100360	INCREASE IN FACILITIES SECURITY					150,000	150,000	470
471	41004C0	DOMESTIC SECURITY - FLORIDA MUTUAL AID BUILD OUT (MAB) INSUFFICIENT FUNDING		120,000	120,000			120,000	471
472	41005C0	DOMESTIC SECURITY - FLORIDA INTEROPERABILITY NETWORK (FIN) INSUFFICIENT FUNDING		1,250,000	1,250,000			1,250,000	472
473	41007C0	MYFLORIDAMARKETPLACE					5,818,943	5,818,943	473
474	4101AC0	ADDITIONAL SALARIES AND BENEFITS AND SALARY RATE FOR THE OFFICE OF THE STATE CHIEF INFORMATION OFFICER		940,380				940,380	474
475	4102AC0	ADDITIONAL RESOURCES FOR THE OFFICE OF THE CHIEF INFORMATION OFFICER	25.00	3,059,619	112,300			3,059,619	475
476	4105600	INCREASES/DECREASES IN GENERAL REVENUE FUNDED PENSIONS AND BENEFITS		130,603				130,603	476
477	42001C0	EMERGENCY 911 CALL ROUTING SYSTEM					6,000,000	6,000,000	477
478	42022C0	INCREASE TO STATEWIDE LAW ENFORCEMENT RADIO SYSTEM TOWER LEASES		526,357				526,357	478
479	42024C0	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM TOWER REPAIR AND REPLACEMENT					1,000,000	1,000,000	479
	4204045	LAFAYETTE COUNTY SHERIFF'S OFFICE COMMUNICATIONS		500,000	500,000			500,000	0
480	4300220	REALIGN AUTHORITY TO THE DISTRIBUTION TO COUNTIES - WIRELESS 911 CATEGORY FROM NONWIRELESS 911 CATEGORY - ADD					5,515,434	5,515,434	480
481	4300230	REALIGN AUTHORITY FROM THE DISTRIBUTION TO COUNTIES - NONWIRELESS 911 CATEGORY TO WIRELESS 911 CATEGORY - DEDUCT					(1,515,434)	(1,515,434)	481
482	4300240	REALIGN AUTHORITY TO THE DISTRIBUTIONS TO COUNTIES - WIRELESS 911 CATEGORY FROM WIRELESS 911 TELEPHONE SYSTEMS - DEDUCT					(4,000,000)	(4,000,000)	482
483	47002C0	ASSET MANAGEMENT SYSTEM INFORMATION TECHNOLOGY RESOURCES					211,200	211,200	483
484	47004C0	E911 GRANT PORTAL					350,000	350,000	484
485	990D000	DEBT SERVICE							485
486	089070	DEBT SERVICE					30,512	30,512	486
487	990M000	MAINTENANCE AND REPAIR							487
488	083400	CAP. DEPRE. - GENERAL		45,000,000	45,000,000		9,865,000	54,865,000	488
489	990S000	SPECIAL PURPOSE							489
490	089978	SLERS TOWERS - DMS MGD		6,642,979	6,642,979			6,642,979	490
491	990Z000	DEFERRED BUILDING MAINTENANCE							491
492	081010	COMPL/AMER DISABIL ACT					4,200,000	4,200,000	492
493	081400	LIFE SAFETY PROJ, STW					935,000	935,000	493

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
494		MANAGEMENT SERVICES TOTAL	961.50	131,631,467	77,770,279	0	582,952,802	714,584,269	494
495		ADMIN HEARINGS	240.00				28,563,232	28,563,232	495
496	1600A20	ADMINISTRATIVE IMPROVEMENT ADJUDICATION OF DISPUTES - ADD	10.00				830,456	830,456	496
497	1600A30	ADMINISTRATIVE IMPROVEMENT WORKERS' COMPENSATION APPEALS - DEDUCT	(10.00)				(830,456)	(830,456)	497
498	3303000	REDUCE VACANT STAFF POSITIONS - WORKERS' COMPENSATION APPEALS	(21.00)				(784,178)	(784,178)	498
499	3303400	CONSOLIDATE OFFICE LOCATIONS					(260,000)	(260,000)	499
500	3304000	REDUCE VACANT STAFF POSITIONS - ADJUDICATION OF DISPUTES	(3.00)				(397,852)	(397,852)	500
501	4006000	TRANSFER NONOPERATING VIDEO TELECONFERENCING CATEGORY TO EXPENSES					145,000	145,000	501
502	4101000	IMPROVE SECURITY AT DISTRICT OFFICES					134,000	134,000	502
503	5006A30	JUDGES OF COMPENSATION CLAIMS SALARY INCREASE - TRUST FUND					1,204,138	1,204,138	503
504	5006A40	ADMINISTRATIVE LAW JUDGE SALARY INCREASE					1,304,148	1,304,148	504
505		ADMIN HEARINGS TOTAL	216.00	0	0	0	29,908,488	29,908,488	505
506		PUBLIC SERVICE COMMISSION	274.00				27,865,139	27,865,139	506
507	1608010	DELETE - REORGANIZATION OF POSITIONS BETWEEN BUDGET ENTITIES	(3.00)				(235,079)	(235,079)	507
508	1608020	ADD - REORGANIZATION OF POSITIONS BETWEEN BUDGET ENTITIES	3.00				235,079	235,079	508
509	160F010	DELETE - REALIGNMENT OF BUDGET ACROSS CATEGORIES (EXPENSES)					(19,006)	(19,006)	509
510	160F020	ADD - REALIGNMENT OF BUDGET ACROSS CATEGORIES (EXPENSES)					19,006	19,006	510
511	17C08C0	DATA PROCESSING SERVICES CONTRACT - DEDUCT					(55,323)	(55,323)	511
512	17C09C0	DATA PROCESSING SERVICES CONTRACT - ADD					55,323	55,323	512
513	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS (DOAH ADJ)					(40,687)	(40,687)	513
514		PUBLIC SERVICE COMMISSION TOTAL	274.00	0	0	0	27,824,452	27,824,452	514
515		REVENUE, DEPARTMENT OF	5,019.75	190,869,218			386,206,232	577,075,450	515
516	17C08C0	DATA PROCESSING SERVICE CATEGORY - DEDUCT		(148,518)			(1,616,863)	(1,765,381)	516
517	17C09C0	DATA PROCESSING SERVICE CATEGORY - ADD		148,518			1,616,863	1,765,381	517
518	2401500	REPLACEMENT OF MOTOR VEHICLES					29,397	29,397	518
519	2402400	ADDITIONAL EQUIPMENT - MOTOR VEHICLES					29,760	29,760	519
520	2503080	ADJUSTMENT TO COST RECOVERY FUNDS DIRECT BILLING FOR ADMINISTRATIVE HEARINGS		(11,509)			(31,275)	(42,784)	520
521	3002000	AID TO LOCAL GOVERNMENTS - AERIAL PHOTOGRAPHY		361,739	361,739			361,739	521
522	33V0100	CHILD SUPPORT PROGRAM - OTHER PERSONAL SERVICES		(50,000)			(450,000)	(500,000)	522
523	33V0170	REDUCE EXPENSE - GENERAL TAX ADMINISTRATION		(28,560)				(28,560)	523
524	33V0200	CHILD SUPPORT ENFORCEMENT REDUCE GENERAL REVENUE FOR FINANCIAL LOSSES		(471,818)				(471,818)	524
525	33V1690	PARENTING TIME EXPENSE		(66,745)				(66,745)	525
526	33V5080	REDUCTION OF FULL TIME EQUIVALENT (FTE) DUE TO INCREASED EFFICIENCIES OF ELECTRONIC FILINGS	(8.00)	(329,572)				(329,572)	526
527	36205C0	CONSULTING SERVICES					200,000	200,000	527
528	36282C0	SECURITY ENHANCEMENTS					420,000	420,000	528
529	36284C0	AGENCY WIDE CUSTOMER CONTACT CENTER - MIGRATION COSTS		133,548	133,548		687,049	820,597	529

SUBCOMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT APPROPRIATIONS FY 2022-23 BUDGET SPREADSHEET

	Issue	Issue Title	COMMITTEE RECOMMENDATION					ALL FUNDS	
			FTE	TOTAL GR	NR GR	LATF	OTHER TF		
530	36290C0	MAINTENANCE AND EQUIPMENT SUPPORT - IMAGE MANAGEMENT SYSTEM					760,823	760,823	530
531	36317C0	PROOF OF CONCEPT AND SUNTAX MIGRATION TO CLOUD SERVICE					1,820,814	1,820,814	531
532	36318C0	PROOF OF CONCEPT ORACLE DATABASE TO SAP HANA DATABASE IN CHILD SUPPORT AUTOMATED MANAGEMENT SYSTEM					4,537,689	4,537,689	532
533	36334C0	AUDIT PLATFORM RECURRING MAINTENANCE					602,285	602,285	533
534	4200100	REALIGNMENT OF GENERAL TAX ADMINISTRATION BUDGET - DEDUCT					(22,410,094)	(22,410,094)	534
535	4200200	REALIGNMENT OF GENERAL TAX ADMINISTRATION BUDGET - ADD					22,410,094	22,410,094	535
536	5006080	CONTINUATION OF EMERGENCY DISTRIBUTION TO COUNTIES					2,900,000	2,900,000	536
537	52M0540	FISCALLY CONSTRAINED COUNTIES - AD VALOREM TAX		38,782,258	38,782,258			38,782,258	537
538		DEPARTMENT OF REVENUE TOTAL	5,011.75	229,188,559	39,277,545	0	397,712,774	626,901,333	538
539		GRAND TOTAL	20,089.75	1,780,495,121	1,356,230,615	1,394,225,350	4,774,318,746	7,949,039,217	539



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Children, Families, and Elder Affairs, *Chair*
Community Affairs, *Vice Chair*
Rules, *Vice Chair*
Appropriations Subcommittee on Agriculture,
Environment, and General Government
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Commerce and Tourism
Ethics and Elections
Health Policy

SENATOR ILEANA GARCIA
37th District

February 2, 2022

Appropriations Subcommittee on Agriculture, Environment, and General Government

Good afternoon,

I am writing to request to be excused from today's meeting, Wednesday, February 2nd, 2022, of the Appropriations Subcommittee on Agriculture, Environment, and General Government.

Thank you for your consideration and understanding.

Sincerely,

A handwritten signature in black ink that reads "Ileana Garcia".

Senator Ileana Garcia

A handwritten signature in blue ink, which appears to be "Lucy".

REPLY TO:

- 2828 Coral Way, Suite 208, Miami, Florida 33145 (305) 442-6841
- 326 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5037

Senate's Website: www.flsenate.gov

WILTON SIMPSON
President of the Senate

AARON BEAN
President Pro Tempore

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on Agriculture, Environment, and General Government **Judge:**

Started: 2/2/2022 4:01:13 PM

Ends: 2/2/2022 4:24:06 PM **Length:** 00:22:54

4:01:12 PM Sen. Albritton (Chair)
4:02:40 PM S 1110
4:02:49 PM Sen. Rouson
4:04:26 PM Am. 962386
4:04:34 PM Sen. Rouson
4:05:10 PM S 1110 (con't)
4:05:15 PM Sen. Stewart
4:05:31 PM Sen. Rouson
4:06:22 PM S 1292
4:06:30 PM Sen. Gruters
4:07:33 PM Am. 631234
4:07:40 PM Am. 910384
4:08:04 PM Am. 631234 (con't)
4:08:14 PM Tasha Carter, Insurance Consumer Advocate, Office of the Insurance Consumer Advocate (waives in support)
4:08:23 PM Austin Stowers, Office of Legislative Affairs Director, CFO Jimmy Patronis (waives in support)
4:08:42 PM S 1292 (con't)
4:08:51 PM Reggie Garcia, Florida Justice Association (waives in support)
4:08:57 PM Austin Stowers, Office of Legislative Affairs Director, CFO Jimmy Patronis (waives in support)
4:09:06 PM Doug Bell, Progressive Insurance (waives in support)
4:09:12 PM Tasha Carter, Insurance Consumer Advocate, Office of the Insurance Consumer Advocate (waives in support)
4:09:22 PM Ivonne Fernandez, Associate Director, AARP (waives in support)
4:09:59 PM S 7012
4:10:14 PM Sen. Brodeur
4:10:18 PM Am 604202
4:10:22 PM Sen. Brodeur
4:11:00 PM Rebecca O'Hara, Deputy General Counsel, Florida League of Cities (waives in support)
4:11:16 PM S 7012 (con't)
4:11:22 PM David Ballard Geddis, Jr.
4:13:07 PM Kenya Cory, FL Chapter National Waste and Recycling Association (waives in support)
4:13:11 PM Lisa Waters, President/CEO, Florida Airports Council (waives in support)
4:13:22 PM Sen. Brodeur
4:14:49 PM TAB 4 - Review and Discussion of Fiscal Year 2022-2023 Budget Issues
4:14:56 PM Sen. Albritton