

Tab 1	SM 420 by Diaz (CO-INTRODUCERS) Broxson ; (Similar to H 00155) VA MISSION Act of 2018						
Tab 2	CS/CS/SB 140 by BI, CA, Hutson (CO-INTRODUCERS) Bradley ; (Compare to CS/CS/H 00065) Fireworks						
228654	A	S	RCS	RC, Hutson	Delete L.16 - 18:	01/15 09:42 AM	
Tab 3	CS/SB 356 by IT, Hutson (CO-INTRODUCERS) Diaz ; (Similar to CS/CS/H 00115) Keep Our Graduates Working Act						
Tab 4	SB 172 by Bradley ; (Identical to H 00113) Florida Drug and Cosmetic Act						
Tab 5	SR 546 by Rodriguez ; Oppression of the Nicaraguan People/President Daniel Ortega						
Tab 6	SB 594 by Benacquisto ; Florida Statutes						
Tab 7	SB 596 by Benacquisto ; Florida Statutes						
Tab 8	SB 598 by Benacquisto ; Florida Statutes						
Tab 9	SB 600 by Benacquisto ; Florida Statutes						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

RULES
Senator Benacquisto, Chair
Senator Gibson, Vice Chair

MEETING DATE: Wednesday, January 15, 2020
TIME: 8:30—10:00 a.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

MEMBERS: Senator Benacquisto, Chair; Senator Gibson, Vice Chair; Senators Book, Bradley, Brandes, Braynon, Farmer, Flores, Hutson, Lee, Montford, Passidomo, Rodriguez, Simmons, Simpson, Stargel, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SM 420 Diaz (Similar HM 155)	VA MISSION Act of 2018; Urging Congress and the department to ensure that the VA MISSION Act of 2018 is implemented in a manner consistent with the legislative intent and purpose of the act, etc. MS 11/13/2019 Favorable RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0
2	CS/CS/SB 140 Banking and Insurance / Community Affairs / Hutson (Compare CS/CS/H 65)	Fireworks; Defining the term "designated holiday"; providing an exemption for the use of fireworks solely and exclusively during a designated holiday, etc. CA 11/04/2019 Fav/CS BI 12/10/2019 Fav/CS RC 01/15/2020 Fav/CS	Fav/CS Yeas 16 Nays 0
3	CS/SB 356 Innovation, Industry, and Technology / Hutson (Similar CS/CS/H 115, Compare H 77, CS/H 713, CS/S 66, S 474, S 926)	Keep Our Graduates Working Act; Creating the "Keep Our Graduates Working Act of 2020"; prohibiting a state authority from suspending or revoking a person's professional license, certificate, registration, or permit solely on the basis of a delinquency or default in the payment of his or her student loan, etc. ED 11/12/2019 Favorable IT 12/09/2019 Fav/CS RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0
4	SB 172 Bradley (Identical H 113)	Florida Drug and Cosmetic Act; Preempting the regulation of over-the-counter proprietary drugs or cosmetics to the state, etc. CA 10/14/2019 Favorable IT 11/04/2019 Favorable RC 01/15/2020 Favorable	Favorable Yeas 12 Nays 4
5	SR 546 Rodriguez	Oppression of the Nicaraguan People/President Daniel Ortega; Condemning the oppression of the Nicaraguan people under President Daniel Ortega, etc. JU 11/12/2019 Favorable RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Rules

Wednesday, January 15, 2020, 8:30—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	SB 594 Benacquisto	Florida Statutes; Adopting the Florida Statutes 2020 and designating the portions thereof that are to constitute the official law of the state, etc. RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0
7	SB 596 Benacquisto	Florida Statutes; Deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes, etc. RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0
8	SB 598 Benacquisto	Florida Statutes; Deleting provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2020 Florida Statutes only through a reviser's bill duly enacted by the Legislature, etc. RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0
9	SB 600 Benacquisto	Florida Statutes; Amending and repealing provisions to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority, etc. RC 01/15/2020 Favorable	Favorable Yeas 16 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SM 420

INTRODUCER: Senator Diaz

SUBJECT: VA MISSION Act of 2018

DATE: January 13, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	Favorable
2.	<u>Brown</u>	<u>Phelps</u>	<u>RC</u>	Favorable

I. Summary:

SM 420 is a memorial to the Congress of the United States, and the United States Department of Veterans Affairs (VA) urging Congress and the VA to ensure that the VA MISSION Act of 2018 is implemented in a manner consistent with the legislative intent and purpose of the act. The purpose of the VA MISSION Act of 2018 is to overhaul existing law on veteran health care to improve access for veterans. Areas of health care addressed in the law include VA and non-VA health care services, veterans' homes, access to walk-in VA care, and prescription drug protocol.

The memorial requests that Congress and the VA ensure that the law's deadlines are timely met so veterans can have the highest quality of health care both from inside and outside the Veterans Health Administration System (VHA).

More specifically, the memorial states that successful implementation of the act requires:

- Timely publication of clear access and quality standards;
- Seamless access to walk-in care;
- Innovation in care delivery and claims processing; and
- Meeting key deadlines as the VHA reviews its infrastructure needs.

The memorial requests that the Florida Secretary of State dispatch copies to the President of the United States, the Secretary of the VA, the Chairman and Ranking member of the Committee on Veterans' Affairs of the United States House of Representatives, the United States Senate, and to each Florida delegation member of Congress.

A memorial is an official legislative document addressed to Congress, the President of the United States, or some other governmental entity that expresses the will of a Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

II. Present Situation:

VA MISSION Act of 2018

On June 6, 2018, President Donald Trump signed into law the VA MISSION Act of 2018, also known as the Caring for Our Veterans Act of 2018.¹ The Act represents an overhaul of existing law on veteran health care to improve access for veterans.²

Features of the law include:

- Consolidating VA community care programs into a single program to make it easier for veterans to navigate;
- Expanding eligibility for the Program of Comprehensive Assistance for Family Caregivers;
- Strengthening the VA's ability to recruit and retain quality medical providers; and
- Strengthening the VA's infrastructure.³

Consolidating Community Care

The VA has provided care to veterans through community providers for decades but as community providers have expanded in number and complexity, veterans have increasingly found community care to be difficult to navigate.⁴ The act consolidates seven VA community care programs into one streamlined program.⁵ As part of this consolidation, the VA is establishing standards for access and quality that will apply to both VA facilities and community providers.⁶ Included in the changes to community care is the creation of a safe opioid program. The safe opioid program will facilitate improved information-sharing amongst community health care providers regarding prescriptions issued to veterans.⁷

Expanded Eligibility for the Program of Comprehensive Assistance for Family Caregivers

The Program of Comprehensive Assistance for Family Caregivers offers caregivers of veterans training, educational resources, and other tools, such as a caregiver support line staffed by licensed professionals and a peer support group.⁸ Caregivers may also receive mental health counseling and enhanced respite services.⁹ Prior to implementation of the act, the Program of Comprehensive Assistance for Family Caregivers was only available to veterans who incurred or aggravated a serious injury in the line of duty on or after September 11, 2001.¹⁰ Beginning in the

¹ Pub.L. 115-182 (H.R. 5674); GovTrack, available at <https://www.govtrack.us/congress/bills/115/s2372>.

² VetsFirst, *What is the VA Mission Act?*, available at <http://www.vetsfirst.org/what-is-the-va-mission-act/> (last visited Oct. 22, 2019).

³ Office of Enterprise Integration, U.S. Dept. of Veterans Affairs, *VA MISSION Act*, available at <https://www.va.gov/oei/missionAct/> (last visited Oct. 22, 2019).

⁴ *Id.*

⁵ United States Senate Committee on Veterans' Affairs, *The VA MISSION Act of 2018*, available at https://www.veterans.senate.gov/imo/media/doc/One%20Pager_The%20VA%20MISSION%20Act%20of%202018.pdf (last visited Oct. 22, 2019).

⁶ Office of Enterprise Integration, *supra* note 3.

⁷ GovTrack, s. 2372 (115th: VA MISSION Act of 2018), available at <https://www.govtrack.us/congress/bills/115/s2372/summary> (last visited Oct. 22, 2019).

⁸ U.S. Dept. of Veterans Affairs, *VA Caregiver Support*, available at <https://www.caregiver.va.gov/> (last visited Oct. 22, 2019).

⁹ Office of Enterprise Integration, *supra* note 3.

¹⁰ *Id.*

summer of 2020, the act expands the program to eligible veterans and their family caregivers in two phases.¹¹ First, family caregivers of veterans who were seriously injured in the line of duty on or before May 7, 1975, will become eligible. Two years later, family caregivers of veterans who were seriously injured in the line of duty between May 7, 1975, and September 10, 2001, will be eligible.¹²

Strengthening Recruitment and Retention of the Best Medical Providers

The act provides the VA greater ability to recruit and retain quality medical providers through greater access to an education debt reduction program, and improved flexibility for recruitment, relocation, and retention.¹³ The VA also now partners with over 1,800 academic institutions, making it the largest medical education program in the country.¹⁴

Strengthening Infrastructure

The act requires the VA to establish a nine member Asset and Infrastructure Review Commission (Commission) appointed by the President of the United States and tasked with making recommendations to the President on Veterans Health Administration System (VHA) facility modernization and realignment.¹⁵ To date, the President has not submitted a list of candidates to the Commission to the Senate for approval. Members of Congress have filed several bills recently, to alternately speed up the date the Commission convenes, and to eliminate the Commission.¹⁶

III. Effect of Proposed Changes:

SM 420 urges the United States Congress and the United States Department of Veterans Affairs (VA) to ensure that the VA MISSION Act of 2018 is implemented in a manner consistent with the legislative intent and purpose of the act.

The memorial requests that Congress and the VA ensure that the law's deadlines are timely met so veterans can have the highest quality of health care both from inside and outside the Veterans Health Administration System.

More specifically, the memorial states that successful implementation of the act requires:

- Timely publication of clear access and quality standards;
- Seamless access to walk-in care;
- Innovation in care delivery and claims processing; and
- Meeting key deadlines as the VHA reviews its infrastructure needs.

¹¹ *Id.*

¹² *Id.*

¹³ U.S. Department of Veterans Affairs, *VA Careers*, available at: <https://www.vacareers.va.gov/> (last visited Oct. 22, 2019).

¹⁴ *Id.*

¹⁵ GovTrack, *supra* note 7.

¹⁶ The AIR Acceleration Act, filed in the Congressional House of Representatives, June 4, 2019, would accelerate the timeline for the Asset and Infrastructure Review Commission by authorizing the Commission to meet in years other than 2022 and 2023. H.R. 3083, GovTrack, available at <https://www.govtrack.us/congress/bills/116/hr3083/text>. The Elimination of the VA Asset and Infrastructure Review (AIR) Commission of 2019 Act, filed March 27, 2019, in the Congressional Senate would eliminate the Commission. S. 853, GovTrack, available at <https://www.govtrack.us/congress/bills/116/s853/text>.

The memorial requests that the Florida Secretary of State dispatch copies to the President of the United States, the Secretary of the VA, the Chairman and Ranking member of the Committee on Veterans' Affairs of the United States House of Representatives, the United States Senate, and to each Florida delegation member of Congress.

A memorial is an official legislative document addressed to Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

As SM 420 is a memorial requesting an action of the federal government, mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce the counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Diaz

36-00676-20

2020420__

Senate Memorial

A memorial to the Congress of the United States and the United States Department of Veterans Affairs, urging Congress and the department to ensure that the VA MISSION Act of 2018 is implemented in a manner consistent with the legislative intent and purpose of the act.

WHEREAS, Florida has the third largest veteran population in the United States, at approximately 1.6 million veterans, and

WHEREAS, the health and well-being of Florida's veterans are of utmost importance to the members and body of the Florida Legislature, and

WHEREAS, the United States Department of Veterans Affairs has been charged with ensuring the health and well-being of Florida's veterans, but in recent years it has failed to deliver the quality and timely care our veterans deserve, and

WHEREAS, on June 6, 2018, President Donald J. Trump signed into law the VA MISSION Act of 2018, Public Law No. 115-182, after the legislation had passed both houses of Congress with strong bipartisan support and had received the support of over 30 veteran and military service organizations, and

WHEREAS, upon its full implementation, the VA MISSION Act of 2018 will improve the health and well-being of veterans in Florida and throughout the entire country and will preserve the beneficial aspects of the Veterans Health Administration while giving veterans increased options in community care programs, and

WHEREAS, the VA MISSION Act of 2018 requires an overhaul

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and modernization of the Veterans Health Administration to provide veterans with more choices for where they receive medical care through a new and consolidated Veterans Community Care Program, and

WHEREAS, the Florida Department of Veterans' Affairs operates six skilled nursing facilities and one assisted living facility for veterans, and the VA MISSION Act of 2018 authorizes the Veterans Health Administration to enter into community provider agreements with these facilities to better serve veterans, which will result in allowing these facilities to seamlessly partner with the administration without becoming subject to additional federal regulations, and

WHEREAS, the VA MISSION Act of 2018 establishes an information-sharing process to ensure that safe opioid prescribing practices are used by community care providers from which veterans are receiving care, and

WHEREAS, the VA MISSION Act of 2018 expands access to the VA caregivers program to all veterans who have incurred or aggravated serious injuries while serving in active duty, not just those serving since September 11, 2001, and

WHEREAS, the Florida Legislature urges the Federal Government to further improve the quality of veterans' health care available to the state's veteran population, NOW, THEREFORE,

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

That the Congress of the United States and the United States Department of Veterans Affairs are urged to ensure that

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36-00676-20

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59 the VA MISSION Act of 2018 is implemented in a manner consistent
60 with the legislative intent and purpose of the act.

61 BE IT FURTHER RESOLVED that the Congress and the United
62 States Department of Veterans Affairs are urged to ensure the
63 law's deadlines are timely met so veterans can gain access to
64 the highest quality of health care both inside and outside of
65 the Veterans Health Administration system. Successful
66 implementation requires the timely publication of clear access
67 and quality standards, seamless access to walk-in care,
68 innovation in care delivery and claims processing, and meeting
69 key deadlines as the Veterans Health Administration reviews its
70 infrastructure needs.

71 BE IT FURTHER RESOLVED that the Secretary of State dispatch
72 copies of this memorial to the President of the United States,
73 the Secretary of the United States Department of Veterans
74 Affairs, the Chairman and Ranking Member of the Committee on
75 Veterans' Affairs of the United States House of Representatives,
76 and the United States Senate, respectively, and to each member
77 of the Florida delegation to the United States Congress.



SENATOR MANNY DIAZ, JR.
36th District

**THE FLORIDA
SENATE**
Tallahassee, Florida 32399-1100

COMMITTEES:
Education, *Chair*
Appropriations Subcommittee on Education,
Vice Chair
Appropriations Subcommittee on Health
and Human Services
Ethics and Elections
Health Policy

JOINT COMMITTEE:
Joint Select Committee on Collective
Bargaining

December 10, 2019

Honorable Senator Lizbeth Benacquisto
Chair
Committee on Rules

Honorable Chair Benacquisto,

I respectfully request Senate Bill Number 420, relating to VA Mission Act of 2018 placed on the next committee agenda.

Sincerely appreciate your consideration.

A handwritten signature in black ink, appearing to read "M. Diaz, Jr.", written in a cursive style.

Senator Manny Diaz, Jr.
Florida Senate, District 36

cc: John B. Phelps, Staff Director
Cynthis Futch, Committee Administrative Assistant

REPLY TO:

- 10001 Northwest 87th Avenue, Hialeah Gardens, Florida 33016 (305) 364-3073
- 306 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5036

Senate's Website: www.flsenate.gov

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/19/2020

Meeting Date

SB 420

Bill Number (if applicable)

Topic VA Mission Act

Amendment Barcode (if applicable)

Name DIEGO ECHEVERRI

Job Title Legislative Liaison

Address 200 W College Ave

Phone

Street

City TLH State FL Zip

Email decheverri@afphg.org

Speaking: [] For [] Against [] Information

Waive Speaking: [X] In Support [] Against (The Chair will read this information into the record.)

Representing Americans For Prosperity

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: CS/CS/CS/SB 140

INTRODUCER: Rules Committee; Banking and Insurance Committee; Community Affairs Committee and Senators Hutson and Bradley

SUBJECT: Fireworks

DATE: January 15, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Toman</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/CS</u>
2.	<u>Palecki</u>	<u>Knudson</u>	<u>BI</u>	<u>Fav/CS</u>
3.	<u>Toman</u>	<u>Phelps</u>	<u>RC</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 140 provides an exemption from the prohibition of fireworks usage during designated holidays. The designated holidays are Independence Day, July 4; New Year's Eve, December 31; and New Year's Day, January 1.

II. Present Situation:

Chapter 791, F.S., sets forth the framework for the regulation of fireworks in Florida under the State Fire Marshal's (SFM) office within the Department of Financial Services (DFS). While ch. 791, F.S., applies uniformly throughout the state, enforcement of these statutes resides with local law enforcement departments.¹ The statutes prohibit the retail sale and use of fireworks² by the public. However, provisions of ch. 791, F.S., exempt certain wholesale sales and commercial uses of fireworks from this general ban. The law does allow sparklers and other novelty products,³ like smoke devices and noisemakers, to be sold at retail to the public and to be used by the public.⁴ Sparklers and similar items, as opposed to fireworks, do not contain explosive

¹ Section 791.001, F.S.

² Florida Statutes provide specific definitions of what are and are not fireworks, which is outlined in later sections of the analysis.

³ Section 791.01(4)(c), F.S. Novelty products include: snakes or glow worms, smoke devices, trick noisemakers, party poppers, booby traps, snappers, trick matches, cigarette load, and auto burglar alarms.

⁴ Retailers that sell sparklers to the general public are classified into two groups: "seasonal retailers" are persons who sell

compounds, cannot be propelled through the air, and are hand-held or ground-based.

Federal Fireworks Provisions

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has adopted federal regulations to distinguish explosives from fireworks, which are sold in the United States as either “display fireworks” or “consumer fireworks.”⁵ Display fireworks are large fireworks used in shows, generally under the supervision of a trained pyrotechnician.⁶

ATF does not regulate consumer fireworks, which it characterizes as the small fireworks usually sold at stands around the Fourth of July holiday.⁷ The manufacturing of consumer fireworks requires an explosives license from ATF because consumer fireworks contain pyrotechnic compositions classified as explosive materials.⁸

Products Classified as Fireworks in Florida

Section 791.01(4)(a), F.S., defines the term “fireworks” as certain combustible or explosive substances or articles prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes “blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance.” Section 791.02(1), F.S., provides that it is unlawful for any person, firm, copartnership, or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks.

“Sparklers” are defined as “a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is handheld or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning.” Any sparkler that is not approved by the SFM is classified as fireworks.⁹ All approved sparkler products are legal for sale until January 31 of the following year.¹⁰ Fraudulent misrepresentation of a device as approved for sale as a sparkler amounts to a misdemeanor of the first degree.¹¹

sparklers only from June 20 through July 5 and from December 10 through January 2 (the temporary stands and tents near roads are operated by seasonal retailers); “retailers” are persons who sell sparklers throughout the year from a fixed location. See s. 791.015, F.S.

⁵ See ATF, *Fireworks Safety and Security*, available at <https://www.atf.gov/explosives/fireworks-safety-and-security> (last visited Dec. 5, 2019).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Section 791.01(8), F.S.

¹⁰ Section 791.013(1), F.S.

¹¹ *Id.*

Public Displays of Fireworks in Florida

Section 791.02, F.S., also allows counties and cities to adopt reasonable rules and regulations for the granting of permits for the supervised public display of fireworks within their boundaries. Display operators must apply for a permit at least 15 days in advance and obtain approval from municipal chiefs of police and fire departments. Section 791.03, F.S., authorizes counties to require a bond of not less than \$500 for any damages caused by a fireworks display.

The outdoor display of fireworks is governed by the National Fire Protection Association (NFPA), which establishes minimum safety standards for outdoor public displays.¹² Local governments may adopt more stringent restrictions for the outdoor display of fireworks, but cannot enact less stringent provisions.¹³

State Fire Marshal Role in Fireworks Regulation

The SFM issues a Certificate of Registration to persons and companies engaged in the business of manufacturing, distributing, wholesaling, and retailing sparklers and imposes an annual fee.¹⁴ All sparklers must be annually tested¹⁵ and approved by the SFM according to specified standards prior to sale or use.¹⁶ Any product that is not approved by the SFM is classified as fireworks. The SFM promulgates an annual list of approved sparklers on its website.¹⁷

According to the SFM, there are currently 710 registered sparkler retailers, which sell to the public from 3,740 fixed places of business throughout the year. There are 841 registered sparkler seasonal retailers, which may sell from June 20 through July 5 and from December 10 through January 2. Presently, there are 92 registered sparkler wholesalers, 7 registered sparkler distributors and 3 registered sparkler manufacturers.¹⁸ Section 791.04, F.S., allows wholesalers, distributors, and manufacturers registered with the SFM to sell fireworks at wholesale, but only if the purchaser meets one of the enumerated exemptions. These exemptions allow the sale of fireworks to:

- Other manufacturers, distributors, or wholesalers registered with the SFM;
- Other registered manufacturers, distributors, or wholesalers who ship fireworks directly out of Florida;

¹² Section 791.012, F.S.

¹³ *Id.* Section 791.055, F.S., further outlines restrictions on the storage of sparklers to ensure such products are kept in a safe manner.

¹⁴ Section 791.015, F.S. The certificate issued by the SFM is mandatory and contains the licensed address where sales are permitted and must be posted at the registered location. Fees for manufacturers, distributors, and wholesalers of sparklers are \$1,000; for retailers the fees are \$15; and for seasonal retailers, the fee is \$200. Revenue from registration fee payments is deposited in the Insurance Regulatory Trust Fund for the purposes of implementing the registration and testing provisions of ch. 791, F.S.

¹⁵ Sparklers, unless they are subsequently altered, are only tested once by the SFM.

¹⁶ Sections 791.015 and 791.013, F.S. Sparklers must be submitted for testing to the SFM's Bureau of Forensic Fire and Explosives Analysis Laboratory in Tallahassee prior to September of each year. The SFM does not test novelties or trick Noisemakers.

¹⁷ Division of State Fire Marshall, *List of Approved Sparklers: February 1, 2019 to January 31*, available at: <https://www.myfloridacfo.com/division/sfm/BFP/documents/2019-2020SparklerList.pdf> (last visited December 5, 2019).

¹⁸ Section 791.01, F.S., and email from Meredith Stanfield, Director of Legislative and Cabinet Affairs, Department of Financial Services (Sep. 29, 2019) (on file with the Senate Committee on Community Affairs).

- Persons holding a permit from any board of county commissioners (or municipality) at the display covered by such permit;
- Railroads or other transportation agencies for signal, illumination, quarrying, blasting or other industrial use;
- A show or theater for the sale or use of blank cartridges;
- Athletics or sports for signal or ceremonial purposes;
- Military organizations, or organizations composed of the Armed Forces of the United States; and
- Licensed manufacturers who experiment by exploding and storing fireworks in their own
- Compounds.

Enforcement of Florida Fireworks Laws

It is a first-degree misdemeanor penalty for any person, firm, copartnership, or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks.¹⁹ It is not, however, a violation of the law to merely possess fireworks. The law imposes a similar penalty for individuals, members of a partnership, and officers of an association or corporation who violate the terms of ch. 791, F.S.,²⁰ and for persons who alter approved sparklers and subsequently sell such products or fraudulently represent a device as approved for sale as a sparkler by the SFM when it is not approved.²¹ In addition, the sheriff or any other police officer is authorized to seize, take or remove at the expense of the owner, all stocks of fireworks or combustibles offered for sale, stored, or held in violation of ch. 791, F.S.²²

Agriculture Works and Fish Hatcheries Fireworks Exemption and Fireworks Retailer Waivers

The importation, purchase, sale, or use of fireworks to be used solely and exclusively to frighten birds from agricultural works and fish hatcheries is authorized pursuant to s. 791.07, F.S.²³ The Department of Agriculture and Consumer Services (DACCS) governs this provision pursuant to its rules, which mandate that persons who utilize this exemption must first file a written statement with the county sheriff verifying such persons are engaged in agriculture or operate a fish hatchery.²⁴ These persons must then present this statement to the seller at the point of sale. The processes and procedures for the agriculture works and fish hatcheries exemption should not be confused with “certificates,” “waivers,” or “affidavits” that fireworks retailers often ask fireworks buyers to sign when a person purchases something above a sparkler. While waivers may acknowledge and cite the agricultural exemption in s. 791.07, F.S., or the wholesale exemptions in s. 791.04, F.S., these documents do not waive these laws. The SFM has previously

¹⁹ Sections 791.02, F.S., and 791.06, F.S. A misdemeanor penalty is one year in jail and a \$1,000 fine; see ss. 775.082 and 775.083, F.S.

²⁰ Section 791.06, F.S. Firms, copartnerships, or corporations found to violate the law are subject to a \$1,000 fine.

²¹ Section 791.013, F.S.

²² Section 791.05, F.S.

²³ Specially designed pyrotechnic explosives and propane canons are commonly used and effective bird dispersal tools. See U.S. Department of Agriculture Animal & Plant Health Inspection Service, Bird Dispersal Technics (Aug. 2016), available at

https://www.aphis.usda.gov/wildlife_damage/reports/Wildlife%20Damage%20Management%20Technical%20Series/BirdDispersal-Techniques-WDM-Technical-Series.pdf (last visited Dec. 5, 2019).

²⁴ Rules 5A-3.001 and 5A-3.002, F.A.C.

advised persons to not sign waivers in order to purchase illegal fireworks, stating that signing a waiver will not clear a consumer of responsibility if caught illegally using fireworks.²⁵

The Miketa Case

Issues surrounding fireworks buyer certificates were addressed in 2002 in *State v. Miketa*.²⁶ The Third District Court of Appeal held that ch. 791, F.S., did not require a seller of fireworks to use due diligence to determine if a purchaser met one of the statutory wholesale exemptions under the law. The Court reasoned that all that is required of the seller, before she or he could lawfully sell the fireworks, was for the purchaser to sign a statement, supplied by the seller, that the purchaser is covered by one of the exemptions to the statute. Since the statute was penal in nature, it should be strictly construed against the state. Because the fireworks statute failed to include a requirement that the seller make a bona fide attempt to determine if the purchase is exempt by requiring supporting documentation, such a requirement could not be read into the law.

Florida Consumer Fireworks Task Force (2007-2008)

In 2007, the Legislature enacted ch. 2007-67, Laws of Florida, and established a Consumer Fireworks Task Force (Task Force) within the DACS for the purpose of studying issues concerning consumer fireworks.²⁷ Pending completion of the Legislature's review of the Task Force's report and to ensure uniformity of fire prevention and safety standards, the Legislature enacted limits on retail sales facilities for consumer fireworks, which provided:

- A new permanent retail sales facility engaged in sales permitted under s. 791.07, F.S., (i.e., for agricultural and fish hatchery uses) may not be opened in Florida after March 8, 2007, unless construction for the permanent retail sales facility received site plan approval and construction begun on or before March 8, 2007; and
- The number of permits for temporary retail sales facilities, such as tents, engaged in sales otherwise permitted by s. 791.07, F.S., (i.e., for agricultural and fish hatchery uses) issued after March 8, 2007, by a county, municipality, or other unit of local government, may not exceed the number of permits the governmental entity issued for such facilities during the 2006 calendar year.²⁸

Under ch. 2007-67, s. 10(5), Laws of Florida, a municipality, county, or other unit of local government may not adopt an ordinance, rule, regulation, or other law after March 8, 2007 which directly prohibits or directly interferes with the safety standards established by state law or the right to purchase, sell, use, or possess consumer fireworks in Florida.²⁹

²⁵ Florida Chief Financial Officer Press Release, Florida State Fire Marshal's Office Urges Floridians to Celebrate Safely this Fourth of July (July 3, 2017), available at <https://www.myfloridacfo.com/sitePages/newsroom/pressRelease.aspx?id=4848> (last visited Dec. 5, 2019).

²⁶ 824 So. 2d 970, 974 (Fla. 3d DCA 2002).

²⁷ See ch. 2007-67, s. 10, Laws of Fla.; as set forth in s.10(4), transmittal of the Task Force report to the President of the Senate and the Speaker of the House of Representatives abolished the Task Force.

²⁸ See ch. 2007-67, s. 10(5), Laws of Fla.

²⁹ *Id.* Further, if the Legislature enacts legislation to provide for the comprehensive regulation of fire prevention and safety standards for the use of consumer fireworks to replace s. 791.07, F.S., on or before July 1, 2008, s. 791.07, F.S., does not prohibit opening any such facility, permitting any such temporary facility, or adopting any such ordinance or other law after such legislation is enacted. However, no such legislation was enacted on or before July 1, 2008.

Key recommendations adopted by the Task Force in its final report included:

- Clear definitions and conditions for the use of consumer fireworks;
- Removal or amendments to existing exemptions;
- Establishment of consistent local government regulations, compliance and penalties;
- Baseline regulation and safety standards for temporary retail sales facilities;
- Regulation of hours and location of the use of consumer fireworks; and
- Ensure that fees be developed sufficient to ensure that all aspects of the Task Force's recommendations are revenue neutral to state and local governments.³⁰

Other States' Regulation of Fireworks

Industry association information indicates that nationally, one state, Massachusetts, bans all consumer fireworks, three states allow only wire or wood stick sparklers and other novelty items, and 46 states and the District of Columbia allow some or all types of consumer fireworks permitted by federal regulations.³¹

State law in Georgia allows fireworks use on any day from 10:00 a.m. to 11:59 p.m., unless the noise from such use is not in compliance with a noise ordinance of a county or municipal corporation.³² A noise ordinance provision does not apply on January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September, and December 31 of each year. In addition, on January 1 of each year, fireworks use is permitted from 12:00 midnight up to 1:00 a.m.

In Michigan,³³ local units of government may enact certain ordinances regulating fireworks but such ordinances shall not regulate the use of consumer fireworks on the following days beginning at 11:00 a.m.:

- December 31 until 1 a.m. on January 1;
- The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days;
- June 29 to July 4 until 11:45 p.m. on each of those days;
- July 5, if that date is a Friday or Saturday, until 11:45 p.m.; and
- The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

³⁰ Department of Agriculture and Consumer Services, *Florida Consumer Fireworks Task Force: Final Report* (Jan. 15, 2008), available at https://consensus.fsu.edu/Fireworks-Task-Force/pdfs/Fireworks_Final.pdf (last visited Dec. 5, 2019).

³¹ See American Pyrotechnics Association, *2019 State Fireworks Control Laws* (June 2019) available at <https://www.americanpyro.com/assets/docs/FactsandFigures/Rev2019%20State%20Laws%20Firework%20Map.pdf> (last visited Dec. 5, 2019).

³² See Official Code of Georgia, § 25-10-2, available at <https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=326894ef-3894-4c3d-a276-3c354a51ae72&config=00JAA1MDBIYzczZi11YjFILTQxMTgtYWE3OS02YTgyOGM2NWJIMDYKAFBvZENhdGFsb2fed0oM9qoQOMCSJFX5qkd&pddocfullpath=%2Fshared%2Fdocument%2Fstatuteslegislation%2Furn%3AcontentItem%3A5WRH-YDC1-JKB3-X17P-00008-00&pddocid=urn%3AcontentItem%3A5WRHYDC1-JKB3-X17P-00008-00&pdcontentcomponentid=234186&pdteaserkey=sr4&pditab=allpods&ecomp=h567kkk&earg=sr4&prid=67d7319f-75b1-4851-9d42-29b12824fa69> (last visited Oct. 29, 2019).

³³ See Michigan Fireworks Safety Act, Section 28.457, available at [http://www.legislature.mi.gov/\(S\(k5phsamwcqvfiul5qtah2lsu\)\)/mileg.aspx?page=GetObject&objectname=mcl-28-457](http://www.legislature.mi.gov/(S(k5phsamwcqvfiul5qtah2lsu))/mileg.aspx?page=GetObject&objectname=mcl-28-457) (last visited Dec. 5, 2019).

Fireworks Related Injuries and Fires

According to the U.S. Consumer Product Safety Commission's (CPSC) 2018 Fireworks Annual Report,³⁴ fireworks were involved in an estimated 9,100 injuries treated in U.S. hospital emergency departments during calendar year 2018. Approximately 81 percent of the victims treated at emergency departments were released upon receiving care. The report found that there is not a statistically significant trend in estimated emergency department-treated, fireworks-related injuries from 2003 to 2018. CPSC staff received reports of five non-occupational fireworks-related deaths during the year.

The National Fire Protection Association reports³⁵ that fireworks start an average of 18,500 fires per year, including 1,300 structure fires, 300 vehicle fires, and 16,900 outside and other fires. These fires caused an average of three deaths, 40 civilian injuries, and an average of \$43 million in direct property damage.

According to DFS, in 2018, there were 108 fires in Florida in which fireworks were reported as the cause.³⁶ DFS states those fires resulted in estimated property damage of \$287,751. In 2017, DFS identified 173 fires in the state in which fireworks were reported as the cause, which resulted in one civilian death and estimated property damage of \$500,660.³⁷

III. Effect of Proposed Changes:

Section 1 creates s. 791.08, F.S., to provide, during designated holidays, an exemption from the prohibition of fireworks usage. Subsection (1) defines "designated holiday" as Independence Day, July 4; New Year's Eve, December 31; and New Year's Day, January 1.

Subsection (2) provides that ch. 791, F.S., does not prohibit the use of fireworks solely and exclusively during a designated holiday. This subsection further states that s. 791.08, F.S., is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), ch. 2007-67³⁸, Laws of Florida, or to supersede any local government regulation relating to the use

³⁴ U.S. Consumer Product Safety Commission, *2018 Fireworks Annual Report* (June 2019), available at https://www.cpsc.gov/s3fs-public/Fireworks_Report_2018.pdf?5kZ4zdr9jPFyhPmeg3MoL35mGX8fB0s7 (last visited Dec. 5, 2019).

³⁵ National Fire Protection Association, Public Education: Fireworks, available at <https://www.nfpa.org/PublicEducation/Fire-causes-and-risks/Seasonal-fire-causes/Fireworks> (last visited Dec. 5, 2019).

³⁶ Department of Financial Services, Senate Bill 140 Agency Analysis (Sep. 20, 2019) (on file with the Senate Committee on Community Affairs).

³⁷ *Id.*

³⁸ Section 10(5), ch. 2007-67, Laws of Florida, provides "Pending completion of the Legislature's review of the task force's report and to ensure that fire prevention and safety standards are uniform, a new permanent retail sales facility engaged in sales otherwise permitted under s. 791.07, Florida Statutes, may not be opened in this state after March 8, 2007, unless the permanent retail sales facility has received siteplan approval and construction has begun on or before March 8, 2007; the number of permits for temporary retail sales facilities, such as tents, engaged in sales otherwise permitted by s. 791.07, Florida Statutes, which are issued after March 8, 2007, by a county, municipality, or other unit of local government may not exceed the number of permits that such governmental entity issued for such facilities during the previous calendar year; and a municipality, county, or other unit of local government may not adopt an ordinance, rule, regulation, or other law after March 8, 2007, which directly prohibits or directly interferes with the safety standards established by state law or the right to purchase, sell, use, or possess consumer fireworks in this state. However, if the Legislature enacts legislation to provide for

of fireworks as provided in s. 10(5), ch. 2007-67, Laws of Florida. This is intended to maintain prohibitions enacted in that bill on the opening of new permanent retail sales facilities, the issuance of permits for temporary retail sales facilities in greater numbers than were permitted in 2006, and on the enactment of certain local government ordinances.

Section 2 provides that the bill shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Sellers of fireworks may experience increased sales.

C. Government Sector Impact:

None.

the comprehensive regulation of fire prevention and safety standards for the use of consumer fireworks to replace this subsection on or before July 1, 2008, this subsection does not prohibit opening any such facility, permitting any such temporary facility, or adopting any such ordinance or other law after such legislation is enacted.”³⁸ The Department of Agriculture and Consumer Services’ *Florida Consumer Fireworks Task Force: Final Report* was issued January 15, 2008. The report is available at https://consensus.fsu.edu/Fireworks-Task-Force/pdfs/Fireworks_Final.pdf (last visited Dec. 11, 2019).

VI. Technical Deficiencies:

None.

VII. Related Issues:

While the bill removes the prohibition on fireworks usage on certain designated holidays, it is silent on the importation, purchase, or sale of fireworks on or for usage on these days.

VIII. Statutes Affected:

This bill creates section 791.08 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS/CS by Rules on January 15, 2020:**

- Removed Memorial Day from the list of designated holidays that are exempt from the current prohibition on fireworks use.

CS/CS by Banking and Insurance on December 10, 2019:

- Added that s. 791.08, F.S., is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), ch. 2007-67, Laws of Florida, or to supersede any local government regulation relating to the use of fireworks as provided in s. 10(5), ch. 2007-67, Laws of Florida.

CS by Community Affairs on November 4, 2019:

- Added New Year's Day to the list of designated holidays that are exempt from the current prohibition on fireworks use.
- Removed a rulemaking requirement for the Division of State Fire Marshal.

B. Amendments:

None.



228654

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/15/2020	.	
	.	
	.	
	.	

The Committee on Rules (Hutson) recommended the following:

Senate Amendment

Delete lines 16 - 18

and insert:

(b) Independence Day, July 4; or

(c) New Year's Eve, December 31.

By the Committees on Banking and Insurance; and Community
Affairs; and Senators Hutson and Bradley

597-02042-20

2020140c2

1 A bill to be entitled
2 An act relating to fireworks; creating s. 791.08,
3 F.S.; defining the term "designated holiday";
4 providing an exemption for the use of fireworks solely
5 and exclusively during a designated holiday; providing
6 construction; providing an effective date.
7
8 Be It Enacted by the Legislature of the State of Florida:
9
10 Section 1. Section 791.08, Florida Statutes, is created to
11 read:
12 791.08 Use during designated holidays; exemption.-
13 (1) As used in this section, the term "designated holiday"
14 means:
15 (a) New Year's Day, January 1;
16 (b) Memorial Day, the last Monday in May;
17 (c) Independence Day, July 4; or
18 (d) New Year's Eve, December 31.
19 (2) This chapter does not prohibit the use of fireworks
20 solely and exclusively during a designated holiday. This section
21 is not intended to provide for the comprehensive regulation of
22 fireworks as described in s. 10(5), chapter 2007-67, Laws of
23 Florida, or to supersede any local governmental regulation
24 relating to the use of fireworks as provided in s. 10(5),
25 chapter 2007-67, Laws of Florida.
26 Section 2. This act shall take effect upon becoming a law.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020

Meeting Date

SB140

Bill Number (if applicable)

228654

Amendment Barcode (if applicable)

Topic Amendment 228654 to SB140 - Fireworks

Name Elizabeth Alvi

Job Title Director of Policy

Address 308 North Monroe Street

Phone (850) 222-2473

Street

Tallahassee

Florida

32301

Email Beth.Alvi@audubon.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Audubon Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB140

Bill Number (if applicable)

Topic FIREWORKS

Amendment Barcode (if applicable)

Name RON BOOK

Job Title

Address 104 West Jefferson

Phone 850-224-3427

Street TCH

City State Zip

Email RonBook4@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing NEPTUNE AND TNT FIREWORKS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 140

Bill Number (if applicable)

Topic Fireworks

Amendment Barcode (if applicable)

Name DIEGO ECHEVERRI

Job Title Legislative Liaison

Address 200 W College Ave

Phone

Street

City TLH State FL

Zip

Email decheverri@afphg.org

Speaking: [] For [] Against [] Information

Waive Speaking: [X] In Support [] Against (The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: CS/SB 356

INTRODUCER: Innovation, Industry, and Technology Committee and Senator Hutson

SUBJECT: Keep Our Graduates Working Act

DATE: January 13, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Oxamendi</u>	<u>Imhof</u>	<u>IT</u>	Fav/CS
3.	<u>Bouck</u>	<u>Phelps</u>	<u>RC</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 356 removes the state authority to take disciplinary action against a healthcare practitioner who defaults on a federal- or state-guaranteed student loan or who fails to comply with the terms of a service scholarship. Under the bill, a healthcare practitioner may not have a license suspended or revoked by the Department of Health solely because of a loan default or failure to complete service scholarship obligation.

The bill prohibits other licensing departments, boards, or agencies to suspend or revoke a license issued to a person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency.

The bill takes effect on July 1, 2020.

II. Present Situation:

Student Loans

Student loans help to cover the education expenses at a university, college, or technical school, and may originate from the federal government or from other sources, such as a bank, credit union, state agency, or school.¹

¹ USA.gov, *Financial Aid for Students*, <https://www.usa.gov/financial-aid#item-206091> (last visited Nov. 25, 2019).

Federal Loans

The United States Department of Education (USDOE) federal student loan program is the William D. Ford Federal Direct Loan (Direct Loan) Program, under which eligible students and parents borrow directly from the USDOE at participating schools.²

The Florida Department of Education (DOE), Office of Student Financial Assistance (OSFA) serves as a guarantor for the Federal Family Education Loan (FFEL) Program³ and the administrator of Florida's scholarship and grant programs.⁴

Federal Student Loan Default

Nationally, about 65 percent of college seniors who graduated from public and private nonprofit colleges in 2018 had student loan debt. Baccalaureate degree recipients graduating in 2018 owed an average of \$29,200.⁵ The average debt of 2018 Florida graduates was \$24,428.⁶

In a 2016 cohort of 4,533,276 borrowers who entered repayment on a direct federal loan or guaranteed federal loan, 458,687 borrowers defaulted⁷ on the loan, which is a student loan cohort default rate⁸ of 10.1 percent.⁹ State default rates ranged from 5.8 percent in Massachusetts to 18.1 percent in Nevada. Florida's 2016 default rate was 7.3 percent (of the 250,615 borrowers in Florida who entered repayment in 2016, 18,378 borrowers defaulted on the loan).¹⁰

² United States Department of Education, Federal Student Aid, *Federal student loans for college or career school are an investment in your future*, <https://studentaid.ed.gov/sa/types/loans#types> (last visited Nov. 25, 2019). Direct subsidized and unsubsidized loans are also called federal Stafford Loans. Loans under the Health Education Assistance Loan (HEAL) program were discontinued on Sept. 30, 1998; loans under the Federal Family Education Loan (FFEL) program were discontinued on July 1, 2010.

³ Rule 6A-20.099, F.A.C. Under the Federal Family Education Loan (FFEL) Program, private lenders made federal student loans to students, and guaranty agencies insured these funds, which were, in turn, reinsured by the federal government. As a result of the Health Care and Education Reconciliation Act of 2010, no new FFEL Program loans were made, beginning July 1, 2010. United States Department of Education, Federal Student Aid, *FFEL Program Lender and Guaranty Agency Reports*, <https://studentaid.ed.gov/sa/about/data-center/lender-guaranty> (last visited Nov. 25, 2019). However, guaranty agencies continue to service outstanding FFEL program loans.

⁴ Florida Department of Education, Office of Student Financial Assistance, http://www.floridastudentfinancialaid.org/FFELP/mission_statement/mission_statement_052606.html (last visited Nov. 25, 2019).

⁵ The Institute for College Access & Success, *Student Debt and the Class of 2018* (Sept. 2019), at 4, available at <https://ticas.org/wp-content/uploads/2019/09/classof2018.pdf> (last visited Nov. 25, 2019).

⁶ *Id.* at 10.

⁷ For a loan made under the William D. Ford Federal Direct Loan Program or the Federal Family Education Loan Program, a borrower is considered to be in default if the borrower fails to make scheduled student loan payments for a period of at least 270 days (about nine months). United States Department of Education, Federal Student Aid, *Don't ignore your student loan payments or you'll risk going into default*, <https://studentaid.ed.gov/sa/repay-loans/default> (last visited Nov. 25, 2019).

⁸ For schools having 30 or more borrowers entering repayment in a fiscal year, a school's cohort default rate is the percentage of a school's borrowers who enter repayment on Federal Stafford Loans and Direct Stafford/Ford Loans during that fiscal year and default within the cohort default period (a school with 29 or fewer borrowers is assigned an average default rate). The 2016 cohort includes borrowers who entered repayment in 2016 and defaulted in 2016-2018, and is reported in 2019. United States Department of Education, Federal Student Aid, 2.1 *How the Cohort Default Rates are Calculated*, at 2, available at <https://ifap.ed.gov/DefaultManagement/guide/attachments/CDRGuideCh2Pt1CDRCalculation.pdf> (last visited Nov. 25, 2019).

⁹ United States Department of Education, Federal Student Aid, *National Student Loan Cohort Default Rates*, available at <https://ifap.ed.gov/eannouncements/attachments/FY16OfficialNationalRates.pdf> (last visited Nov. 25, 2019).

¹⁰ *Id.*

The DOE is required to exert every lawful and reasonable effort to collect all delinquent unpaid student loan notes and defaulted guaranteed loan notes.¹¹ State penalties for a borrower in default include a prohibition on the borrower from receiving his or her academic transcripts or other student records until such time as the loan is paid in full or the default status has been removed,¹² or being charged the maximum interest rate authorized by law.¹³

Health-Related Federal and State Service Scholarships

A service scholarship is an award to a student to further his or her education which imposes an obligation on the student to complete certain work-related requirements. Examples of health-related service scholarship programs administered by the United States Department of Health and Human Services (USDHHS) include:¹⁴

- The National Health Service Corps (NHSC), which requires a commitment of at least two years at an NHSC-approved site;
- Primary Care Loans, which have a residency requirement and a requirement to practice primary care for 10 years or until the loan is paid in full; and
- The Nurse Corps Scholarship Program, which requires employment upon graduation at an eligible facility with a critical shortage of nurses.

In 1992, the Legislature created the Florida Health Services Corps, administered by the Department of Health (DOH), which required a student who received a scholarship to accept an assignment in a public health care program or work in a medically underserved area upon completion of primary care training. Noncompliance with participation requirements would result in ineligibility for professional licensure or renewal of licensure.¹⁵

Professional Licensure

A professional or occupational license is a credential that demonstrates a level of skill or knowledge needed to perform a specific job. The credential is awarded by a governmental licensing agency based on pre-determined criteria, which may include some combination of degree attainment, certifications, educational certificates, assessments, apprenticeship programs, or work experience. The license is a legal authority to work in an occupation.¹⁶

More than 25 percent of United States workers must obtain a license to practice their professions, compared with 5 percent who needed a license in the 1950s.¹⁷

¹¹ Section 1009.95, F.S. For accounts determined to be severely delinquent, the Commissioner is authorized to contract for commercial collection services to assist in collecting the amount due. Fla. Admin. Code R. 6A-20.024 (2019).

¹² Section 1009.95(5), F.S.

¹³ Section 1009.95(6), F.S.

¹⁴ United States Health and Human Services, Health Resources and Services Administration, *Loans & Scholarships*, <https://bhwh.hrsa.gov/loans-scholarships> (last visited Nov. 25, 2019).

¹⁵ Section 111, ch. 1992-33, L.O.F., creating s. 381.0302, F.S., repealed by ch. 2012-184, s. 45, Laws of Fla.

¹⁶ United States Department of Labor, *Labor Force Statistics from the Current Population Survey*, <https://www.bls.gov/cps/certifications-and-licenses-faqs.htm#whatare> (last visited Nov. 25, 2019).

¹⁷ National Conference of State Legislatures, *License Suspension for Student Loan Defaulters*, <http://www.ncsl.org/research/labor-and-employment/license-suspension-for-student-loan-defaulters.aspx> (last visited Nov. 25, 2019).

Licensure Action for Default on Student Loans

In the 1990s, urged by the USDOE,¹⁸ states began adopting laws requiring regulatory boards to suspend professional licenses if the board received notice from an education commission that an applicant held outstanding student loans. Around 2010, at the height of this legislative trend, roughly half of the states had some form of license suspension for default.¹⁹

In 2002,²⁰ the DOH was authorized to take disciplinary action against a healthcare practitioner for failing to repay a federal or state loan or comply with service scholarship obligations. At the time, the USDHHS reported that Florida had 556 healthcare providers in default on student loans or service obligations, which totaled \$45.6 million.

Supporters of laws requiring license suspension for default maintain that the threat of losing a license is a powerful incentive to stay current on loan payments and decreases defaults. Also, such laws allow defaulters to avoid license suspension by simply entering into a repayment plan.²¹

Proponents of repealing license suspension laws for loan defaults argue that:²²

- States should not use licensing authority as a tool of punitive debt collection. The core purpose of licensing should be to protect public safety and certify professional competency.
- Such laws force state professional boards to operate as de facto debt collectors for education loans, the vast majority of which are held by the federal government.
- Suspending licenses decreases the likelihood that the defaulter will repay the loan, since licensed occupations often pay higher wages than unlicensed jobs.

From 2015 to 2019, Alaska, Illinois, Kentucky, Montana, New Jersey, North Dakota, Oklahoma, Texas, and Washington repealed state laws regarding license suspension for a loan default.²³

In February 2019, Senators Marco Rubio and Elizabeth Warren reintroduced the Protecting Jobs Act to prohibit states from suspending, revoking, or denying state-issued professional licenses or

¹⁸ The USDOE recommended that Governors and state legislators send a strong message to students, postsecondary institutions, and lenders that high default rates will not be tolerated. The DOE specifically recommended that states enact legislation to deny professional licenses to defaulters until they make adequate repayment arrangements. United States Department of Education, *Reducing Student Loan Defaults: A Plan for Action* (1990), at 63, available at <https://files.eric.ed.gov/fulltext/ED323879.pdf> (last visited Nov. 25, 2019).

¹⁹ National Conference of State Legislatures, *License Suspension for Student Loan Defaulters*, <http://www.ncsl.org/research/labor-and-employment/license-suspension-for-student-loan-defaulters.aspx> (last visited Nov. 25, 2019). License suspension for default varies in scope—some states include all licenses and all types of loans, some states include driver’s licenses or education loans. Florida and four other states apply the penalty only to health care professionals.

²⁰ Chapter 2002-254, s. 2, Laws of Fla.

²¹ National Conference of State Legislatures, *License Suspension for Student Loan Defaulters*, <http://www.ncsl.org/research/labor-and-employment/license-suspension-for-student-loan-defaulters.aspx> (last visited Nov. 25, 2019).

²² *Id.*

²³ *Id.*

issuing penalties due to student default on a federal education or health education loan, which would include the FFEL Program, Direct Loan program, and HEAL program loans.²⁴

Department of Health Licensure

The Division of Medical Quality Assurance (MQA) in the DOH licenses and regulates more than 200 license types in over 40 professions, while partnering with 22 boards and four councils.²⁵ The MQA currently licenses 998,513 active-in-state practitioners,²⁶ and regulates 59 healthcare professions, including:²⁷

- Acupuncture;
- Athletic Trainer;
- Certified Nursing Assistant;
- Dentist;
- Emergency Medical Technician;
- Medical Doctor;
- Mental Health Counselor;
- Physical Therapist;
- Psychologist;
- Registered Nurse;
- School Psychologist; and
- Septic Tank Contractor.

Florida Department of Health Licensure Disciplinary Actions

The DOH is authorized to take disciplinary action against licensees who commit offenses or violations specified in law.²⁸ Such violations include:²⁹

- Failure to repay a federal- or state-guaranteed student loan in accordance with the terms of the loan; or
- Failure to comply with service scholarship obligations, which is considered a failure to perform a statutory or legal obligation.

The minimum disciplinary action imposed must be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the

²⁴ Congress.Gov, *S.609-Protecting Jobs Act*, <https://www.congress.gov/bill/116th-congress/senate-bill/609/text> (last visited Nov. 25, 2019). An identical bill (H.R. 3689) was introduced in the House of Representatives by Rep. Donna Shalala.

²⁵ Florida Department of Health, *Annual Report and Long-range Plan Fiscal Year 2018-2019*, at 6, available at <http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/documents/annual-report-1819.pdf> (last visited Nov. 25, 2019). MQA regulatory boards include acupuncture, athletic trainers, medicine, nursing, osteopathic medicine, pharmacy, and speech-language pathology and audiology. Councils, which serve an advisory function, are Dietetics and Nutrition Practice, Electrolysis, Licensed Midwifery, and Physician Assistants. *Id.* at 7. Chapter 456, F.S., provides for the regulation of health professions and occupations.

²⁶ Florida Department of Health, *Annual Report and Long-range Plan Fiscal Year 2018-2019*, at 17, available at <http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/documents/annual-report-1819.pdf> (last visited Nov. 25, 2019).

²⁷ Florida Department of Health, *Licensing and Regulation*, <http://www.floridahealth.gov/licensing-and-regulation/index.html> (last visited Nov. 25, 2019).

²⁸ Section 456.072(1), F.S.

²⁹ Section 456.072(1)(k), F.S.

duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount.

To implement this requirement, the DOH is required to:

- Obtain from the USDHHS information necessary to investigate and prosecute health care practitioners for failing to repay a student loan or comply with scholarship service obligations, and include related information in its annual report to the Legislature.³⁰
- Notify the licensee in default that he or she is subject to immediate license suspension unless, within 45 days after notification, the licensee provides proof that new payment terms have been agreed upon by all parties to the loan. After 45 days the DOH must immediately suspend the license if the licensee fails to provide such proof.³¹

In the 2017-2018 fiscal year, the DOH reported 850 student loan defaults, 76 completed investigations, and 26 emergency suspension orders filed. In the 2018-2019 fiscal year, the DOH reported 87 student loan defaults, 250 completed investigations, 121 emergency suspension orders filed, and further disciplinary action taken on 29 licensees.³² In 2018-2019, the most affected licensed professions were Certified Nursing Assistant (43 suspension orders) and Registered Nurse (18 suspension orders).³³

Licensure in Other State Agencies

Other agencies provide professional and occupational licensing and certification, such as the:

- Department of Agriculture and Consumer Services;³⁴
- Department of Business and Professional Regulation;³⁵
- Department of Education;³⁶
- Department of Environmental Protection;³⁷

³⁰ Section 456.0721, F.S.

³¹ Section 456.074(4), F.S.

³² Florida Department of Health, *2019 Agency Analysis for SB 356* (Oct. 31, 2019), see also Florida Department of Health, *Annual Report and Long-range Plan Fiscal Year 2018-2019*, Table 14: Student Loan Defaults, at 43, available at <http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/documents/annual-report-1819.pdf> (last visited Nov. 25, 2019).

³³ Florida Department of Health, *Annual Report and Long-range Plan Fiscal Year 2018-2019*, Table 14: Student Loan Defaults, at 43, available at <http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/documents/annual-report-1819.pdf> (last visited Nov. 25, 2019).

³⁴ The Florida Department of Agriculture and Consumer Services licenses such professions as dealers in agricultural products, pest control operators, professional surveyors and mappers, recovery agents, private investigators and private security, and liquefied propane dealers or installers.

³⁵ The Florida Department of Business and Professional Regulation is charged with licensing and regulating businesses and professionals such as cosmetologists, veterinarians, real estate agents, and pari-mutuel wagering facilities. Florida Department of Business and Professional Regulation, *Department Overview*, <http://www.myfloridalicense.com/DBPR/about-us/department-overview/> (last visited Nov. 25, 2019).

³⁶ Florida educators must be certified to teach in public schools. Educators include classroom teachers, school administrators, and other support professionals, such as guidance counselors and media specialists. Florida Department of Education, *Educator Certification*, <http://www.fldoe.org/teaching/certification/> (last visited Nov. 25, 2019).

³⁷ The Florida Department of Environmental Protection is responsible for a professional licensure program for water and wastewater treatment plant operators along with water distribution system operators. Florida Department of Environmental Protection, *Certification and Restoration Program*, <https://floridadep.gov/water/certification-restoration> (last visited Nov. 25, 2019).

- Department of Financial Services;³⁸ and
- Department of Highway Safety and Motor Vehicles.³⁹

Each agency or affiliated board or commission is authorized to take action against a license or certificate based on violations of law or professional practice. However, no state law specifically authorizes such agencies to take disciplinary action against a license resulting from default on a student loan.

III. Effect of Proposed Changes:

CS/SB 356 removes the state authority to take disciplinary action against a healthcare practitioner who defaults on a student loan or who fails to comply with the terms of a service scholarship. Under the bill, a healthcare practitioner may not have his or her license suspended or revoked by the Department of Health (DOH) solely because of a loan default or failure to complete service scholarship obligations.

The bill creates s. 120.82, F.S., to specify that a state authority may not suspend or revoke a license that it has issued to a person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency. The bill defines the term “state authority” to mean any department, board, or agency with the authority to grant a license to any person in this state.

The bill also defines the following terms:

- “Default” means the failure to repay a student loan according to the terms agreed to in the promissory note.
- “Delinquency” means the failure to make a student loan payment when it is due.
- “License” means any professional license, certificate, registration, or permit granted by the applicable state authority.
- “Student loan” means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.

The bill does not forgive any student debt or remove the ability to suspend or revoke a health care practitioner’s license for other violations specified in law.

The bill amends s. 1009.95, F.S., to require the Department of Education (DOE) to comply with the requirements in s. 120.82, F.S., in its efforts to collect delinquent loans. However, compliance with s. 120.82, only applies to disciplinary actions on a license, and does not remove the authority of the DOE to engage a collection agency for delinquent loans, or to follow disciplinary actions specified in law related to academic transcripts or maximum interest rates.

³⁸ The Florida Department of Financial Services licenses professions related to fire safety, funeral and cemetery services, and insurance. Florida Department of Financial Services, *Business and Professional*, <https://www.myfloridacfo.com/sitePages/services/display.aspx?a=Business%20and%20Professional> (last visited Nov. 25, 2019).

³⁹ The Florida Department of Highway Safety and Motor Vehicles licenses motor vehicle dealers, mobile home dealers, and recreational vehicle dealers. Florida Department of Highway Safety and Motor Vehicles, *Florida Motor Vehicle, Mobile Home, and Recreational Vehicle Dealers’ Handbook* (2015), available at <https://www.flhsmv.gov/pdf/dealerservices/dealerhandbook.pdf> (last visited Nov. 25, 2019).

The bill modifies DOH requirements to ensure that health care practitioners' licenses cannot be suspended or revoked because of default on a student loan or failure to comply with service scholarship obligations. Specifically, the bill:

- Amends s. 456.072, F.S., to remove a licensee's failure to repay a federal- or state-guaranteed student loan or failure to comply with service scholarship obligations from the list of violations for which the DOH may take disciplinary action.
- Amends s. 456.074, F.S., to remove the requirement that the DOH notify a health care practitioner in default on a student loan that he or she is subject to suspension of a license unless the practitioner provides proof of repayment terms within 45 days of the notification.
- Repeals s. 456.0721, F.S., to remove the requirement that the DOH obtain monthly reports from the United States Department of Health and Human Services (USDHHS) regarding health care practitioners who have failed to repay a student loan or comply with scholarship service obligations.

The bill takes effect on July 1, 2020.

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:

Healthcare practitioners will no longer be subject to discipline solely because of defaulting on a student loan or failure to comply with the terms of a service scholarship.

This may assist such practitioners in paying student loans by allowing them to continue to work in the field. In addition, the health care workforce will no longer be subject to the mandatory 10 percent fine for student loans in default.⁴⁰

C. Government Sector Impact:

The Department of Health (DOH) and Division of Medical Quality Assurance (MQA) may experience a recurring decrease in revenue due to the loss of the mandated 10 percent fine imposed on student loan default cases. However, the DOH and MQA will experience a recurring reduction in workload and cost due to conducting fewer investigations and prosecutions. The Compliance Management Unit in the MQA will no longer have to track licensees on probation due to board-imposed discipline.⁴¹

VI. Technical Deficiencies:

CS/SB 356 removes the authority of the DOH to take suspend or revoke the license of health care practitioner who is in default on a student loan guaranteed by the state or federal government. However, the bill may not remove all DOH requirements relating to student loan default, specifically relating to initial award or renewal of a license. The DOH, or a licensing board within the jurisdiction of the DOH, must refuse to issue or renew a license to an individual that is currently listed on the USDHHS Office of Inspector General's List of Excluded Individuals and Entities (LEIE).⁴² Federal law⁴³ provides that a default on a health education loan or scholarship obligation is permissive grounds for being placed on the LEIE and that such exclusion lasts until the default or obligation is resolved. If a candidate or applicant is placed on the LEIE for a default on such a loan, the DOH must deny that person's application for an initial license or renewal of an existing license.⁴⁴

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 456.072, 456.074, and 1009.95.

This bill creates section 120.82 of the Florida Statutes.

This bill repeals section 456.0721 of the Florida Statutes.

⁴⁰ Florida Department of Health *2019 Agency Analysis of SB 356* (Oct. 31, 2019).

⁴¹ *Id.*

⁴² Section 456.0635(2)(e) and (3)(e), F.S. The LEIE provides information to the health care industry, patients and the public regarding individuals and entities currently excluded from participation in Medicare, Medicaid and all other Federal health care programs. USDHHS, Office of Inspector General, *Exclusions FAQ*, <https://oig.hhs.gov/faqs/exclusions-faq.asp>, (last visited Nov. 4, 2019). Individuals must be excluded (placed on the LEIE) for a conviction of specified crimes, including patient abuse, fraud, or actions related to a controlled substance. Individuals may be placed on the LEIE for acts including convictions relating to audits, specified misdemeanors, claims of unnecessary services, kickbacks, or default on health education loans or scholarship obligations. 42 U.S.C. s. 1320a-7.

⁴³ Section 1128(b)(14) of the Social Security Act and 42 U.S.C. 1320a-7(b)(14).

⁴⁴ Florida Department of Health, *2019 Agency Analysis of SB 356* (Oct. 31, 2019).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Innovation, Industry, and Technology on December 9, 2019:

The committee substitute creates s. 120.82, F.S., and transfers to that section the provisions in s. 1009.951, F.S., which prohibit licensing departments, boards, or agencies to suspend or revoke a license solely on the basis of default or delinquency in payment of a student loan.

- B. **Amendments:**

None.

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

By the Committee on Innovation, Industry, and Technology; and
Senator Hutson

580-01997-20

2020356c1

A bill to be entitled

An act relating to the Keep Our Graduates Working Act; creating s. 120.82, F.S.; providing a short title; providing a purpose; defining terms; prohibiting a state authority from suspending or revoking a person's professional license, certificate, registration, or permit solely on the basis of a delinquency or default in the payment of his or her student loan; amending s. 456.072, F.S.; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending ss. 456.074 and 1009.95, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 120.82, Florida Statutes, is created to read:

120.82 Keep Our Graduates Working Act.-

(1) SHORT TITLE.-This section may be cited as the "Keep Our Graduates Working Act of 2020."

(2) PURPOSE.-The purpose of this act is to ensure that Floridians who graduate from an accredited college or university can maintain their occupational licenses, as defined in subsection (3), and remain in the workforce while they attempt to pay off their student loan debt.

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

(a) "Default" means the failure to repay a student loan

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

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according to the terms agreed to in the promissory note.

(b) "Delinquency" means the failure to make a student loan payment when it is due.

(c) "License" means any professional license, certificate, registration, or permit granted by the applicable state authority.

(d) "State authority" means any department, board, or agency with the authority to grant a license to any person in this state.

(e) "Student loan" means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.

(4) STUDENT LOAN DEFAULT; DELINQUENCY.-A state authority may not suspend or revoke a license that it has issued to a person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency.

Section 2. Paragraph (k) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.-

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(k) Failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan is not or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation, ~~and the minimum disciplinary action imposed shall be~~

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

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59 ~~a suspension of the license until new payment terms are agreed~~
 60 ~~upon or the scholarship obligation is resumed, followed by~~
 61 ~~probation for the duration of the student loan or remaining~~
 62 ~~scholarship obligation period, and a fine equal to 10 percent of~~
 63 ~~the defaulted loan amount. Fines collected must ~~shall~~ be~~
 64 deposited into the Medical Quality Assurance Trust Fund.

65 Section 3. Section 456.0721, Florida Statutes, is repealed.

66 Section 4. Subsection (4) of section 456.074, Florida
 67 Statutes, is amended to read:

68 456.074 Certain health care practitioners; immediate
 69 suspension of license.-

70 ~~(4) Upon receipt of information that a Florida licensed~~
 71 ~~health care practitioner has defaulted on a student loan issued~~
 72 ~~or guaranteed by the state or the Federal Government, the~~
 73 ~~department shall notify the licensee by certified mail that he~~
 74 ~~or she shall be subject to immediate suspension of license~~
 75 ~~unless, within 45 days after the date of mailing, the licensee~~
 76 ~~provides proof that new payment terms have been agreed upon by~~
 77 ~~all parties to the loan. The department shall issue an emergency~~
 78 ~~order suspending the license of any licensee who, after 45 days~~
 79 ~~following the date of mailing from the department, has failed to~~
 80 ~~provide such proof. Production of such proof shall not prohibit~~
 81 ~~the department from proceeding with disciplinary action against~~
 82 ~~the licensee pursuant to s. 456.073.~~

83 Section 5. Subsection (1) of s. 1009.95, Florida Statutes,
 84 is amended to read:

85 1009.95 Delinquent accounts.-

86 (1) The Department of Education is directed to exert every
 87 lawful and reasonable effort to collect all delinquent unpaid

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88 and uncanceled scholarship loan notes, student loan notes, and
 89 defaulted guaranteed loan notes; however, in all such efforts,
 90 the department shall comply with s. 120.82.

91 Section 6. This act shall take effect July 1, 2020.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

356

Bill Number (if applicable)

Topic Keep Our Grads Working Act

Amendment Barcode (if applicable)

Name Spencer Pylant

Job Title Vice President of Government Affairs

Address 1601 Biscayne Blvd, Ballroom Level

Phone 305-577-5421

Street

Miami

FL

State

33132

Zip

Email spylant@miamichamber.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Greater Miami Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020
Meeting Date

356
Bill Number (if applicable)

Topic Keep our Graduates Working Act Amendment Barcode (if applicable)

Name Melody Arnold

Job Title ASSOC. DIR. OF GOV'T AFFAIRS

Address 307 W. Park Avenue
Street

Phone 850-224-3907

Tallahassee FL 32301
City State Zip

Email marnold@fhca.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FHCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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1/15/20
Meeting Date

SB 356
Bill Number (if applicable)

Topic Keep our Graduates Working Act

Amendment Barcode (if applicable)

Name DIEGO ECHEVERRI

Job Title Legislative Liaison

Address 200 West College Ave

Phone _____

Street

TLH FL

City

State

Zip

Email decheverri@afphg.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Americans For Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

356

Bill Number (if applicable)

Topic Keep Our Graduates Working

Amendment Barcode (if applicable)

Name Melissa Ramba

Job Title lobbyist

Address 108 S Monroe

Phone 850-570-0269

Street

Tallahassee

City

State

Zip

Email Melissa@flapartners.com

Speaking: [] For [] Against [] Information

Waive Speaking: [x] In Support [] Against (The Chair will read this information into the record.)

Representing Opportunity Solutions

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20
Meeting Date

356
Bill Number (if applicable)

Topic Keep Our Graduates Working

Amendment Barcode (if applicable)

Name Melissa Ramba

Job Title lobbyist

Address 1108 S Monroe

Phone 850-570-0269

Street
Tallahassee FL

Email Melissa@flapartners.com

City State Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing AIF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 172

INTRODUCER: Senator Bradley

SUBJECT: Florida Drug and Cosmetic Act

DATE: January 13, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Toman</u>	<u>Yeatman</u>	<u>CA</u>	Favorable
2.	<u>Kraemer</u>	<u>Imhof</u>	<u>IT</u>	Favorable
3.	<u>Toman</u>	<u>Phelps</u>	<u>RC</u>	Favorable

I. Summary:

SB 172 expressly preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics.

II. Present Situation:

Home Rule

Counties

A county without a charter has such power of self-government as provided by general¹ or special law, and may enact county ordinances not inconsistent with general law.² Counties operating under county charters shall have all the powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors.³ General law grants counties “the power to carry on county government”⁴ and to “perform any other acts not inconsistent with law, which acts are in the common interest of the people of the county, and exercise all powers and privileges not specifically prohibited by law.”⁵

Municipalities

Chapter 166, F.S., also known as the Municipal Home Rule Powers Act,⁶ acknowledges the constitutional grant to municipalities of governmental, corporate, and proprietary power

¹ Chapter 125, Part I, F.S.

² FLA. CONST. art. VIII, s. 1(f).

³ FLA. CONST. art. VIII, s. 1(g).

⁴ Section 125.01(1), F.S.

⁵ Section 125.01(1)(w), F.S.

⁶ Section 166.011, F.S.

necessary to conduct municipal government, functions, and services.⁷ Chapter 166, F.S., provides municipalities with broad home rule powers, respecting expressed limits on municipal powers established by the Florida Constitution, applicable laws, and county charters.⁸

Section 166.221, F.S., authorizes municipalities to levy reasonable business, professional, and occupational regulatory fees, commensurate with the cost of the regulatory activity, including consumer protection, if regulation of the affected businesses, professions, and occupations has not been preempted by the state or a county pursuant to a county charter.

Preemption

Local governments have broad authority to legislate on any matter that is not inconsistent with federal or state law. A local government enactment may be inconsistent with state law if (1) the Legislature has preempted a particular subject area or (2) the local enactment conflicts with a state statute. Where state preemption applies, it precludes a local government from exercising authority in that particular area.⁹ Florida law recognizes two types of preemption: express and implied. Express preemption requires a specific legislative statement; it cannot be implied or inferred.¹⁰ Express preemption of a field by the Legislature must be accomplished by clear language stating that intent.¹¹ In cases where the Legislature expressly or specifically preempts an area, there is no problem with ascertaining what the Legislature intended.¹²

In cases determining the validity of ordinances enacted in the face of state preemption, the effect has been to find such ordinances null and void.¹³ Implied preemption is actually a decision by the courts to create preemption in the absence of an explicit legislative directive.¹⁴ Preemption of a local government enactment is implied only where “the legislative scheme is so pervasive as to evidence an intent to preempt the particular area,” and strong public policy reasons exist for finding preemption.¹⁵ Implied preemption is found where the local legislation would present the danger of conflict with the state's pervasive regulatory scheme.¹⁶

⁷ See also Florida House of Representatives, Publications, The Local Government Formation Manual 2018-2020, p. 16 (p. 21 of the online PDF version), available at <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3025&Session=2020&DocumentType=General%20Publications&FileName=2018-2020%20Local%20Government%20Formation%20Manual.pdf> (last visited Nov. 1, 2019).

⁸ Section 166.021(4), F.S.

⁹ See James R. Wolf and Sarah Harley Bolinder, *The Effectiveness of Home Rule: A Preemptions and Conflict Analysis*, 83 Fla. B.J. 92 (June 2009).

¹⁰ See *City of Hollywood v. Mulligan*, 934 So.2d 1238, 1243 (Fla. 2006); *Phantom of Clearwater, Inc. v. Pinellas County*, 894 So.2d 1011, 1018 (Fla. 2d DCA 2005), approved in *Phantom of Brevard, Inc. v. Brevard County*, 3 So.3d 309 (Fla. 2008).

¹¹ *Mulligan*, 934 So.2d at 1243, quoting *Phantom of Clearwater, Inc.*, *supra* note 10.

¹² *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So.3d 880, 886 (Fla. 2010). Examples of activities “expressly preempted to the state” include: operator use of commercial mobile radio services and electronic communications devices in motor vehicles, s. 316.0075, F.S.; regulation of the use of cameras for enforcing provisions of the Florida Uniform Traffic Control Law, s. 316.0076, F.S.; and, the adoption of standards and fines related to specified subject areas under the purview of the Department of Agriculture and Consumer Services, s. 570.07(16), F.S.

¹³ See, e.g., *Nat’l Rifle Ass’n of Am., Inc. v. City of S. Miami*, 812 So.2d 504 (Fla. 3d DCA 2002).

¹⁴ *Phantom of Clearwater, Inc.*, 894 So.2d at 1019.

¹⁵ *Id.*, quoting *Tallahassee Memorial Regional Medical Center, Inc. v. Tallahassee Medical Center, Inc.*, 681 So.2d 826, 831 (Fla. 1st DCA 1996), citing *Tribune Co. v. Cannella*, 458 So.2d 1075 (Fla. 1984).

¹⁶ *Sarasota Alliance for Fair Elections, Inc.*, 28 So.3d at 886.

Licensing and Regulation of Drugs, Devices and Cosmetics in Florida

The Florida Drug and Cosmetic Act (act) is found in part I of ch. 499, F.S.¹⁷ The act's purpose is to safeguard the public health and promote the public welfare by protecting the public from injury by product use and by merchandising deceit involving drugs, devices, and cosmetics.¹⁸ The Department of Business and Professional Regulation (DBPR) is responsible for administering and enforcing efforts to prevent fraud, adulteration, misbranding, or false advertising in the preparation, manufacture, repackaging, or distribution of drugs, devices, and cosmetics.¹⁹ Administration of the act must conform to the Federal Food, Drug, and Cosmetic Act²⁰ and the applicable portions of the Federal Trade Commission Act,²¹ which prohibit the false advertising of drugs, devices, and cosmetics.²²

Chapter 2010-161, s. 27, Laws of Fla., shifted responsibility for operation and enforcement of the Act from the Department of Health to DBPR. Administration of the provisions in the Act occurs within DBPR's Division of Drugs, Devices and Cosmetics (division).²³ The division carries out its responsibilities through two program areas:²⁴

- The Permitting Program is responsible for the review and approval of permitting applications for multiple permit categories including categories for over-the-counter drug manufacturers and cosmetic manufacturers.²⁵
- The Bureau of Compliance & Enforcement is responsible for initial permitting and compliance inspections for permitted facilities and investigation of complaints related to violations of the act.

In addition to the above, the act also provides:²⁶

- Criminal prohibitions against distribution of contraband and misbranded prescription drugs;
- Regulations for the advertising and labeling of drugs, devices, and cosmetics; and
- Enforcement avenues for DBPR, including seizure and condemnation of drugs, devices, and cosmetics.

¹⁷ Section 499.001, F.S., provides that ss. 499.001-499.94 is the Florida Drug and Cosmetic Act.

¹⁸ Section 499.002(1)(a), F.S.

¹⁹ Section 499.002(2), F.S.

²⁰ 21 U.S.C. ss. 301 *et seq.*

²¹ *See* 15 U.S.C. §§ 41-58, as amended.

²² Section 499.002(1)(b), F.S.

²³ E-mail from Colton Madill, Deputy Legislative Affairs Director, DBPR to staff of the Senate Committee on Community Affairs (Oct. 3, 2019) (on file with Senate Committee on Innovation, Industry, and Technology).

²⁴ *Id.*

²⁵ Section 499.01, F.S., outlines 18 distinct permits based on the type of entity and intended activity, and includes permits for entities within the state, out of state, or even outside of the United States. These are: an out-of-state prescription drug wholesale distributor; a retail pharmacy drug wholesale distributor; a restricted prescription drug distributor; a complimentary drug distributor; a freight forwarder; a veterinary prescription drug retail establishment; a veterinary prescription drug wholesale distributor; a limited prescription drug veterinary wholesale distributor; an over-the-counter drug manufacturer; a device manufacturer; a cosmetic manufacturer; a third party logistics provider; or a health care clinic establishment.

²⁶ *See* ss. 499.0051, 499.0054, and 499.062, F.S.

Over-the-Counter Drugs and Cosmetics

Part I of Ch. 499, F.S., Definitions

Section 499.003(43), F.S., defines “proprietary drug,” or “OTC drug,” to mean a patent or over-the-counter drug in its unbroken, original package, which is sold to the public by, or under the authority of, the manufacturer or primary distributor thereof, is not misbranded, and can be purchased without a prescription. Section 499.003(12), F.S., defines “cosmetic” to mean an article, with the exception of soap that is: a) intended to be rubbed, poured, sprinkled, or sprayed on or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance; or (b) intended for use as a component of any such article.

U.S. Food and Drug Administration Role and Guidance

Florida’s drugs, devices and cosmetics regulations must conform to the Federal Food, Drug, and Cosmetic Act.²⁷ The U.S. Food and Drug Administration (FDA) defines “over-the counter drug products” as nonprescription drugs that are safe and effective for use by the general public without seeking treatment by a health professional.²⁸ The FDA reviews the active ingredients and the labeling of classes of drugs instead of individual drug products because there are over 300,000 marketed OTC drug products.²⁹ Examples of these classes of drugs include those related to acne, allergy, cold and cough, laxative, insect repellent, nasal decongestant, and sunscreen. For each class, an OTC drug monograph³⁰ is developed and published in the Federal Register. According to the FDA, OTC drug monographs are a kind of “recipe book” covering acceptable ingredients, doses, formulations, and labeling.³¹

The FDA defines “cosmetic products” in a fashion similar to the definition of cosmetic in s. 499.003(12), F.S.³² Examples of cosmetics include skin moisturizers, perfumes, lipsticks, fingernail polishes, eye and facial makeup, cleansing shampoos, permanent waves, hair colors, and deodorants. Cosmetic products and ingredients do not need FDA premarket approval, with the exception of color additives.³³

²⁷ See *supra* note 21.

²⁸ U.S. Food and Drug Administration, *Drug Applications for Over-the-Counter (OTC) Drugs*, available at <https://www.fda.gov/drugs/types-applications/drug-applications-over-counter-otc-drugs> (last visited Nov. 1, 2019).

²⁹ *Id.*

³⁰ An OTC monograph establishes conditions under which certain OTC drugs may be marketed without approved new drug applications because they are “generally recognized as safe and effective” (GRASE) and not misbranded.

³¹ See *supra* note 21.

³² See U.S. Food and Drug Administration, *FDA Authority over Cosmetics: How Cosmetics Are Not FDA-Approved, but Are FDA-Regulated*, available at https://www.fda.gov/cosmetics/cosmetics-laws-regulations/fda-authority-over-cosmetics-how-cosmetics-are-not-fda-approved-are-fda-regulated#What_kinds (last visited Nov. 1, 2019)

³³ *Id.*

Over-the-Counter Sunscreen

Ultraviolet Ray Sun Protection from Sunscreen

According to the American Academy of Dermatology (AAD),³⁴ one in five Americans will develop skin cancer in their lifetime, and nearly 20 Americans die from melanoma³⁵ every day. To prevent exposure to the sun's harmful ultraviolet rays, the AAD recommends protecting your skin by "seeking shade, wearing protective clothing and generously applying sunscreen."³⁶

The AAD identifies two types of sunscreen:³⁷

- Physical sunscreen which works like a shield and sits on the surface of your skin, and
- Chemical sunscreen which works like a sponge absorbing the sun's rays.³⁸

For physical sunscreen, the AAD advises looking for the active ingredients zinc oxide and/or titanium dioxide. For chemical sunscreen, it recommends looking for one or more of the following ingredients: oxybenzone, avobenzone, octisalate, octocrylene, homosalate and octinoxate.³⁹

As noted in the review of research on this subject by the Office of Program Policy Analysis and Government Accountability (OPPAGA):⁴⁰

Active sunscreen ingredients fall into two broad categories: organic radiation absorbers and inorganic sun-blocking agents.⁴¹ Oxybenzone and Octinoxate are both organic ultraviolet (UV) light filters commonly used as active ingredients in sunscreens. They absorb UV rays and emit them at a longer wavelength, resulting in decreased skin penetration of radiation.⁴² Oxybenzone, also called benzophenone-3, is a pale-yellow solid at room temperature that is readily soluble. In addition to being an ingredient in sunscreens, it is an ingredient in personal care products (e.g., shampoos,

³⁴ See American Academy of Dermatology, *Detect Skin Cancer: How to Perform a Skin Self-Exam*, available at <https://www.aad.org/skin-cancer-find-check> and *Is Sunscreen Safe?*, available at <https://www.aad.org/sun-protection/is-sunscreen-safe> (last visited Nov. 1, 2019).

³⁵ The American Cancer Association describes melanoma as a type of skin cancer that develops when melanocytes (the cells that give the skin its tan or brown color) start to grow out of control. While melanoma is much less common than some other types of skin cancers it is considered more dangerous because it is much more likely to spread to other parts of the body if not caught and treated early. See American Cancer Society, *What is Melanoma Skin Cancer?*, available at <https://www.cancer.org/cancer/melanoma-skin-cancer/about/what-is-melanoma.html> (last visited Nov. 1, 2019).

³⁶ See <https://www.plasticsurgerypractice.com/client-objectives/dermatology/skin-conditions/american-academy-dermatology-statement-safety-sunscreen/> (last visited Nov. 1, 2019). To protect skin and reduce skin cancer risks, the AAD recommends a sunscreen that is broad spectrum (provides protection from UVA (aging) and UVB (burning) rays), water-resistant (the length of time sunscreen stays on wet skin) and has a SPF 30 or higher (SPF 30 filters out 97% of the sun's UVB rays).

³⁷ See *Is Sunscreen Safe?*, available at <https://www.aad.org/sun-protection/is-sunscreen-safe> (last visited Nov. 1, 2019).

³⁸ *Id.* The AAD suggests opting for physical sunscreen if you have sensitive skin and states that chemical sunscreen formulations tend to be easier to rub into the skin without leaving a residue.

³⁹ *Id.*

⁴⁰ See *infra* note 49 and further discussion in the accompanying text.

⁴¹ In this context, "organic" refers to carbon-based chemicals and "inorganic" refers to non-carbon-based chemicals.

⁴² In contrast, inorganic chemicals such as zinc oxide and titanium oxide that are also used in sunscreens create a physical barrier between the skin and UV rays.

eye makeup preparations, and skin care products). Octinoxate is a colorless to pale-yellow, viscous liquid at room temperature that absorbs UVB radiation from the sun. It is a common ingredient in sunscreens and shampoos in addition to many other types of personal care products.

FDA Proposed Rule on Sunscreen Products for Over-the-Counter Human Use

On February 26, 2019, the FDA published a proposed rule on *Sunscreen Products for Over-the-Counter Human Use*.⁴³ The proposed rule classifies the safety and effectiveness of certain active ingredients and dosage forms, updates sunscreen testing and recordkeeping requirements, and addresses new uses of sunscreens, including the sale of combination sunscreen-insect repellent products. The FDA did not meet the November 26, 2019, deadline for final rule publication. The federal government's most recent Unified Agenda, which updates developing regulations across federal agencies, includes a revised final sunscreen monograph publication date of September 2020.⁴⁴

The most recent FDA rule on sunscreens from 1999 identified 16 active ingredients "generally recognized as safe and effective" (GRASE) in sunscreen. In information from the 2019 proposed rule, the FDA summarized the existing safety data of these ingredients as follows:

- Zinc oxide and titanium dioxide were proposed to be categorized as GRASE.
- Para-aminobenzoic acid and trolamine salicylate as no longer GRASE.
- The remaining 12 ingredients, which include oxybenzone and octinoxate, were identified as not having enough information to determine whether they are GRASE, and the FDA asked the industry for additional data.⁴⁵

City of Key West Ordinance on Sunscreen Products containing Oxybenzone or Octinoxate

In February 2019, the City Commission of Key West passed an ordinance making it unlawful to sell, offer for sale, or distribute for sale in the City of Key West any SPF sunscreen protection personal care product that contains oxybenzone or octinoxate, or both, without a "medically-licensed" prescription.⁴⁶ The city commission cited significant harmful impacts from the two chemicals on the marine environment and residing ecosystems around the waters of Key West, including coral reefs that protect the shoreline of Key West and the Florida Keys. The ordinance definition of "SPF sunscreen protection personal care product" includes but is not limited to

⁴³ 84 C.F.R. § 6204 (2019), available at <https://www.federalregister.gov/documents/2019/02/26/2019-03019/sunscreen-drug-products-for-over-the-counter-human-use> (last visited Nov. 1, 2019). Information in this section of the analysis is derived from the FDA proposed rule. According to the FDA, changed conditions since publication of the previous final rule (64 FR 27666, May 21, 1999) (now stayed) necessitated additional data review to establish that certain active ingredients listed in the stayed final rule are generally recognized as safe and effective (GRASE) for use in sunscreen products.

⁴⁴ White House Office of Management and Budget, Information and Regulatory Affairs, *Agency Rule List – Fall 2019: Department of Health and Human Services*, available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201910&RIN=0910-AF43> (last visited Jan. 11, 2020)

⁴⁵ While the FDA is asking for more data, it has not said that these ingredients are unsafe. The ingredients are listed in Table 1 of the proposed rule. See 84 F.R. § 6204, at 6209 (2019).

⁴⁶ Chapter 26, Article VII., Sec. 26-311, Code of Ordinances, City of Key West Florida (Ord. No.19-03, § 1, 2-5-2019, available at <http://keywest.legistar.com/LegislationDetail.aspx?ID=3763135&GUID=EFF5D76E-F043-4AFF-A898-42EB20A25953&Options=Advanced&Search=> (last visited Nov. 1, 2019). The acronym "SPF" (sun protection factor) is the number assigned to a sunscreen to indicate the factor by which the time required for unprotected skin to become sunburned is increased when the sunscreen is used. See <https://www.merriam-webster.com/dictionary/SPF> (last visited Nov. 1, 2019).

lotion, paste, balm, ointment, cream, solid stick applicator, brush applicator, roll-on applicator, aerosol spray, non-aerosol spray pump, and automated and manual mist spray.

A first time violation of the ordinance shall result in one written warning, absent a serious threat to public safety or an irreparable violation. Second and subsequent violations are punishable pursuant to the city's civil citation procedure, which could result in a maximum civil penalty not to exceed \$500.⁴⁷ The effective date of the specified sunscreen products prohibition is January 1, 2021.⁴⁸

OPPAGA Research of Sunscreen Chemical Effects on Corals⁴⁹ and Marine Life

As directed by the Legislature, the Office of Program Policy Analysis and Government Accountability (OPPAGA) compiled recent peer-reviewed research about the effects of oxybenzone and octinoxate on corals and marine life.⁵⁰ In the overview of its findings presented to the Legislature in September 2019, OPPAGA stated that:

A small number of scientific studies have shown negative effects⁵¹ of oxybenzone and octinoxate (active ingredients in some sunscreen products) on corals and marine life at concentration levels generally not observed in nature. Sunscreens are not the only source of these chemicals; they may also be introduced to seawater from wastewater effluent, leaching from plastics, and leaching from hull paints on ships. Setting aside the effects of these chemicals, a number of stressors would continue to affect corals, including natural threats such as hurricanes and increases in average ocean temperatures, air pollution, and land-based pollution.

III. Effect of Proposed Changes:

Section 1 amends s. 499.002, F.S., to expressly preempt the regulation of over-the-counter proprietary drugs and cosmetics to the state.

Section 2 provides an effective date of July 1, 2020.

⁴⁷ Chapter 2, Article VI, Division 3, Code of Ordinances, City of Key West Florida.

⁴⁸ Both the state of Hawaii (Senate Bill 2571/Act 104 (2018)) and the U.S. Virgin Islands (Bill No. 33-0043/Act No. 8185 (2019)) have passed legislation prohibiting the sale or distribution of sunscreens containing oxybenzone or octinoxate. The Hawaii ban begins on January 1, 2021. The prohibition in the U.S. Virgin Islands begins after March 30, 2020, and includes a ban on the use or possession of sunscreen products containing oxybenzone and octinoxate. Both laws contain findings referencing the chemicals' impacts on marine life and coral.

⁴⁹ According to the United States Environmental Protection Agency, Florida's coral reefs represent the third largest barrier reef ecosystem in the world. The Florida Reef Tract extends from St. Lucie Inlet in Martin County to the Dry Tortugas west of the Florida Keys. Roughly two thirds of the Florida Reef Tract lie within Biscayne National Park and the Florida Keys National Marine Sanctuary. See United States Environmental Protection Agency, *America's Coral Reefs*, available at <https://www.epa.gov/coral-reefs/americas-coral-reefs> (last visited Nov. 1, 2019).

⁵⁰ Office of Program Policy Analysis and Government Accountability, *Summary of Peer-Reviewed Research on the Effects of Selected Sunscreen Chemicals on Corals and Marine Life, 2008 to Present* (Sept. 2019) (on file with Senate Committee on Innovation, Industry, and Technology).

⁵¹ Identified negative effects that may be occurring include the bleaching of coral fragments and coral cells from hard coral and damage to coral DNA and reduced reproductive success.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Manufacturers and distributors of over-the-counter proprietary drugs and cosmetics will only be subject to statewide regulations of their products.

C. Government Sector Impact:

Local government entities will be unable to adopt or enforce over-the-counter proprietary drugs and cosmetics regulations.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 499.002 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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

By Senator Bradley

5-00292-20

2020172__

1 A bill to be entitled
2 An act relating to the Florida Drug and Cosmetic Act;
3 amending s. 499.002, F.S.; preempting the regulation
4 of over-the-counter proprietary drugs or cosmetics to
5 the state; providing an effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Subsection (7) is added to section 499.002,
10 Florida Statutes, to read:

11 499.002 Purpose, administration, and enforcement of and
12 exemption from this part.-

13 (7) Notwithstanding any other law or local ordinance or
14 regulation to the contrary, the regulation of over-the-counter
15 proprietary drugs and cosmetics is expressly preempted to the
16 state.

17 Section 2. This act shall take effect July 1, 2020.

THE FLORIDA SENATE

APPEARANCE RECORD

January 15, 2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

172

Meeting Date

Bill Number (if applicable)

Topic Florida Drug and Cosmetic Act

Amendment Barcode (if applicable)

Name Darrick D. McGhee, Sr.

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Florida

32302

Email darrick@teamjb.com

City

State

Zip

Speaking: [X] For [] Against [] Information

Waive Speaking: [X] In Support [] Against (The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

SB172

Bill Number (if applicable)

Topic FL Drug & Cosmetic Act

Amendment Barcode (if applicable)

Name Holly Parker Curry

Job Title FL Policy Manager

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City

State

Zip

Email hparker@surfrider.org

Speaking: [] For [X] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing Surfrider Foundation

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

172

Bill Number (if applicable)

Topic Regulation of Drugs & Cosmetics - Sunscreen

Amendment Barcode (if applicable)

Name Rebecca O'Hara

Job Title Deputy General Counsel

Address PO Box 1757

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Tallah FL 32302

Email rohara@flcities.com

Speaking: [] For [X] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing Fla League of Cities

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

8B 172

Bill Number (if applicable)

Topic FL Drug + Cosmetic Act - Sunscreen

Amendment Barcode (if applicable)

Name Ryann Lynn

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City

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State

33713

Zip

Email rlynn@environment
florida.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Environment Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

172

Bill Number (if applicable)

Topic OTC Cosmetic Preemption

Amendment Barcode (if applicable)

Name Deborah Foote

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Speaking: [] For [x] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing Sierra Club

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [x] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20

Meeting Date

172

Bill Number (if applicable)

Topic Florida Drug & Cosmetic Act

Amendment Barcode (if applicable)

Name JAKE FARMER

Job Title Director of Government Affairs

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Retail Federation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB 172

Bill Number (if applicable)

Topic Florida Drug and Cosmetic Act

Amendment Barcode (if applicable)

Name Jon Johnson

Job Title Lobbyist

Address 537 E Park Ave

Phone 850-224-1900

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32301

Email jon@teamjb.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Society of Dermatology and Dermatologic Surgery (FSDDS)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SR 546

INTRODUCER: Senator Rodriguez

SUBJECT: Oppression of the Nicaraguan People/President Daniel Ortega

DATE: January 13, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Stallard</u>	<u>Cibula</u>	<u>JU</u>	Favorable
2.	<u>Stallard</u>	<u>Phelps</u>	<u>RC</u>	Favorable

I. Summary:

SR 546 is a resolution condemning the oppression of the Nicaraguan people under President Daniel Ortega. The resolution specifies that this oppression includes a violent crackdown on 2018 protests that were sparked by reforms to the social security system. As part of this crackdown, captured protestors were abused and tortured in various ways, including being raped and electrically shocked and having their fingernails removed. Moreover, the Ortega regime has since raided offices of the news media, prosecuted journalists, and expelled human rights monitors and foreign journalists.

The resolution also identifies abuses that are broader than, and in some cases preceded, the crackdown on the 2018 protests. Since taking office in 2006, President Ortega has increasingly consolidated state power in himself, suppressed opposition leaders and critics, and manipulated election laws.

II. Present Situation:

Overview

Since the Nicaraguan government's violent response to widespread protests in 2018, it has continued to violate the rights of its citizens, and has come under the condemnation of the United States, the United Nations, Human Rights Watch, Amnesty International, and others.

The government has subjected its citizens to torture, extrajudicial killings, and unlawful detention, and has denied their rights to public assembly, free speech, and a fair trial.

The Ortega Regime

Governmental power in Nicaragua is consolidated in the hands of President Daniel Ortega, who has been in power intermittently since the Marxist revolution he led in 1979.¹ President Ortega returned to power with his election in 2006, followed by re-election in 2011 and 2016, with the latter two elections marred by “widespread irregularities.”² In addition to holding onto the presidency through questionable elections, President Ortega has gradually taken control of the judicial and legislative branches of government.³

2018-Present: Crackdown and Crisis

President Ortega’s governance had increasingly run afoul of Western democratic ideals by the time widespread protests broke out in 2018. However, it was and is his government’s continued response to those protests that has drawn outrage and condemnation from a diverse group of nations and organizations, including the United States, the United Nations, Human Rights Watch, and Amnesty International.

The 2018 protests were sparked by the Ortega regime’s announcement that it was slashing social security benefits.⁴ The regime responded violently to the protests, leaving “hundreds dead and thousands wounded,” and engaging in a “campaign to exile, jail, or kill anyone considered to be in opposition” to the regime.⁵

Many persons arrested during or since the demonstrations have been physically or psychologically abused, even tortured. For instance, some detainees have been beaten, raped, waterboarded, subjected to mock execution, and forced to confess.⁶

Moreover, prosecutions of the detainees have violated the Nicaraguan Constitution.⁷ For example, detainees have been held without being brought before a judge for longer than the 48 hours allowed under the Constitution.⁸ Also, many have been deprived of their right to confer freely and privately with counsel.⁹

¹ The Central Intelligence Agency, *The World Factbook, Nicaragua*, <https://www.cia.gov/library/publications/the-world-factbook/geos/nu.html> (last visited Nov. 7, 2019).

² *Id.*

³ The United States Dept. of State, Bureau of Western Hemisphere Affairs, *U.S. Relations with Nicaragua* (Jan. 22, 2019), available at <https://www.state.gov/u-s-relations-with-nicaragua/>.

⁴ Rocio Cara Labrador, Council on Foreign Relations, *Nicaragua in Crisis: What to Know* (Nov. 26, 2018), <https://www.cfr.org/in-brief/nicaragua-crisis-what-know>.

⁵ The United States Dept. of State, Bureau of Western Hemisphere Affairs, *U.S. Relations with Nicaragua* (Jan. 22, 2019), <https://www.state.gov/u-s-relations-with-nicaragua/>.

⁶ Human Rights Watch, *Crackdown in Nicaragua: Torture, Ill-Treatment, and Prosecutions of Protestors and Opponents*, (June 19, 2019), <https://www.hrw.org/report/2019/06/19/crackdown-nicaragua/torture-ill-treatment-and-prosecutions-protesters-and>.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

However, the oppression has not been reserved for detainees. As nondetained Nicaraguans have attempted to continue to speak out against the Ortega regime, the regime has continued to trample their rights to free speech, a free press, and free assembly.¹⁰

In response to the Nicaraguan crisis, the United Nations and others have attempted to monitor the situation and broker a resolution.¹¹ However, the crisis continues, and the regime has expelled the United Nations Office of the High Commissioner for Human Rights from the country.¹²

III. Effect of Proposed Changes:

SR 546 is a resolution condemning the oppression of the Nicaraguan people under President Daniel Ortega. The resolution specifies that this oppression includes a violent crackdown on 2018 protests that were sparked by reforms to the social security system. As part of this crackdown, captured protestors were abused and tortured in various ways, including being raped and electrically shocked and having their fingernails removed. Moreover, the regime has since raided offices of the news media, prosecuted journalists, and expelled human rights monitors and foreign journalists.

The resolution also identifies abuses that are broader than, and in some cases preceded, the crackdown on the 2018 protests. Since taking office in 2006, President Ortega has increasingly consolidated state power in himself, suppressed opposition leaders and critics, and manipulated election laws.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This resolution does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

¹⁰ *Id.*

¹¹ Amnesty International, *Nicaragua: UN Human Rights Council takes important step to address human rights crisis* (Mar. 21, 2019), <https://www.amnesty.org/en/latest/news/2019/03/nicaragua-importante-medida-del-consejo-de-derechos-humanos/>.

¹² *Id.*

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Rodriguez

37-00404A-20

2020546__

Senate Resolution

A resolution condemning the oppression of the Nicaraguan people under President Daniel Ortega.

WHEREAS, Daniel Ortega was first elected President of Nicaragua in 1984, losing a bid for reelection in 1990 and subsequent bids for the presidency in 1996 and 2001, and

WHEREAS, running on a platform of peace and reconciliation, Daniel Ortega was again elected President of Nicaragua in 2006 and soon after his inauguration paid an official visit to Iran to meet with Iranian President Mahmoud Ahmadinejad, and

WHEREAS, during that visit Daniel Ortega hailed the "twin revolutions" of Iran and Nicaragua in the "struggle against imperialism," and praised the current Cuban administration as "brothers in our fight against imperialist scum," while celebrating dictators with a record of human rights abuses, such as President Recep Erdoğan of Turkey, and

WHEREAS, in July 2009, Daniel Ortega suggested that he would like to see the Nicaraguan Constitution amended so that he could run again for president and a judicial decision issued by the Supreme Court of Justice of Nicaragua the following October effectively opened the door to his candidacy, and

WHEREAS, Daniel Ortega was reelected president on November 6, 2011, with the Supreme Electoral Council reporting that he had received 63 percent of the vote, and his reelection was confirmed on November 16, 2011, and

WHEREAS, Daniel Ortega signed a deal giving rights to a large amount of Nicaragua's land to a Chinese company for 50 years with an additional 50-year option, which would destroy

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

37-00404A-20

2020546__

indigenous communities and Nicaragua's environmental diversity and invite a foreign power to run the largest potential business in Nicaragua without involving local workers, and

WHEREAS, Daniel Ortega cut pensions for retirees and those currently in the workforce and, as part of a broad culture of suppression of the Nicaraguan people in 2013, cracked down on students' free speech, and

WHEREAS, in January 2014, the National Assembly approved constitutional amendments that abolished term limits for the presidency, allowing a president to run for an unlimited number of 5-year terms, and other constitutional reform that gave the president sole power to appoint military and police commanders, and

WHEREAS, Daniel Ortega closely aligned himself with the late Venezuelan President Hugo Chávez and many view them as being cut from the same destructive and authoritarian ideological cloth, and

WHEREAS, in 2018, using governmental and paramilitary forces, Daniel Ortega launched a violent crackdown on unarmed protesters, many of them students and younger Nicaraguans, inflicting abuses that included beating captured protesters during arrests and in detention, at times denying them urgent medical attention; raping detainees, including the use of metal tubes and firearms; waterboarding; electric shock; acid burns; mock executions; forced nudity; removal of fingernails; and, in some cases, forcing detainees to record self-incriminating confessions, and

WHEREAS, the Nicaraguan government has targeted reporters and raided the offices of independent media outlets, filed

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37-00404A-20

2020546__

59 criminal charges against journalists, canceled the legal
60 registration of nine civil society organizations, and expelled
61 foreign journalists and international human rights monitors from
62 the country, and

63 WHEREAS, like Hugo Chávez in Venezuela, Daniel Ortega has
64 manipulated election laws; eliminated checks and balances in
65 Nicaragua's government by controlling the national police; co-
66 opted the National Assembly and the Supreme Court of Nicaragua;
67 curtailed freedom of expression; and quashed opposition leaders
68 and other critics, NOW, THEREFORE,

69

70 Be It Resolved by the Senate of the State of Florida:

71

72 That the Florida Senate condemns the oppression of the
73 Nicaraguan people under President Daniel Ortega.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 594

INTRODUCER: Senator Benacquisto

SUBJECT: Florida Statutes

DATE: January 13, 2020

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Pollitz (DLRI)</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

I. Summary:

This bill is drafted by the Division of Law Revision of the Office of Legislative Services to adopt the Florida Statutes 2020 and designate the portions thereof that are to constitute the official statutory law of the state. This adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

II. Present Situation:

The 2020 adoption act will adopt all statutes material passed through the 2019 Regular Session and printed in the 2019 edition. Material passed in a session occurring since publication of the 2019 edition must wait 1 more year before being adopted, and the session law form of that material will remain the best evidence of the law for that material.

III. Effect of Proposed Changes:

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law. The 2020 adoption act adopts as the official statute law of the state those portions of the 2020 Florida Statutes edition that are carried forward unchanged from the edition published 1 year previously (2019). Portions carried forward from the 2019 edition are the official law of the state and, therefore, constitute the best evidence of the law. The portions resulting from sessions occurring subsequent to the publication of the 2019 edition are prima facie evidence of the law in all courts of the state; for this material, the enrolled acts stand as the best evidence of the law. Any “statute of a general and permanent nature” enacted before publication of the 2019 Florida Statutes that does not appear in the 2019 edition, or is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida

Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes. *See National Bank v. Williams*, 28 Fla. 305, 20 So. 931 (1896).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: None.

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

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

None.

B. Amendments:

None.

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

By Senator Benacquisto

27-00961-20

2020594__

A bill to be entitled

An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2020 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2020 shall be effective immediately upon publication; providing that general laws enacted during the 2019 regular session and prior thereto and not included in the Florida Statutes 2020 are repealed; providing that general laws enacted after the 2019 regular session are not repealed by this adoption act; providing an effective date.

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

Section 1. Section 11.2421, Florida Statutes, is amended to read:

11.2421 Florida Statutes 2020 ~~2019~~ adopted.—The accompanying revision, consolidation, and compilation of the public statutes of 2019 ~~2018~~ of a general and permanent nature, excepting tables, rules, indexes, and other related matter contained therein, prepared by the Office of Legislative Services under the provisions of s. 11.242, together with corrections, changes, and amendments to and repeals of provisions of Florida Statutes 2019 ~~2018~~ enacted in additional reviser's bill or bills by the 2020 ~~2019~~ Legislature, is adopted and enacted as the official statute law of the state under the title of "Florida Statutes 2020 ~~2019~~" and shall take effect

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27-00961-20

2020594__

immediately upon publication. Said statutes may be cited as "Florida Statutes 2020 ~~2019~~," "Florida Statutes," or "F.S. 2020 ~~2019~~."

Section 2. Section 11.2422, Florida Statutes, is amended to read:

11.2422 Statutes repealed.—Every statute of a general and permanent nature enacted by the State or by the Territory of Florida at or prior to the 2019 ~~2018~~ regular legislative session, and every part of such statute, not included in Florida Statutes 2020 ~~2019~~, as adopted by s. 11.2421, as amended, or recognized and continued in force by reference therein or in ss. 11.2423 and 11.2424, as amended, is repealed.

Section 3. Section 11.2424, Florida Statutes, is amended to read:

11.2424 Laws not repealed.—Laws enacted after the 2019 ~~2018~~ regular session are not repealed by the adoption and enactment of the Florida Statutes 2020 ~~2019~~ by s. 11.2421, as amended, but shall have full effect as if enacted after its said adoption and enactment.

Section 4. Section 11.2425, Florida Statutes, is amended to read:

11.2425 Rights reserved under repealed statutes.—The repeal of any statute by the adoption and enactment of Florida Statutes 2020 ~~2019~~, by s. 11.2421, as amended, shall not affect any right accrued before such repeal or any civil remedy where a suit is pending.

Section 5. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 596

INTRODUCER: Senator Benacquisto

SUBJECT: Florida Statutes

DATE: January 13, 2020

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Pollitz (DLRI)</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

I. Summary:

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; delete obsolete, repealed, or superseded provisions; and revise statutory provisions to conform to directives of the Legislature. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

This is a general reviser's bill to delete expired or obsolete language; correct cross-references and grammatical or typographical errors; remove inconsistencies and redundancies from the statutes; improve the clarity of the statutes and facilitate their correct interpretation; confirm the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; and revise statutory provisions to conform to directives of the Legislature. A reviser's bill cannot be amended except to delete a bill section.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 14.20195, 16.618, 20.23, 27.52, 27.53, 27.710, 28.22205, 28.35, 28.36, 39.821, 61.125, 63.212, 68.096, 73.015, 97.053, 101.161, 101.657, 110.233, 112.63, 117.021, 117.245, 117.265, 121.051, 161.74, 163.3178, 163.356, 166.0493, 177.503, 185.35, 186.801, 196.011, 206.11, 211.3103, 212.06, 212.08, 212.186, 212.20, 213.053, 220.02, 220.13, 220.193, 252.365, 259.037, 265.707, 282.318, 287.055, 287.09451, 287.134, 288.955, 295.016, 295.017, 295.13, 298.225, 316.193, 316.306, 316.5501, 318.18, 319.14, 320.08058, 320.77, 320.771, 320.8225, 320.8251, 328.72, 343.922, 350.113, 364.10, 365.172, 369.305, 373.4592, 376.301, 376.3071, 376.86, 377.703, 379.2291, 379.245, 379.366, 379.372, 381.02035, 381.986, 383.2162, 393.115, 394.499, 395.1041, 395.40, 400.063, 400.191, 402.22, 403.703, 403.7065, 403.8163, 403.854, 408.036, 408.7057, 408.809, 409.964, 409.971, 409.978, 411.226, 411.228, 413.271, 420.9071, 420.9075, 429.55, 430.0402, 440.103, 443.131, 446.021, 458.3475, 458.351, 459.0055, 459.023, 464.019, 465.0235, 471.005, 480.046, 482.227, 491.009, 494.00611, 497.262, 497.607, 506.20, 509.096, 526.143, 534.041, 553.79, 553.791, 563.06, 578.11, 581.184, 607.0141, 607.0732,

624.4055, 624.40711, 624.610, 625.091, 625.161, 626.785, 626.9913, 626.99175, 626.992, 627.021, 627.4133, 627.4147, 627.443, 627.6561, 634.061, 636.228, 641.31, 641.3155, 651.105, 695.27, 716.02, 732.603, 760.80, 768.042, 768.1326, 768.21, 774.203, 790.333, 810.011, 843.085, 900.05, 944.613, 948.062, 1002.385, 1003.52, 1004.435, 1004.79, 1006.63, 1007.271, 1009.22, 1009.531, 1011.32, 1011.45, 1013.45, and 1013.735, F.S.; reenacts and amends s. 1002.395, F.S.; repeals ss. 316.0896 and 335.067.

II. Present Situation:

The Division of Law Revision, under the authority and requirements of s. 11.242, Florida Statutes, submits reviser's bills to the rules committees of both houses as needed. General reviser's bills to clean up obsolete language, update cross-references, correct grammatical and typographical errors, and revise statutory provisions to conform to directives of the Legislature are submitted every year.

III. Effect of Proposed Changes:

The effect of this bill is of a technical nature only; reviser's bills do not contain substantive changes. The bill will clean up grammatical and similar errors in the Florida Statutes.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: ss. 14.20195, 16.618, 20.23, 27.52, 27.53, 27.710, 28.22205, 28.35, 28.36, 39.821, 61.125, 63.212, 68.096, 73.015, 97.053, 101.161, 101.657, 110.233, 112.63, 117.021, 117.245, 117.265, 121.051, 161.74, 163.3178, 163.356, 166.0493, 177.503, 185.35, 186.801, 196.011, 206.11, 211.3103, 212.06, 212.08, 212.186, 212.20, 213.053, 220.02, 220.13, 220.193, 252.365, 259.037, 265.707, 282.318, 287.055, 287.09451, 287.134, 288.955, 295.016, 295.017, 295.13, 298.225, 316.193, 316.306, 316.5501, 318.18, 319.14, 320.08058, 320.77, 320.771, 320.8225, 320.8251, 328.72, 343.922, 350.113, 364.10, 365.172, 369.305, 373.4592, 376.301, 376.3071, 376.86, 377.703, 379.2291, 379.245, 379.366, 379.372, 381.02035, 381.986, 383.2162, 393.115, 394.499, 395.1041, 395.40, 400.063, 400.191, 402.22, 403.703, 403.7065, 403.8163, 403.854, 408.036, 408.7057, 408.809, 409.964, 409.971, 409.978, 411.226, 411.228, 413.271, 420.9071, 420.9075, 429.55, 430.0402, 440.103, 443.131, 446.021, 458.3475, 458.351, 459.0055, 459.023, 464.019, 465.0235, 471.005, 480.046, 482.227, 491.009, 494.00611, 497.262, 497.607, 506.20, 509.096, 526.143, 534.041, 553.79, 553.791, 563.06, 578.11, 581.184, 607.0141, 607.0732, 624.4055, 624.40711, 624.610, 625.091, 625.161, 626.785, 626.9913, 626.99175, 626.992, 627.021, 627.4133, 627.4147, 627.443, 627.6561, 634.061, 636.228, 641.31, 641.3155, 651.105, 695.27, 716.02, 732.603, 760.80, 768.042, 768.1326, 768.21, 774.203, 790.333, 810.011, 843.085, 900.05, 944.613, 948.062, 1002.385, 1003.52, 1004.435, 1004.79, 1006.63, 1007.271, 1009.22, 1009.531, 1011.32, 1011.45, 1013.45, and 1013.735, F.S.

This bill reenacts and amends the following sections of the Florida Statutes: s. 1002.395, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: ss. 316.0896 and 335.067.

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

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

None.

B. Amendments:

None.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 598

INTRODUCER: Senator Benacquisto

SUBJECT: Florida Statutes

DATE: January 13, 2020

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Pollitz (DLRI)</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

I. Summary:

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills. A reviser's bill cannot be amended except to delete a bill section.

This bill deletes statutes provisions that have been repealed by a noncurrent (past-year) session of the Legislature where that repeal or expiration date has now occurred, rendering the provision of no effect (an example would be a repeal set for October 1, 2019, by the 2018 Regular Session of the Legislature).

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 45.033, 110.123, 339.135, 375.075, 403.087, 427.013, 627.715, 1011.03, and 1011.60, F.S.; repeals ss. 43.19, 45.034, 343.1001, 343.1002, 343.1003, 343.1004, 343.1005, 343.1006, 343.1008, 343.1009, 343.1010, 343.1011, 343.1012, 343.1013, 466.051, 766.107, 937.041, and 1011.64, F.S.

II. Present Situation:

The Division of Law Revision, under the authority and requirements of s. 11.242(5)(b) and (i), Florida Statutes, must remove repealed statutory provisions from the statutes text where the repeal was voted by the Legislature sitting in the current year; sections effectively repealed but where that repeal was passed by a past-year session of the Legislature can only be omitted from the statutes text through a reviser's bill pursuant to s. 11.242(5)(i).

III. Effect of Proposed Changes:

This bill will delete sections that have already been repealed by the Legislature by substantive legislation that the Division of Law Revision could not remove from the statutes text without the required inclusion in a reviser's bill.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: ss. 45.033, 110.123, 339.135, 375.075, 403.087, 427.013, 627.715, 1011.03, and 1011.60, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: ss. 43.19, 45.034, 343.1001, 343.1002, 343.1003, 343.1004, 343.1005, 343.1006, 343.1008, 343.1009, 343.1010, 343.1011, 343.1012, 343.1013, 466.051, 766.107, 937.041, and 1011.64, F.S.

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

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

None.

B. Amendments:

None.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 600

INTRODUCER: Senator Benacquisto

SUBJECT: Florida Statutes

DATE: January 13, 2020

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Pollitz (DLRI)</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

I. Summary:

The Division of Law Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

Section 9, ch. 2012-116, Laws of Florida, created s. 11.242(5)(j), Florida Statutes, requiring the Division of Law Revision to omit statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes as part of the reviser's bill process for each regular session.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: amends ss. 39.202, 106.07, 206.028, 216.102, 250.03, 250.08, 250.115, 259.032, and 286.29, F.S.; repeals s. 260.017, F.S.

II. Present Situation:

Section 9, ch. 2012-116, Laws of Florida, created s. 11.242(5)(j), Florida Statutes, requiring the Division of Law Revision to prepare reviser's bills each regular session to omit all statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes. Rulemaking authority is deemed unused if the statutory provision "has been in effect for more than 5 years and no rule has been promulgated in reliance thereon."

III. Effect of Proposed Changes:

The bill revises Florida Statutes text to conform to the directive in s. 9, ch. 2012-116, Laws of Florida, codified as s. 11.242(5)(j), Florida Statutes, to omit statutory provisions granting duplicative, redundant, or unused rulemaking authority from the Florida Statutes.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: ss. 39.202, 106.07, 206.028, 216.102, 250.03, 250.08, 250.115, 259.032, and 286.29, F.S.

This bill creates the following sections of the Florida Statutes: None.

This bill repeals the following sections of the Florida Statutes: s. 260.017, F.S.

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

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

None.

B. Amendments:

None.

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



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Infrastructure and Security, *Chair*
Appropriations
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Rules

JOINT COMMITTEE:
Joint Legislative Auditing Committee

SENATOR TOM LEE
20th District

January 15, 2020

The Honorable Lizbeth Benacquisto
Chairman
Rules
402 Senate Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

Chair Benacquisto,

Please excuse me from today's Rules Committee meeting.

Thank you,

Handwritten signature of Tom Lee in black ink.

Handwritten signature of Lizbeth Benacquisto in black ink.

cc: John Phelps, Staff Director
Cynthia Futch, Administrative Assistant

REPLY TO:

- 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061
- 418 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5020

Senate's Website: www.flsenate.gov

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Rules Committee

Judge:

Started: 1/15/2020 8:30:53 AM

Ends: 1/15/2020 9:15:03 AM

Length: 00:44:11

8:30:52 AM Chair Benacquisto calls meeting to order
8:30:59 AM Roll call
8:31:01 AM Quorum present
8:31:28 AM Silence electronics
8:31:35 AM Tab 4 SB 172 Florida Drug and Cosmetic Act by Senator Bradley
8:31:49 AM Senator Bradley presents the bill
8:34:58 AM Questions on the bill-none
8:35:59 AM No debate- on to public appearance
8:36:23 AM Darrick D McGhee, Sr., Chief Operating Officer, Johnson & Blanton LLC. for Chamber of Commerce Tallahassee waives in support
8:36:28 AM Holly Parker Surfrider Foundation against the bill , FL Policy Manager Tallahassee
8:39:12 AM Rebecca OHara, Deputy General Counsel FL League of Cities, against the bill
8:41:25 AM Senator Thurston with question on middle ground
8:42:26 AM Ms. OHara responds
8:43:24 AM Ryann Lynn, Advocate for Environment Florida waives against the bill
8:43:29 AM Deborah Foote, Govt Affairs & Policy Director of Sierra Club Tallahassee against the bill
8:45:58 AM Jake Farmer Director of Government Affairs for Florida Retail Federation waives in support
8:46:11 AM Jon Johnson, Lobbyist for Florida Society of Dermatology and Dermatologic Surgery waives in support
8:46:25 AM Senator Book in debate
8:48:08 AM Senator Passidomo in debate
8:50:02 AM Senator Bradley closes on the bill
8:53:32 AM Roll Call on SB172
8:54:36 AM SB 172 is reported Favorably
8:55:32 AM Senator Diaz for VA Mission Act of 2018
8:55:32 AM Tab 1 SM 420
8:55:50 AM Senator Diaz presents the memorial
8:56:10 AM Questions on the memorial- none
8:56:43 AM Diego Echeverri waives in support
8:56:56 AM No debate
8:56:59 AM Roll call on SM 420
8:57:07 AM SM 420 is reported Favorably
8:57:28 AM Tab 2 CS/CS/SB 140 by IT Senator Hutson- Fireworks
8:57:46 AM Senator Hutson presents the bill
8:58:03 AM Open for member questions- Senator Book with question
8:58:13 AM Senator Hutson in response
8:59:12 AM Senator Book follow up question
8:59:16 AM Senator Hutson answers
9:00:22 AM Take up the amendment Barcode# 228654 presented by Senator Hutson
9:00:50 AM Questions by members- none
9:01:08 AM Amendment 228654 is adopted
9:01:10 AM Back on the bill
9:01:13 AM Diego Echeverri, Legislator Liaison for Americans for Prosperity waives in support
9:01:22 AM Ron Book, for Neptune and TNT Fireworks waives in support / Elizabeth Alvi Director of Policy for Audubon Florida waives in support
9:01:40 AM Sentor Brandes in debate
9:02:32 AM No additional debate
9:02:39 AM Senator Hutson closes on bill
9:02:45 AM Roll call on CS/CS/SB 140
9:03:03 AM Bill is reported favorably
9:03:29 AM Tab 3 CS/SB 356 by Senator Hutson- Keep Out Graduates Working
9:03:36 AM Senator Hutson presents the bill
9:04:00 AM Member questions on the bill

9:04:15 AM Senator Thurston with question
9:04:27 AM Senator Hutson in response
9:05:03 AM Senator Thurston followup
9:05:13 AM Senator Hutson responds
9:05:51 AM Melissa Ramba Lobbyist for AIF and for Opportunity Solution of Tallahassee waives in support
9:06:04 AM Melody Arnold Associate Director of Govt Affairs for FHCA Tallahassee in support./ Diego Echeverri
Legislative Liaison for American for Prosperity waive in support
9:06:23 AM Spencer Pylant Vice President of Govt Affairs for Greater Miami Chamber of Commerce waives in
support
9:06:30 AM Roll call
9:06:32 AM SB356 is reported Favorably
9:06:56 AM Tab 5 SR by Senator Rodriguez: Oppression of The Nicaraguan People/ President Daniel Ortega
9:07:03 AM Senator Rodriguez presents the resolution
9:07:37 AM No testimony
9:08:36 AM No debate
9:08:40 AM Roll Call
9:08:46 AM SR546 is reported Favorably
9:09:10 AM Gavel is passed to Vice Chair Gibson
9:09:29 AM SB 594 - Senator Benacquisto on Florida Statutes presents
9:09:44 AM No member questions
9:10:03 AM No appearance
9:10:07 AM No debate
9:10:13 AM Roll call
9:10:18 AM SB594 is reported Favorably
9:10:54 AM Tab 7 SB 596 Florida Statutes by Senator Benacquisto
9:11:00 AM Senator Benacquisto presents the bill
9:11:07 AM No member questions
9:11:17 AM No public appearance
9:11:20 AM No debate
9:11:23 AM Senator Benacquisto waives close
9:11:26 AM Roll Call
9:11:30 AM SB596 is reported Favorably
9:11:57 AM Tab 8
9:12:03 AM Senator Benacquisto presents the bill
9:12:11 AM No member questions
9:12:29 AM No public appearance
9:12:31 AM No debate
9:12:36 AM Senator Benacquisto waives close
9:12:39 AM Roll call
9:12:42 AM SB598 is reported Favorably
9:13:14 AM Tab 9 SB600 Florida Statutes by Senator Benacquisto
9:13:21 AM Senator Benacquisto presents
9:13:30 AM No member questions
9:13:34 AM No public appearance or member debate
9:13:41 AM Senator Benacquisto waives close
9:13:45 AM Roll call
9:13:49 AM SB 600 is reported Favorably
9:14:21 AM No other committee business
9:14:35 AM Senator Benacquisto moves to adjourn
9:14:50 AM Meeting is adjourned
9:14:57 AM Adjourned