Committee on Agriculture

CS/CS/HB 273 — Pub. Rec./Animal Foster or Adoption

by State Affairs Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; and Rep. Holcomb and others (SB 660 by Senator DiCeglie)

The bill creates a public record exemption for the personal identifying information of a person who fosters, adopts, or otherwise receives legal custody of an animal from a shelter or animal control agency operated by a humane society or a county, municipality, or other incorporated political subdivision. The bill provides a statement of public necessity as required by the State Constitution.

The public records exemption would stand repealed on October 2, 2029, unless it is reenacted by the Legislature under the Open Government Sunset Review Act.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 36-0; House 119-0

Committee on Agriculture

CS/HB 303 — Rabies Vaccinations

by Regulatory Reform & Economic Development Subcommittee and Rep. Killebrew and others (SB 334 by Senator Burgess)

The bill authorizes employees, agents, or contractors of an animal control authority or sheriff to administer rabies vaccinations to impounded dogs, cats, and ferrets that will be transferred, rescued, fostered, adopted, or reclaimed by the owner. The rabies vaccinations may be administered under the indirect supervision of a veterinarian, who must be available for consultation through telecommunications, but is not required to be physically present during the consultation. Under the bill, the supervising veterinarian assumes responsibility for the veterinary care given to the animal by any person working under the veterinarian's direction and supervision.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Agriculture

CS/CS/SB 1084 — Department of Agriculture and Consumer Services

by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; and Senator Collins

The bill makes a number of changes to various regulatory activities of the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Preempts the regulation of electric vehicle charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations. The bill also expands the department's rulemaking authority related to the requirements for electric vehicle charging stations.
- Provides an expiration date of the pest control operator's certificate and amends requirements for its renewal.
- Prohibits applicants from swearing or affirming a false statement on an application for a pest control license, prohibits cheating on an examination required for licensure, and grants the department rulemaking authority to establish penalties for violations.
- Authorizes a Class "K" instructor to allow a Class "G" licensee to qualify for up to two calibers of firearms in a four hour firearm requalification class.
- Authorizes the department to appoint a tax collector to accept new, renewal, and replacement license applications on behalf of the department for licenses issued under ch. 493, F.S.
- Authorizes a tax collector appointed under s. 790.0625, F.S., to collect certain fees and provide certain services for concealed weapon or firearm licenses on behalf of the department.
- Revises certain information that charitable organizations, sponsors, professional fundraising consultants, and professional solicitors must provide to the department to include street addresses.
- Amends the contribution-based registration fee thresholds to remove an option related to contributions raised by non-compensated volunteers, members, officers, or permanent employees under $50,000 in the previous year.
- Amends the charitable organizations' exemption from registration thresholds to refer to total contributions.
- Revises the information that must be displayed on certain collection receptacles to include street addresses.
- Provides that a person who solicits funds within a public transportation facility must obtain a written permit that includes street addresses and must be displayed prominently on the person's badge or insignia.
- Defines "cultivated meat" as any meat or food product produced from cultured animal cells.
- Provides that it is a second degree misdemeanor to knowingly sell cultivated meat within this state, and prohibits all phases related to such sale: manufacturing, distributing, holding, or offering. However, the bill does not prohibit the manufacture or possession of cultivated meat for research purposes.

- Repeals the provision that requires the Weights and Measures Act to expire on July 1, 2024.
- Revises the information that must be provided to the department on a motor vehicle repair shop registration application and provides that the registration fee must be calculated for each location.
- Increases the threshold value of repair work which requires motor vehicle repair shops to provide a customer with a written repair estimate from $100 to $150.
- Increases the department's statutory authority to repair or build structures from $250,000 to $500,000.
- Changes the name of the Florida Agriculture Museum to the Florida Agriculture Legacy Learning Center, and makes conforming changes.
- Prohibits the willful destroying, harvesting, or selling of saw palmetto berries on private or public land without the written permission of the landowner, provides penalties for violations, and grants rulemaking authority to the department.
- Provides criminal penalties for trespassing on land classified as commercial agricultural property.
- Provides that a student's participation in a 4-H or Future Farmers of America (FFA) activity is an excused absence from school.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.
Vote: Senate 26-10; House 86-27

Committee on Agriculture

CS/SB 1698 — Food and Hemp Products

by Agriculture Committee and Senator Burton

The bill makes a number of changes to s. 581.217, F.S., the State Hemp Program. It modifies the definition of "attractive to children" to include containers displaying toys or other features that target children, as well as provides additional packaging requirements. It revises the definition of "hemp" to outline that hemp extract may not exceed 0.3 percent total delta-9-tetrahydrocannabinol concentration on a wet-weight basis or exceed 5 milligrams per serving and 50 milligrams per container on a wet-weight basis, whichever is less.

The bill revises the definition of "hemp extract" to include hemp intended for inhalation and to prohibit it from containing controlled substances listed in s. 893.03, F.S.; any quantity of synthetic cannabinoids; or delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, or tetrahydrocannabivarin. It also creates a definition for "total delta-9-tetrahydrocannabinol concentration" to mean a concentration calculated as: [delta-9-tetrahydrocannabinol] + (0.877 x [delta-9-tetrahydrocannabinolic acid]).

The bill adds requirements for the manufacture, delivery, hold, and offer for sale to the regulation of the distribution and sale of hemp extract. It specifies that if a batch is sold at retail that it must meet the new requirements for total delta-9-tetrahydrocannabinol concentration limits. It also requires such products to be sold in a container that includes the toll-free telephone number for the national Poison Help line.

The bill clarifies that hemp extract may only be sold to *or procured by* a business in this state if that business is properly permitted. A business or food establishment may not possess hemp extract products that are attractive to children.

The bill prohibits the Department of Agriculture and Consumer Services (department) from granting permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department determines that the hemp extract products comply with state law.

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where hemp extract products sold that do not comply with general law or are sold by a business that is not properly permitted. Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products at the event and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

The bill appropriates $2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the changes made by the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 64-48

Committee on Agriculture

SB 7026 —Public Records/Department of Agriculture and Consumer Services

by Agriculture Committee

The bill provides an exemption from public records requirements for records containing certain information pertaining to the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program. The specific information made exempt from public records disclosure, except in an aggregated and anonymized format, includes:

- Personal tax returns;
- Credit history information;
- Credit reports; and
- Credit scores.

The bill provides a statement of public necessity as required by the State Constitution.

The public records exemption would stand repealed on October 2, 2029, unless it is reenacted by the Legislature under the Open Government Sunset Review Act.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 115-0

Committee on Appropriations

HB 83 — Trust Funds/Re-creation/State-Operated Institutions Inmate Welfare Trust Fund/DOC

by Rep. V. Lopez and others (SB 520 by Senator Bradley)

The bill re-creates the State-Operated Institutions Inmate Welfare Trust Fund in the Department of Corrections, provided that it is enacted by three-fifths of the membership of both houses of the Legislature.

Article III, s. 19, State Constitution requires that all newly created trust funds terminate not more than four years after the initial creation, unless re-created. This provision requires that a trust fund be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill, for the sole purpose of creating or re-creating that trust fund. The State-Operated Institutions Inmate Welfare Trust Fund, FLAIR number 20-2-523, was created in the Florida Department of Corrections (FDC), effective July 1, 2020, and is scheduled to terminate on July 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 38-0; House 114-0

Committee on Appropriations

SB 2518 — Health and Human Services

by Appropriations Committee

The bill conforms statutes to the funding decisions related to Health and Human Services in the General Appropriations Act for Fiscal Year 2024-2025. The bill:

- Allows the Department of Health (department) to deposit funds from returned Florida Reimbursement Assistance for Medical Education (FRAME) and the Dental Student Loan Repayment Program loan payments into the Grants and Donations Trust Fund and provides for the department to use the funds to make payments on behalf of awardees.
- Authorizes an Area Agency on Aging to carry forward documented unexpended state funds from one fiscal year to the next. However, the cumulative amount carried forward may not exceed 10 percent of the area agency's planning and service area allocation for the community care for the elderly program.
- Revises the cap on the grant award levels for continuum of care lead agencies designated by the State Office on Homelessness.
- Amends ch. 2023-277, L.O.F., relating to Florida Kidcare program eligibility, to specify that implementation of the act is contingent on federal approval.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise expressly provided.
Vote: Senate 39-0; House 109-0

Committee on Appropriations

HB 5001 — General Appropriations Act

by Appropriations Committee and Rep. Leek (SB 2500 by Appropriations Committee)

The bill, relating to the General Appropriations Act for Fiscal Year 2024-2025, provides for a total budget of $117.46 billion, including:

- $49.4 billion from the General Revenue Fund (GR)
- $2.5 billion from the Education Enhancement Trust Fund
- $1.5 billion from the Public Education Capital Outlay Trust Fund (PECO TF)
- $64.1 billion from other trust funds (TF)
- 113,630.26 full time equivalent positions (FTE)

Increased Reserves and Debt Reduction

- Total Reserves: $10 billion
  - $5.1 billion General Revenue Unallocated
  - $4.4 billion Budget Stabilization Fund ($300 million added)
  - $500 million added to the Emergency Preparedness and Response Fund
- $500 million authorized to retire outstanding state debt

Major Issues

Compensation and Benefits

- Three percent pay increase for all state employees
- Additional Pay Increases for:
  - FDLE Special Agents
  - Agency for Health Care Administration
  - Department of Agriculture & Consumer Services
- State Employees and Retirees Health Insurance Premiums held constant
- Inclusion of the Florida College System for State Group Health Insurance

Education Capital Outlay

Total Appropriations: $2.0 billion [$268 million GR; $1.8 billion TF]

- State University System Projects - $616.2 million
- Florida College System Projects - $133.6 million
- Charter School Repairs and Maintenance - $230.8 million
- Small School District Special Facilities - $193.2 million
- Developmental Research School Repairs and Maintenance - $9.2 million

Education Appropriations

Total Appropriations: $30.1 billion [$22.6 billion GR; $7.5 billion TF]
Total Funding - Including Local Revenues: $45.6 billion [$30.1 billion state/federal funds; $15.5 billion local funds]

Early Learning Services

Total: $1.7 billion [$608.9 million GR; $1.1 billion TF]; 98 positions

- Partnerships for School Readiness - $34.4 million
- School Readiness Program - $1.2 billion
- Early Learning Standards & Accountability - $4.9 million
- Voluntary Prekindergarten Program - $438.1 million
  - Decrease of 1,885 fewer students - ($9.6 million)
  - 3 percent increase to the BSA - $12.5 million
  - Increase to Administration from 4 percent to 5 percent - $4.1 million
  - Summer Bridge Program - $4.1 million

Public Schools/K12 FEFP

Total Funding: $28.4 billion [$15.5 billion state funds; $12.9 billion local funds]

- FEFP Total Funds increase is $1.8 billion or 6.73 percent
- FEFP increase in Total Funds per Student served by a district is $240.01, a 2.75 percent increase (from $8,718.58 to $8,958.59)
- Base Student Allocation (BSA) increase of $191.25 or 3.72 percent
- FEFP Base Funds (flexible $) increase of $1.27 billion or 7.22 percent
- Required Local Effort (RLE) increase of $483.4 million; RLE millage maintained at prior year level of 3.189 mills
- Safe Schools Allocation - $40 million increase for a total of $290 million for School Safety Officers and school safety initiatives
- Mental Health Assistance Allocation - $20 million increase for a total of $180 million to help school districts and charter schools address youth mental health issues

Public Schools/K12 Non-FEFP & Ed Media

Total: $627.4 million [$619.9 million GR; $7.5 million TF]

- Coach Aaron Feis, Chris Hixon, & Coach Scott Beigel Guardian Program - $6.5 million
- School Recognition Program - $200 million
- Mentoring Programs - $12.2 million
- Florida Diagnostic and Learning Resources Centers - $8.7 million
- School District Foundation Matching Grants - $7 million
- Florida Safe Schools Canine Program - $3.5 million
- Early Childhood Music Education - $2.4 million

- District Threat Management Coordinators - $5 million
- Regional Literacy Teams - $5 million
- Charity for Change - $4.7 million
- Menstrual Hygiene Products Grant Program - $6.4 million
- Civics Literacy Captains and Coaches - $3.5 million
- Civics Professional Development - $2.75 million
- Florida Civics Seal of Excellence - $10 million
- New Worlds Scholarship Accounts - $24 million
- SEED School of Miami - $12.2 million
- School and Instructional Enhancement Grants - $54.7 million
- Florida School for the Deaf & Blind - $68.3 million
- Transportation Stipend - $14 million to fund the Family Empowerment Transportation Scholarships
- School Safety Inspection Bonus Program - $3.8 million
- Capital Projects - $66 million

State Board of Education

Total: $308.2 million [$156.1 million GR; $152.1 million TF]; 949 positions

- Assessment and Evaluation - $129.2 million
- ACT and SAT Exam Administration - $8 million

Vocational Rehabilitation

Total: $257.4 million [$61.7 million GR; $195.7 million TF]; 884 positions

Blind Services

Total: $72.6 million [$24.7 million GR; $47.9 million TF]; 289.75 positions

Private Colleges

Total: $243.2 million GR

- Historically Black Colleges and Universities (HBCU) – $31.4 million
- HBCU Facility Hardening Funds - $15 million
- Effective Access to Student Education (EASE) - $134.8 million
  - EASE Plus - $9.6 million

Student Financial Aid

Total: $1.05 billion [$318.6 million GR; $729.7 million TF]

- Bright Futures - $616.9 million
  - Workload increase - $26.2 million
- Benacquisto Scholarship Program - $39 million

  - Workload increase - $4.3 million
- Children/Spouses of Deceased or Disabled Veterans - $21.5 million
  - Workload increase - $4.8 million
- Florida First Responder Scholarship Program - $10 million
- Open Door Grant Program - $35 million
- Graduation Alternative to Traditional Education (GATE) Scholarship - $7 million

School District Workforce

Total: $812.1 million [$475.5 million GR; $293.9 million TF; $42.7 million tuition/fees]
- Workforce Development - $451.2 million
  - Workload increase - $24.6 million
- Pathways to Career Opportunities Grant Program for apprenticeships - $20 million
  - Increase for "Grow Your Own Teacher" Apprenticeship Program - $5 million
- Nursing Education Initiatives - $20 million
- Graduation Alternative to Traditional Education (GATE) Program - $5 million
- Student Success in Career and Technical Education Incentive Funds - $2.5 million
- No tuition increase

Florida College System

Total: $2.4 billion [$1.47 billion GR; $259 million TF; $689.9 million tuition/fees]
- CAPE Incentive Funds for students who earn Industry Certifications - $20 million
- College System Program Fund - $1.6 billion
- Nursing Education Initiatives - $59 million
- Student Success Incentive Funds - $30 million
  - 2+2 Student Success Incentive Funds - $17 million
  - Work Florida Incentive Funds - $13 million
- No tuition increase

State University System

Total: $6.8 billion [$4.3 billion GR; $666.7 million TF; $1.94 billion tuition/fees]
- Metric Based Performance Funding - $645 million
  - State Investment - $350 million
  - Institutional Investment - $295 million
- Performance-based Excellence Recognition Program - $100 million
- Preeminent State Research Universities - $100 million
- Lastinger Center for Learning at University of Florida - $58.2 million
- Nursing Education Initiatives - $46 million
- Community School Grant Program - $20.1 million total, which includes a $9.1 million workload increase

- Florida Postsecondary Comprehensive Transition Program for Students with Unique Abilities - $12.5 million total, which includes a $3.5 million workload increase
- No tuition increase

Health and Human Services Appropriations

Total Budget: $46.5 billion [$16.2 billion GR; $30.3 billion TF]; 32,129.76 positions

Major Issues

Agency for Health Care Administration

Total: $34.7 billion [$11.1 billion GR; $23.6 billion TF]; 1,616 positions

- Individuals with Developmental Disabilities Pilot Program - $38.4 million
- Medicaid Provider Rate Increases - $333.1 million
  - Air and Ground Ambulance Emergency Services - $5.9 million
  - Assistive Care Services - $1.3 million
  - Early Intervention Services - $1.2 million
  - Federally Qualified Health Centers and Rural Health Clinics - $19 million
  - Maternal Fetal Medicine - $3.5 million
  - Medical Foster Care - $0.5 million
  - Nursing Homes - $247.9 million
  - Pediatric Behavioral Health Services - $43.1 million
  - Pediatric Physicians - $43.1 million
  - Statewide Inpatient Psychiatric Program - $7.6 million
  - Therapeutic Group Home - $0.3 million
- Behavioral Health Collaborative Care - $8.3 million
- Graduate Medical Education - $10.5 million
- Program of All-inclusive Care for the Elderly - $29.7 million
- Florida Health Care Connections (FX) - $92.1 million

Agency for Persons with Disabilities

Total: $2.4 billion [$1.1 billion GR; $1.3 billion TF]; 2,753 positions

- Home and Community Based Services Pre-Enrollment to Waiver - $64.8 million
- Pre-Enrollment to Waiver Slots for Siblings - $16.9 million
- Dually Diagnosed Program - $6.5 million
- Adult Pathways Waiver - $0.3 million
- Information Technology - $9.3 million
- Fixed Capital Outlay for Persons with Developmental Disabilities - $12.5 million

Department of Children and Families

Total: $4.7 billion [$2.8 billion GR; $1.9 billion TF]; 12,974.75 positions

- Independent Living Programs Eligibility Expansion - $8.1 million
- Adoption Incentive Benefit Increase and Eligibility Expansion - $9.4 million
- Adoption, Guardianship, and Foster Care Subsidies - $26.4 million
- Homeless Housing Opportunities - $10 million
- Domestic Violence Services - $10 million
- Human Trafficking Emergency Bed Expansion - $5 million
- Optional State Supplementation Personal Needs Allowance Increase - $6.7 million
- Opioid Settlement - Treatment, Prevention, and Recovery Services - $83.9 million
- State Mental Health Treatment Facilities - $88.8 million
- Integrated Behavioral Health Clinics - $7 million
- Behavioral Qualified Residential Treatment Program - $5.7 million
- Community-Based Mental Health/Substance Abuse Services - $21.5 million
- Florida System and Child Welfare Information System Modernization - $54.1 million
- Economic Self Sufficiency (ESS) Call Center - $12.3 million
- Fixed Capital Outlay for State Mental Health Treatment Facilities - $6.5 million

Department of Elder Affairs

Total: $482.4 million [$251.7 million GR; $230.6 million TF]; 431 positions

- Florida Alzheimer's Center of Excellence - $2.1 million; 2 positions
- Serve Additional Clients in the Home Care for the Elderly and Community Care for the Elderly Programs - $11 million
- Alzheimer Disease Initiative - $6 million
- Office of Professional and Public Guardians Waitlist - $1.4 million
- Electronic Client Information and Registration Tracking System (eCIRTS) Project Implementation - $2.8 million

Department of Health

Total: $4.1 billion [$948.2 million GR; $3.2 billion TF]; 12,849 positions

- Statewide Fetal Alcohol Spectrum Disorder Program - $1.7 million
- Florida Cancer Innovation Fund - $40 million
- Sickle Cell Treatment and Research - $10 million
- Rural Hospital Capital Improvement Grant Program - $10 million
- Mary Brogan Breast and Cervical Early Detection Program - $1.7 million
- Fixed Capital Outlay for Public Health Laboratories - $9.7 million

Department of Veterans Affairs

Total: $220 million [$58 million GR; $162 million TF]; 1,506 positions

- Collier County State Veterans' Nursing Home - $10 million
- Veterans' Claims Examiners - $0.6 million; 6 positions
- Veterans Dental Care Grant Program - $1 million
- Florida is for Veterans' Vets Program - $2 million
- Florida is for Veterans' Occupancy License Reciprocity - $1 million
- Fixed Capital Outlay for State Veterans' Nursing Homes - $4 million

Criminal and Civil Justice Appropriations

Total Budget: $7.3 billion [$6.3 billion GR; $1 billion TF]; 45,507 positions

Major Issues

- Correctional Facilities Capital Improvement - $100 million
- DOC Education Expansion - $11.1 million
- DJJ Florida Scholars Academy - $12.8 million
- Increase Residential Commitment Capacity - $5.2 million
- Children In Need of Services/Families In Need of Services (CINS/FINS) - $6.3 million
- Children's Advocacy Centers - $5.3 million
- Statewide Prosecution Workload - $10.9 million; 40 positions
- State Assistance for Fentanyl Eradication (S.A.F.E.) in Florida - $8.5 million
- Biometric Identification Solution (BIS) Modernization - $11.9 million
- Certification of Additional Judgeships - $3.7 million; 20 positions

Department of Corrections

Total: $3.6 billion [$3.5 billion GR; $101.7 million TF]; 23,452 positions

- Correctional Facilities Capital Improvement - $100 million
- DOC Education Expansion - $11.1 million
- Certified Officers Public Safety Initiative (uniforms) - $1.6 million
- Community Corrections Statewide Firearms Transition - $2.1 million
- Inflationary Adjustments for Operations - $3 million
- Offender Based Information Technology Modernization - $17 million
- Technology Restoration Plan - $9.2 million
- Contracted Work Release Provider Rate Increases - $4.9 million
- Contracted Maintenance Staffing - $2.5 million
- Food Service Contract - $12 million
- Contracted Inmate Health Services - $21.3 million
- Operation New Hope - $9.8 million

Attorney General/ Legal Affairs

Total: $382.9 million [$122.3 million GR; $260.6 million TF]; 1,348.5 positions
- Statewide Prosecution Workload - $10.9 million; 40 positions
- Children's Advocacy Centers - $5.3 million
- Agency-wide Information Technology Infrastructure and Hardware Replacement - $7.1 million

Florida Department of Law Enforcement

Total: $494.9 million [$321.5 million GR; $173.3 million TF]; 2,022 positions
- Forensic Backlog Reduction - $1.3 million; 6 positions
- Biometric Identification Solution (BIS) Modernization - $11.9 million
- Missing and Endangered Persons Information Clearinghouse Technology Upgrade - $1.9 million
- Restore Crime Scene Function Orlando, Tampa, Miami - $2.5 million; 9 positions
- Criminal Justice Network Bandwidth Increase - $3 million
- State Assistance for Fentanyl Eradication (S.A.F.E.) in Florida Program - $8.5 million
- Purchase of Body Armor for Local Law Enforcement - $2 million
- Investigative Services Needs - $1.5 million
- Cell Site Simulator - $2.1 million
- Intercept Operations Expansion - $1.2 million
- Law Enforcement Crime Abatement Technology Enhancements - $1.1 million; 6 positions
- Community Violence Intervention and Prevention Grant - $2.5 million
- School Safety Security Assessment Grant Program - $5 million
- Jacksonville Sheriff's Office Community Outreach and Engagement Initiative - $3 million
- Investigative Support and Laboratory Inflationary Costs - $2.5 million

Department of Juvenile Justice

Total: $743.3 million [$581.4 million GR; $162 million TF]; 3,251.5 positions
- Florida Scholars Academy - $12.8 million
- Increase DJJ Probation Provider Pay - $2.4 million
- Increase Residential Commitment Capacity - $5.2 million
- Children In Need of Services/Families In Need of Services (CINS/FINS) - $6.3 million

Justice Administrative Commission

Total: $1.3 billion [$1 billion GR; $225.4 million TF]; 10,641 positions
- Increase Staff to Represent All Children - $0.8 million; 9 positions
- Fund Shift for Victims of Crime Act Deficit - $4.3 million

- Replacement of Motor Vehicles – $2.8 million
- Ybor City Community Outreach and Engagement Initiative - $3 million

State Court System

Total: $741.3 million [$625.5 million GR; $115.8 million TF]; 4,627 positions
- Due Process Resources - $2.6 million; 10 positions
- Court Reporting Resources - $4.1 million; 30 positions
- Case Processing Support - $1.9 million; 20 positions
- Certification of Additional Judgeships - $3.7 million; 20 positions
- Cybersecurity Resources - $2 million
- Child Support Enforcement Hearing Officer Resources - $1.8 million; 20 positions
- Maintenance and Repair Needs for the 5th District Court of Appeal Courthouse - $1.8 million

Transportation, Tourism, and Economic Development Appropriations

Total Budget: $20.4 billion [$930 million GR; $19.4 billion TF]; 12,975 positions

Major Issues

Department of Commerce

Total: $2.3 billion [$361 million GR; $1.97 billion TF]; 1,512 positions
- Law Enforcement Recruitment Bonus Program - $17 million
- Florida Job Growth Grant Funding - $75 million
- Fully funds Live Local:
  - State Housing Initiatives Partnership (SHIP) Program - $174 million
  - Affordable Housing (SAIL) Program - $84 million
- Emergency Revolving Bridge Loan - $20 million GR
- VISIT FLORIDA - $80 million
- Space Florida
  - Financing Program for Aerospace Industry - $6 million TF
  - Operations - $5 million TF
- Information Technology
  - Cloud Hosting Infrastructure and Services - $6.6 million TF
  - Reemployment Assistance Claimant Services Enhancement - $5 million
  - Reemployment Assistance - Operations and Maintenance - $11.4 million GR
  - One-Stop Service Migration - $500,000 TF
  - Florida Planning, Accounting, and Ledger Management (PALM) Readiness - $645,900 TF
  - Department-Wide IT needs - $338,887 TF
- Economic Development Toolkit - $24 million
- Federal Reemployment Tax Service Contract - $1.7 million

- Community Development Block Grant - Disaster Recovery Grant Funding (CDBG-DR) - $396 million
- Community Services Block Grant - $3 million TF
- Broadband Equity, Access and Deployment (BEAD) Programmatic Funding - $100 million
- Low Income Home Energy Assistance Program (LIHEAP) - $100 million
- State Small Business Credit Initiative - $175.2 million
- Housing & Community Development Initiatives - $29.8 million
- Florida Sports Foundation Additional Funding - $2 million

Department of Highway Safety and Motor Vehicles

Total: $600 million TF; 4,243 positions

- Additional Equipment for the Florida Highway Patrol - $1.3 million
- Provide for Increased Costs for Fuel and Maintenance for Motor Vehicles - $1 million
- Replace Pursuit Vehicles - $3.3 million
- Purchase of Florida Licensing on Wheels (FLOW) Mobile - $782,284
- Credentialing Equipment and Maintenance - $5.5 million
- Motorist Modernization Project - Phase II - $13.2 million
- Maintenance and Repair - Neil Kirkman Building, Tallahassee - $4.6 million

Department of Military Affairs

Total: $169.5 million [$104.2 million GR; $65.3 million TF]; 486 positions

- Florida National Guard Tuition Assistance - $5.2 million GR
- Maintenance, Repair, Construction Statewide - $8.5 million GR
- Camp Blanding - Level II - $40.5 million GR
- Readiness Center Revitalization and Modernization Program - $5.2 million GR

Department of State

Total: $231.8 million [$207.8 million GR; $24 million TF]; 456 positions

- Libraries Maintenance of Effort - $21.5 million GR; and Additional Aid - $2 million GR
- Cultural and Museum Program Support Grants and Initiatives - $60.8 million GR
- Historical Preservation Grants and Initiatives - $50.6 million GR
- African American Cultural and Historic Grants - $4.7 million GR
- Library Construction Grants - $5.7 million GR
- Sunbiz System Modernization - $3.8 million GR
- Division of Corporations Call Center Services - $2.7 million GR
- Reimbursement to Counties for Special Elections - $1.5 million
- Advertising Proposed Constitutional Amendments - $1.6 million GR
- Mission San Luis Conservation Laboratory - $3.5 million GR
- Restoration of Historical Properties - Lead-based Paint Abatement - $7.1 million GR

Department of Transportation

Total: $15.7 billion [$138 million GR; $15.5 billion TF]; 6,053 positions

- Transportation Work Program - $13.98 billion
- Information Technology
  - Florida Planning, Accounting, and Ledger Management (PALM) Readiness - $13.8 million
  - Cybersecurity In-House Staffing Resources - $321,016
  - Network Communication Recovery $742,807
  - Storage Area Network Replacement - $452,000
  - Data Infrastructure Modernization - $3.2 million
  - Security Risk Management Program - $607,320
  - Virtual Mobility Data Management - $384,000
  - Geospatial Roadway Data Strategic Framework - $552,240
  - Secure Email Gateway - $890,640
- Increase Operating Costs Department-wide - $10.9 million
- Building and Grounds Maintenance and Repair - $1 million
- Transportation Disadvantaged - $3 million
- Fixed Capital Outlay Projects - $13.2 million

Division of Emergency Management (Executive Office of the Governor)

Total: $1.4 billion [$118.9 million GR; $1.3 billion TF]; 225 positions

- Non-federally Declared Disaster Response - $500,000
- Open Federally Declared Disasters
  - Funding to Communities - $1.02 billion
  - State Operations - $155 million
- Statewide Emergency Alert and Notification System - $3.5 million
- State Non-Profit Security Grant Program (ch. 2023-180, L.O.F.) - $10 million
- Specialty Response Teams Equipment and Training Support - $5 million
- Warehousing Space Needs for Commodity Storage and Operations - $1.9 million
- Warehouse Procurement - $5 million
- Positions and Salary Issues - $869,958
- DEM Vehicle Replacement - $456,860
- Emergency Management Critical Facility Needs - $15,788,500
- Outside Legal Services Support - $500,000
- Information Technology
  - Florida Planning, Accounting, and Ledger Management (PALM) Readiness - $725,000
  - Statewide WebEOC Initiative - $2.5 million GR

Agriculture, Environment, and General Government Appropriations

Total Budget: $9.9 billion [$2.2 billion GR; $7.7 billion TF]; 20,440 positions

Major Issues

Department of Agriculture & Consumer Services

Total: $3.1 billion [$314.5 million GR; $276.6 million LATF; $2.5 billion TF]; 3,710 positions

- Rural and Family Lands Protection Program - $100 million
- Wildfire Suppression Equipment - $12.4 million
- Road/Bridge and Facility Maintenance - $14 million
- Reforestation Program - $4 million
- Citrus Canker Eradication Judgments - $5.5 million
- Citrus Protection and Research - $33.5 million
- Lake Okeechobee Agriculture Projects - $10.2 million
- Feeding Programs/Farm Share/Feeding Florida - $25 million
- Emergency Food Distribution Program - $33.2 million
- Mosquito Control Program Increase - $1 million
- Agriculture Education and Promotion Facilities - $7.6 million
- Conner Complex Construction - $80 million
- Florida State Fair - $12 million

Department of Citrus

Total: $33.8 million [$12.2 million GR; $21.6 million TF]; 28 positions

- Citrus Marketing - $4 million
- Citrus Recovery Program - $2 million
- PALM Readiness - $0.5 million

Department of Environmental Protection

Total: $3.4 billion [$1 billion GR; $2.3 billion TF]; 3,167 positions

- Everglades Restoration and South Florida Water Management District Operations - $702 million
- Water Quality Improvements - $1.7 billion
  - Wastewater Grant Program - $135 million
  - Water Supply Grant Program - $25 million
  - Indian River Lagoon WQI - $75 million
  - Biscayne Bay Water Quality Improvements - $20 million
  - Caloosahatchee WQI - $25 million
  - Water Projects - $410.4 million
  - C-51 Reservoir - $100 million
  - Water Quality Improvements - Everglades - $50 million

  - Total Maximum Daily Loads - $25 million
  - Non-Point Source Planning Grants - $5 million
  - Alternative Water Supply - $55 million
  - Onsite Sewage Program - $4.1 million
  - Water Quality Improvements - Blue Green Algae Task Force - $10.8 million
  - Innovative Technology Grants for Harmful Algal Blooms - $10 million
  - Harmful Algal Bloom Grants - $10 million
  - Springs Restoration - $55 million
- Flood and Sea-Level Rise Program - $125 million
- Florida Forever Programs and Land Acquisition - $528.6 million
  - Division of State Lands - $100 million
  - Florida Recreational Development Assistance Grants - $14.3 million
  - Rattlesnake Key Land Acquisition - $8 million
  - Chips Hole and Wakulla Springs - $3.8 million
  - Wekiva-Ocala Greenway - $2.5 million
  - Grove Land Reservoir - $400 million (Back of the Bill)
- Florida Keys Area of Critical State Concern - $20 million
- Lake Apopka Restoration - $5 million
- Petroleum Tanks Cleanup Program - $220 million
- Hazardous Waste and Dry Clean Site Cleanup - $14 million
- Beach Management Funding Assistance - $50 million
- Water Infrastructure Improvements - $178.3 million
- Small County Wastewater Treatment Grants - $8 million
- Land and Water Conservation Grants - $16.9 million
- Local Parks - $17.9 million
- State Parks Maintenance and Repairs - $15.5 million

Fish & Wildlife Conservation Commission

Total: $585.3 million [$138.5 million GR; $119.4 million LATF; $327.4 million TF]; 2,209 positions

- Law Enforcement Vehicle Replacement - $5.5 million
- Law Enforcement Vessel Replacement - $3.9 million
- Motor Vehicle/Vessel Replacement - $9.4 million
- Pier Access and Replacement and Renovation - $8 million
- Wildlife Habitat Restoration Projects - $8.5 million
- Wildlife Management Area Improvements - $6.5 million; 4 positions
- Florida Bass Conservation Center - $0.8 million
- Facilities Maintenance, Repair, and Replacement - $5 million
- Artificial Reef Program - $5.6 million

Department of Business & Professional Regulation

Total: $187.7 million [$1.9 million GR; $185.8 million TF]; 1,580 positions
- Additional Resources due to Workload Increases - $0.8 million; 8 positions
- Cybersecurity Support - $0.3 million; 2 positions
- PALM Readiness - $1 million

Florida Gaming Control Commission

Total: $42.8 million TF; 198 positions
- Licensing and Enforcement System - $9.8 million
- Gaming Enforcement Staffing - $1.1 million; 8 positions
- Outside Legal Counsel - $0.5 million
- Compulsive and Addictive Gambling Prevention Contract - $0.8 million
- PALM Readiness - $0.4 million

Department of Financial Services

Total: $684.7 million [$131 million GR; $553.7 million TF]; 2,634 positions
- PALM (FLAIR Replacement) - $59.2 million
- PALM Readiness - $5.7 million
- Information Technology Upgrades, Systems and Contract Increases - $19.8 million
- Additional Resources Due to Workload Increases - $9.1 million; 24 positions
- Fixed Capital Outlay and Maintenance Projects - $7.5 million
- Law Enforcement, Fire Marshal and Disaster Response Training, Vehicles and, Technology Upgrades and Equipment - $6.4 million
- Increase in Contracted Services, Rent and Expenses - $5.3 million
- Local Government Fire and Firefighter Services - $85.5 million
- Hurricane Model Enhancements - $7 million
- Workers' Compensation Insurance Premiums Reimbursement - $2 million
- Veteran/First Responder Electroencephalogram Pilot Program - $10 million
- My Safe Florida Home Condominium Pilot Program - $30 million
- Fire and Insurance Studies - $1 million

Department of the Lottery

Total: $234.9 million TF; 440 positions
- Information Technology Security, Support and Enhancements - $5.6 million; 7 positions
- Additional Resources Due to Workload Increases - $2.2 million; 10.5 positions
- Increase in Contracted Services, Special Categories and Expenses - $2.3 million

Department of Management Services

Total Budget: $862.5 million [$209.3 million GR; $653.2 million TF]; 1,021 positions
- Florida Facilities Pool (FFP) Fixed Capital Outlay - $87.2 million; 3 positions
- Statewide Law Enforcement Radio System (SLERS) Issues - $15.2 million
- Florida PALM Readiness - $11 million
- State Utility Payments - $2 million
- E-Rate Telecommunications - $3 million
- Emergency 911 Public Safety Answering Points Upgrade - $12 million

Division of Administrative Hearings

Total Budget: $39 million TF; 242 positions
- Additional ALJ Positions for Citizens Property Insurance Disputes - $4.9 million; 27 positions

Public Service Commission

Total: $30.7 million TF; 272 positions

Department of Revenue

Total: $827 million [$336.2 million GR; $490.8 million TF]; 4,939 positions
- Fiscally Constrained Counties - $72.4 million
- Aerial Photography - $1.4 million
- IT Issues - $25.2 million; 8 positions

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise expressly provided.
Vote: Senate 39-0; House 105-3

Committee on Appropriations

HB 5003 — Implementing the 2024-2025 General Appropriations Act

by Appropriations Committee and Rep. Leek and others (SB 2502 by Appropriations Committee)

The bill provides the following substantive modifications for the 2024-2025 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act (GAA) for Fiscal Year 2024-2025.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 incorporates the School Readiness Program Reimbursement work papers by reference for the purpose of displaying the rates used in making appropriations for the school readiness program allocation.

Section 4 amends s. 1004.6495(10), F.S., to require the State Board of Education to, by August 1, 2024, establish a state Classification of Instructional Program code for the Florida Postsecondary Comprehensive Transition Program.

Section 5 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health (DOH) for the Children's Medical Services (CMS) network for the implementation of the Statewide Medicaid Managed Care program, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS network.

Section 6 authorizes AHCA to submit a budget amendment to realign funding priorities within the Medicaid program appropriation categories to address any projected surpluses and deficits for Fiscal Year 2024-2025.

Section 7 authorizes AHCA to submit a budget amendment to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program for the 2023-2024 fiscal year. The realignment shall not provide funds to increase managed care rates beyond amounts adopted at the January 8, 2024, Social Services Estimating Conference.

Section 8 authorizes the AHCA to submit a budget amendment to realign funding within the Florida KidCare program appropriation categories, or to increase budget authority in the Children's Medical Services network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted in the last quarter of Fiscal Year 2024-2025.

Section 9 amends s. 381.986(17), F.S., to provide that the Department of Health (DOH) is not required to prepare a statement of estimated regulatory costs when adopting rules relating to

medical marijuana testing laboratories, and any such rules adopted prior to July 1, 2025, are exempt from the legislative ratification provision of ss. 120.54(3)(b) and 120.541, F.S. Medical marijuana treatment centers are authorized to use a laboratory that has not been certified by the department until rules relating to medical marijuana testing laboratories are adopted by the department, but no later than July 1, 2025.

Section 10 amends s. 14(1), ch. 2017-232, L.O.F., to provide limited emergency rulemaking authority to the DOH and applicable boards to adopt emergency rules to implement the Medical Use of Marijuana Act (2017). The department and applicable boards are not required to prepare a statement of estimated regulatory costs when promulgating rules to replace emergency rules, and any such rules are exempt from the legislative ratification provision of ss. 120.54(3)(b) and 120.541, F.S., until July 1, 2025.

Section 11 provides that the amendments to s. 14(1), ch. 2017-232, L.O.F., expire on July 1, 2025, and the text of that provision reverts back to that in existence on June 30, 2019.

Section 12 authorizes the AHCA to submit budget amendments to implement the federally approved Directed Payment Program for hospitals statewide, the Indirect Medical Education Program, and a nursing workforce expansion and education program.

Section 13 authorizes the AHCA to submit budget amendments to implement the federally approved Directed Payment Program and fee-for-service supplemental payments for cancer hospitals that meet certain federal criteria.

Section 14 authorizes the AHCA to submit a budget amendment, including specified information, to implement the Low Income Pool Program.

Section 15 authorizes the AHCA to submit a budget amendment to implement fee-for-service supplemental payments and a directed payment program for physicians and subordinate licensed health care practitioners employed by or under contract with a Florida medical or dental school or a public hospital.

Section 16 authorizes the AHCA to submit a budget amendment requesting budget authority for emergency medical transportation services.

Section 17 authorizes the AHCA to submit a budget amendment requesting additional spending authority to implement the Disproportionate Share Hospital Program.

Section 18 allows the Department of Children and Families (DCF) to submit a budget amendment to realign funding within DCF based on the implementation of the Guardianship Assistance Program, including between guardianship assistance payments, foster care Level 1 board payments, and relative and nonrelative caregiver payments for current caseload.

Section 19 authorizes the DCF, DOH, and AHCA to submit budget amendments to increase budget authority as necessary to meet caseload requirements for Refugee Programs administered by the federal Office of Refugee Resettlement. Requires the DCF to submit quarterly reports on caseload and expenditures.

Section 20 authorizes the DCF to submit budget amendments to increase budget authority to support the following federal grants: the Supplemental Nutrition Assistance Grant Program, the Summer Electronic Benefit Transfer, the American Rescue Plan Grant, the State Opioid Response Grant, the Substance Use Prevention and Treatment Block Grant, and the Mental Health Block Grant.

Section 21 authorizes the DOH to submit a budget amendment to increase budget authority for the Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Child Care Food Program if additional federal revenues become available.

Section 22 authorizes the DOH to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues become available.

Section 23 authorizes the DOH to submit a budget amendment to increase budget authority for DOH if additional federal revenues specific to COVID-19 become available.

Section 24 authorizes the balance of any appropriation from the General Revenue Fund for the Pediatric Rare Disease Research Grant, which is not disbursed but which is obligated pursuant to contract or committed to be expended by June 30 of the fiscal year in which the funds are appropriated, may be carried forward for up to 5 years after the effective date of the original appropriation.

Section 25 requires the AHCA to replace the current Florida Medicaid Management Information System and provides requirements of the system. This section also establishes the executive steering committee (ESC) membership, duties, and the process for the ESC meetings and decisions. Provides requirements for deliverables-based fixed price contracts.

Section 26 requires the AHCA, in consultation with the DOH, Agency for Persons with Disabilities (APD), DCF, and the Department of Corrections (DOC), to competitively procure a contract with a vendor to negotiate prices for prescriptions drugs, including insulin and epinephrine, for all participating agencies. The contract must require that the vendor be compensated on a contingency basis paid from a portion of the savings achieved through the negotiation and purchase of prescription drugs.

Section 27 authorizes the APD to submit budget amendments to transfer funding from salaries and benefits to contractual services in order to support additional staff augmentation at the Developmental Disability Centers.

Section 28 authorizes the AHCA to submit budget amendments as needed, notwithstanding ss. 216.181 and 216.292, F.S., to increase budget authority to implement the home and community-based services Medicaid waiver program of the Agency for Persons with Disabilities.

Section 29 authorizes the Florida Department of Veterans' Affairs (DVA) to submit a budget amendment to the Legislative Budget Commission if DVA projects that additional direct care staff are needed to meet its established staffing ratio.

Section 30 amends s. 409.915(1), F.S., to provide that the term "state Medicaid expenditures" does not include funds specially assessed by any local governmental entity and used as the nonfederal share for the hospital Directed Payment Program after July 1, 2021.

Section 31 amends s. 394.9082, F.S., to authorize a managing entity to carry forward funds from the State Opioid Settlement Trust Fund and provides that such funds are exempt from the eight percent carry forward cap established pursuant to that section.

Section 32 authorizes the Department of Elder Affairs (DOEA) to submit a budget amendment to increase budget authority for the U.S. Department of Agriculture's Adult Care Food Program if additional federal revenues will be expended in the 2024-2025 fiscal year.

Section 33 authorizes the AHCA to execute Letters of Agreement for Fiscal Year 2023-2024 by June 1, 2024, to support the state's share of payments for the Directed Payment Program for hospitals in Statewide Medicaid Managed Care Region 5.

Section 34 authorizes the DVA to submit budget amendments pursuant to ch. 216, F.S., subject to federal approval, requesting additional spending authority to support the development and construction of a new State Veterans Nursing Home and Adult Day Health Care Center in Collier County.

Section 35 amends s. 409.912(6), F.S., to allow the fiscal agent contract for the Florida Health Care Connection (FX) to be extended through December 31, 2027.

Section 36 provides that the amendment to s. 409.912(6), expires on July 1, 2025, and the text of that section reverts back to that in existence on June 30, 2024.

Section 37 amends s. 216.262(4), F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue during Fiscal Year 2024-2025 for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. Subject to Legislative Budget Commission (LBC) review and approval, the additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population.

Section 38 amends s. 215.18(2), F.S., to provide the Chief Justice of the Supreme Court the authority to request a trust fund loan.

Section 39 requires the Department of Juvenile Justice (DJJ) to review county juvenile detention payments to ensure that counties are fulfilling their financial responsibilities. If the department determines that a county has not met its obligations, Department of Revenue must deduct the amount owed to the DJJ from shared revenue funds provided to the county under s. 218.23, F.S.

Section 40 reenacts s. 27.40(1), (2)(a), (3)(a), and (5)-(7), F.S., to continue to require written certification of conflict by the public defender or regional conflict counsel before a court may appoint private conflict counsel.

Section 41 provides that the amendments to s. 27.40(1), (2)(a), (3)(a), (5)-(7), F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2019.

Section 42 amends s. 27.5304, F.S., to authorize the fee for compensation for representation in criminal proceedings for misdemeanors and juveniles represented at the trial level to increase from $1,000 to $2,000.

Section 43 provides that the amendments to s. 27.5304(1), (3), (6), (7), (11), and (12)(a)-(e), F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2019.

Section 44 amends s. 934.50(7)(f), F.S., notwithstanding subsection (7), to create the drone replacement program within the Department of Law Enforcement; and authorize the department to provide any drones turned in to the Florida Center for Cybersecurity for analysis.

Section 45 requires the Department of Management Services (DMS) and state agencies to utilize a tenant broker to renegotiate private lease agreements that expire between July 1, 2025, and June 30, 2027, and are in excess of 2,000 square feet, and to submit a report by November 1, 2024.

Section 46 provides that, notwithstanding s. 216.292(2)(a), F.S., which authorizes transfers of up to five percent of approved budget between categories, agencies may not transfer funds from a data center appropriation category to a category other than a data center appropriation category.

Section 47 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Risk Management Insurance" between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 48 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Transfer to the DMS-Human Resources Services Purchased per Statewide Contract" between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 49 authorizes the DMS to use five percent of facility disposition funds from the Architects Incidental Trust Fund to offset relocation expenses associated with the disposition of state office buildings.

Section 50 authorizes the DMS, notwithstanding s. 253.025(4), F.S., to acquire additional state-owned office buildings or property for inclusion in the Florida Facilities Pool.

Section 51 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee membership and the procedures for executive steering committee meetings and decisions.

Section 52 reenacts and amends s. 282.709(3), F.S., to carry forward the DMS's authority to execute a 15-year contract with the SLERS operator.

Section 53 provides that the text of s. 282.709(3), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 1, 2021.

Section 54 authorizes state agencies and other eligible users of the SLERS network to utilize the DMS state SLERS contract for the purchase of equipment and services.

Section 55 authorizes a reduction of the MyFloridaMarketPlace (MFMP) transaction fee from 1 percent to 0.7 percent for Fiscal Year 2024-2025.

Section 56 amends s. 24.105(9)(i), F.S., to require the commission for lottery ticket sales to be set at 6 percent of the purchase price of each ticket sold or issued as a prize by a retailer.

Section 57 provides that the text of s. 24.105(9)(i), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2023.

Section 58 authorizes the Citizens Property Insurance Corporation to contract with the Division of Administrative Hearings to conduct proceedings to resolve disputes regarding its claims determinations.

Section 59 amends s. 110.116, F.S., to specify that, in order to maintain continuity of operations and to ensure the successful completion of the PALM System, DMS must enter into a 3-year contract extension, pursuant to s. 287.057(11), F.S., with an option to renew for an additional year, with the entity operating the People First System. People First cannot be updated until after successfully connecting payroll to PALM.

Section 60 authorizes the Executive Office of the Governor to submit a budget amendment to transfer funds appropriated in the "Northwest Regional Data Center" category between

departments in order to align the budget authority granted based on the estimated costs for data processing services for the 2024-2025 fiscal year.

Section 61 provides that auxiliary assessments charged to state agencies related to contract management services provided to Northwest Regional Data Center shall not exceed three percent.

Section 62 creates s. 284.51, F.S., directing the Division of Risk Management at DFS to select a provider to establish a statewide pilot program to make electroencephalogram combined transcranial magnetic stimulation (eTMS) available for veterans, first responders, and immediate family members thereof with certain medical conditions.

Section 63 amends s. 215.18(3), F.S., to authorize loans to land acquisition trust funds within several agencies.

Section 64 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services (DACS), the DEP, the Fish and Wildlife Conservation Commission (FWC), and the Department of State (DOS), the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund (LATF) within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year. The section further provides that DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to LATF within the FWC for cash flow purposes.

Section 65 amends s. 376.3071(15)(g), F.S., to revise the requirements for the usage of the trust fund for ethanol or biodiesel damage.

Section 66 provides that the amendment to s. 376.3071(15)(g), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on July 1, 2020.

Section 67 amends s. 259.105(3), F.S., to notwithstand the Florida Forever statutory distribution and authorize the use of funds from the trust fund as provided in the GAA.

Section 68 provides that, notwithstanding ch. 287, F.S., the Department of Citrus is authorized to enter into agreements to expedite the increased production of citrus trees that show tolerance or resistance to citrus greening.

Section 69 creates the Local Government Water Supply Grant Pilot Program within the DEP to provide funds to local governments for water supply infrastructure, including distribution and transmission facilities.

Section 70 amends s. 380.5105, F.S., to add a capital outlay grant program to the Stan Mayfield Working Waterfronts Program. The grant program is created within DEP to provide funding to assist commercial fishermen and seafood houses in maintaining their operations.

Section 71 provides that the amendments to s. 380.5105, F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2024.

Section 72 amends s. 10, ch. 2022-272, L.O.F., to extend and expand the Hurricane Restoration Reimbursement Grant Program.

Section 73 provides that notwithstanding s. 823.11(4)(c), F.S., the FWC is authorized to use funds appropriated for the derelict vessel removal program for grants to local governments or to remove, store, destroy, and dispose of, or to pay private contractors to remove, store, destroy, and dispose of, derelict vessels or vessels declared a public nuisance pursuant to s. 327.73(1)(aa), F.S.

Section 74 provides that a county or municipal government may not amend or adopt an ordinance that restricts or prohibits the operation of a leaf blower that is powered by an internal combustion engine or motor.

Section 75 amends s. 403.0673, F.S., to require a minimum of $25 million to be dedicated for priority projects to improve water quality in the Indian River Lagoon in the Water Quality Grant Program.

Section 76 provides that, notwithstanding ch. 287, F.S., the DACS is authorized to enter into agreements to advance technologies leading to the creation of a genetically engineered self-limiting strain of an Asian citrus Psyllid for population suppression.

Section 77 amends s. 321.04(3)(b) and (5), F.S., to provide that for Fiscal Year 2024-2025, the Department of Highway Safety and Motor Vehicles (DHSMV) may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

Section 78 amends s. 288.80125(3), F.S., to allow funds to be used for the Rebuild Florida Revolving Loan Fund Program to provide assistance to businesses impacted by Hurricane Michael as provided in the GAA.

Section 79 amends s. 288.8013(3), F.S., to no longer require the interest earned on the Triumph funds to be transferred back into the Triumph Gulf Coast Trust Fund, no other deposits are made into this trust fund. Funds may be used for administrative costs including costs in excess of the statutory cap.

Section 80 provides that the amendment to s. 288.8013(3), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2023.

Section 81 amends s. 339.135(7)(h), F.S., to authorize the chair and vice chair of the Legislative Budget Commission (LBC) to approve, pursuant to s. 216.177, F.S., a Department of Transportation (DOT) work program amendment that adds a new project, or a phase of a new project, in excess of $3 million, if the LBC does not meet or consider, within 30 days of submittal, the amendment by the DOT.

Section 82 creates s. 250.245, F.S., to establish the Florida National Guard Joint Enlistment Enhancement Program (JEEP) within the Department of Military Affairs to provide bonuses to certain guardsmen in an effort to bolster recruitment efforts and increase the force structure of the Florida National Guard.

Section 83 amends s. 288.0655(6), F.S., to authorize rural Florida Panhandle counties to participate in the Rural Infrastructure Fund grant program as authorized in the GAA.

Section 84 authorizes the Division of Emergency Management (DEM) to submit budget amendments to increase budget authority for projected expenditures due to federal reimbursements from federally declared disasters.

Section 85 amends s. 282.201, F.S., to authorize the DEM to be exempt from the use of the state data center.

Section 86 amends s. 320.08053, F.S., to provide that, notwithstanding s. 320.08053, F.S., the DHSMV is required to extend the presale period by an additional 12 months for the Florida State Beekeepers Association.

Section 87 amends s. 112.061(4)(d), F.S., to permit a lieutenant governor who resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence may be paid travel and subsistence expenses when traveling between their official headquarters and the State Capitol to conduct state business.

Section 88 requires the DMS to assess an administrative health insurance assessment to each state agency equal to the employer's cost of individual employee health care coverage for each vacant position within such agency eligible for coverage through the Division of State Group Insurance.

Section 89 provides that, notwithstanding s. 11.13, F.S., salaries of legislators must be maintained at the same level as July 1, 2010.

Section 90 reenacts s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the General Appropriations Act.

Section 91 provides that the amendment to s. 215.32(2)(b), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2011.

Section 92 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of the activity before approving travel.

Section 93 provides that, notwithstanding s. 112.061, F.S., costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed $225 per day. An employee may expend his or her own funds for any lodging expenses in excess of $225.

Section 94 authorizes the LBC to increase amounts appropriated to state agencies for new fixed capital outlay projects using general revenue funds.

Section 95 amends s. 216.292, F.S., to require transfers to comply with ch. 216, F.S., maximize the use of available and appropriate funds, and not be contrary to legislative policy and intent.

Section 96 provides that, notwithstanding ch. 287, F.S., state agencies are authorized to purchase vehicles from non-State Term Contract vendors provided certain conditions are met.

Section 97 provides that, notwithstanding s. 255.25(3)(a), F.S., the DMS, the Executive Office of the Governor, the Commissioner of Agriculture, the Chief Financial Officer, and the Attorney General are authorized to enter into a lease as a lessee not to exceed 24 months for the use of space in a privately owned building, even if such space is 5,000 square feet or more, without having to advertise or receive competitive solicitations.

Section 98 requires the DEP to purchase lands within certain land areas; requires DEP in order to reduce land management costs to provide a lease back option to the sellers under certain circumstances.

Section 99 authorizes the EOG to submit a budget amendment to realign funding within and between agencies in appropriation categories specifically authorized for the implementation of the state's award from the federal Coronavirus State Fiscal Recovery Fund (Pub.L. 117-2).

Section 100 amends s. 216.181(8)(b), F.S., to require salary rate to be controlled at the budget entity level for FDOC and DHSMV.

Section 101 amends s. 339.08, F.S., to authorize the DOT to expend funds from the Discretionary Sales Surtax Clearing Trust Fund and as provided in the GAA.

Section 102 requires the Department of Revenue to retain interest earnings associated with funds held in the Discretionary Sales Surtax Clearing Trust Fund related to the Hillsborough County surtax for the purpose of implementing the temporary suspension of surtaxes.

Section 103 authorizes the DOT, notwithstanding s. 215, ch. 2023-239, L.O.F., to retain interest earned on funds appropriated to implement the Moving Florida Forward Plan.

Section 104 creates s. 11.52, F.S., to require state agencies to provide information about the status of implementation of recently enacted legislation.

Section 105 requires state agencies and the judicial branch to review all statutorily required reports and prepare a list of the reports that the agency would recommend to modify or repeal.

Section 106 amends s. 216.013, F.S., to provide that state executive agencies and the judicial branch are not required to develop or post a long-range program plan by September 30, 2024, for the 2025-2026 fiscal year, except in circumstances outlined in any updated written instructions prepared by the Executive Office of the Governor in consultation with the chairs of the legislative appropriations committees.

Section 107 amends s. 216.023, F.S., to require each state agency and the judicial branch, as part of their legislative budget request, to include an inventory of all ongoing technology-related projects that have a cumulative estimated or realized cost of more than $1 million. The inventory must include specified information.

Section 108 requires the Florida Turnpike Enterprise to establish a toll relief program.

Section 109 specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 110 provides that if any other act passed during the 2024 Regular Session contains a provision that is substantively the same as a provision in this act, but removes or otherwise is not subject to the future repeal applied by this act, the intent is for the other provision to take precedence and continue to operate.

Section 111 provides for severability.

Section 112 provides for a general effective date of July 1, 2024 (except as otherwise provided).

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.
Vote: Senate 39-0; House 105-3

Committee on Appropriations

HB 5005 — Collective Bargaining

by Appropriations Committee and Rep. Leek (SB 2504 by Appropriations Committee)

The bill directs the resolution of collective bargaining issues at impasse for the 2024-2025 fiscal year. Any mandatory collective bargaining issues at impasse which are not addressed by the bill or the General Appropriations Act are resolved in accordance with the personnel rules in effect on March 5, 2024, and by otherwise maintaining the status quo under the language of the applicable current collective bargaining agreement.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 108-0

Committee on Appropriations

HB 5101 — Education

by PreK-12 Appropriations Subcommittee and Rep. Tomkow (SB 2516 by Appropriations Committee)

The bill conforms law to the appropriations provided in HB 5001, the General Appropriations Act for Fiscal Year 2024-2025, for prekindergarten through grade 12 education. Specifically, the bill provides for the following:

Section 1 amends s. 110.123, F.S., to revise definitions to include Florida College System (FCS) institutions in the State Group Health Insurance (SGHI) Program. The initial enrollment period is required to begin as soon as practicable with coverage beginning in the 2025 plan year by July 31, 2025. FCS institutions are required to participate for at least 3 plan years.

Section 2 amends s.1002.31, F.S., to create a transportation stipend from an eligible nonprofit scholarship-funding organization, contingent upon a legislative appropriation, for public school students enrolled in kindergarten through grade 8 for transportation to a Florida public school that is different from the school to which the student is assigned or to a developmental research (laboratory) school. The bill specifies the scholarship is on a first-come, first-served basis, and provides priority for awards.

Section 3 amends s. 1002.32, F.S., to modify exceptions on the limitations of one developmental research (laboratory) school (lab school) per university by adding the Florida State University Charter Lab K-12 School in Leon County and removing the Florida Atlantic University Charter Lab K-12 School in St. Lucie County. The Lab School Educational Trust Fund is removed along with a provision that allowed charter lab schools to receive funding for charter school capital outlay.

Section 4 amends s. 1002.33, F.S., to remove a provision to hold harmless a charter school sponsor for full-time equivalent (FTE) students not included in projections due to approval of a charter school application and a reporting requirement of charter school applications. The bill modifies reporting requirements for charter schools from student membership to FTE. The bill also modifies the methodology to calculate state funds and capital outlay funds for charter schools sponsored by a state university or FCS institution, and designates that the university or FCS institution is the fiscal agent for sponsored charter schools.

Section 5 amends s. 1002.391, F.S., to create the Bridge to Speech Program to fund auditory-oral education programs required in law.

Section 6 amends s. 1002.394, F.S., to eliminate transportation to a public school as an eligible use of funds under the Family Empowerment Scholarship Program. The bill also eliminates reference to an award amount.

Section 7 amends s. 1002.395, F.S., to eliminate transportation to a public school as an eligible use of funds under the Florida Tax Credit Scholarship Program. The bill also eliminates reference to an award amount.

Section 8 amends s. 1002.68, F.S., to designate that the methodology for calculating the Voluntary Prekindergarten (VPK) performance metric is required in the 2023-2024 program year and issuance of the VPK performance metric to VPK programs is required in the 2024-2025 program year. The bill retains a provision relating to loss of VPK eligibility due to program assessment that was removed in the 2023 Implementing Bill.

Section 9 amends s. 1002.71, F.S., to increase the percentage of funds from the Voluntary Prekindergarten (VPK) program that each early learning coalition may retain for administrative expenses from 4.0 percent to 5.0 percent.

Section 10 amends s. 1002.82, F.S., to require the Department of Education (DOE) to annually collect cost data from school readiness programs that includes federal salary information for child care personnel and certain data from child care providers. The DOE is required to provide certain school readiness cost data to the Legislature by November 1, 2024, and annually thereafter.

Section 11 amends s. 1002.84, F.S., requiring each early learning coalition to implement a parent sliding fee scale that increases in relation to family income adopted in rule by the DOE for the school readiness program. The existing methodology for distribution of school readiness funding is removed and provides that all instructions for the distribution of funds will be provided by the policies of the Legislature.

Section 12 amends s. 1002.89, F.S., to modify the school readiness program allocation to use unweighted full-time equivalent children instead of eligible population, and use of a "rate index" to account for differences in geographic location. A provision regarding local ordinances relating to staff-to-children ratio that were passed prior to January 1, 2022, is removed.

Section 13 amends s. 1002.895, F.S., to modify elements of the market rate schedule for the school readiness program to remove provisions related to providers with a Gold Seal Quality Care designation and large family child care homes. The market rate schedule is required to differentiate school readiness program rates only by care levels driven by age or whether care is full-time or part-time. The elements related to the annual collection of data by the DOE and subsequent reporting of data to the Early Learning Programs Conference are removed.

Section 14 repeals s. 1002.90, F.S., relating to school readiness cost-of-care information.

Section 15 amends s. 1002.92, F.S., to remove an obsolete reference.

Section 16 creates s. 1003.4206, F.S., to establish the Charity for Change program, subject to funding appropriated in the General Appropriations Act (GAA), to implement the character

education standards required in law and authorize the program to use third-party providers to deliver after-school and summer services that empower students with an evidence-based curriculum.

Section 17 creates s. 1006.042, F.S., to establish the AMIkids, Inc., program, subject to funding appropriated in the GAA, to provide alternatives to institutionalization or commitment for youth by providing services, such as, education, behavior modification, skills development, mental health, workforce development, family functioning, and advocacy.

Section 18 modifies s. 1006.07, F.S., to require each district school board to establish a threat management coordinator to serve as the primary point of contact regarding the district's coordination, communication, and implementation of the threat management program and to report quantitative data on its activities to the Office of Safe Schools.

Section 19 amends s. 1006.27, F.S., to repeal the Driving Choice Grant Program.

Section 20 amends s. 1008.25, F.S., to modify provisions for VPK students demonstrating a substantial deficiency on the coordinated screening and progress monitoring system, which requires students to be referred to a local school district and specifies that such students are eligible for participation in a 100-hour summer bridge program consisting of 4 hours of daily instruction to be provided by the school district.

Section 21 revises s. 1009.896, F.S., to expand the Florida Law Enforcement Academy Scholarship Program to include emergency medical technicians, paramedics, and firefighters, and specify eligibility criteria and authorized uses of funds. Accordingly, the bill changes the name to the Florida First Responder Scholarship Program.

Section 22 modifies s. 1009.90, F.S., to require the DOE to have a database system to track all school bond referendums and debt incurred by a school district via referendum for capital outlay or operational purposes.

Section 23 modifies s. 1011.62, F.S., to authorize charter schools sponsored by a state university or FCS institution to receive the state-funded discretionary contribution. The bill also requires an annual appropriation to the educational enrollment stabilization program to maintain a minimum balance of $250 million, funds from which may be carried forward for up to 10 years.

Section 24 modifies s. 1011.765, F.S., to specify that, for purposes of providing matching grants through the Florida Academic Improvement Trust Fund, a public school district education foundation includes each district school board direct-support organization and the education foundation established by the Florida Virtual School.

Section 25 amends s. 1012.56, F.S., to eliminate the requirement that applicants for a temporary apprenticeship certificate must first complete the subject area content requirements established by the State Board of Education or the demonstration of mastery of subject area knowledge.

Section 26 modifies s. 1013.62, F.S., to specify that a charter school not eligible to receive capital outlay funds includes a charter school sponsored by a state university or an FCS institution that receives state funding for capital improvement purposes as specified in law.

Section 27 requires the taxable value for Wakulla County School District that was provided by the Department of Revenue to the DOE to be used for the remaining calculations of the Fiscal Year 2023-2024 FEFP and for use in the Prior Period Adjustment Millage calculation. This section is effective until July 1, 2025.

Section 28 provides an effective date of upon becoming law, except as otherwise provided.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 9-0; House 108-1

Committee on Appropriations

HB 5201 — Trust Funds/Federal Law Enforcement Trust Fund/FGCC

by State Administration & Technology Appropriations Subcommittee and Rep. Busatta Cabrera (SB 2506 by Appropriations Committee)

The bill creates a Federal Law Enforcement Trust Fund within the Florida Gaming Control Commission (Commission). The trust fund serves as a depository for funds to be used by the Commission. Moneys to be credited to the trust fund consist of revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings and receipts and revenues received from federal asset-sharing programs.

Any unencumbered balance remaining at the end of the fiscal year and any encumbered balance remaining undisbursed on September 30 of the same calendar year remains in the Federal Law Enforcement Trust Fund available for carrying out the purpose of the trust fund.

As required by the Florida Constitution, the Federal Law Enforcement Trust Fund terminates on July 1, 2028, unless terminated sooner or recreated by the Legislature. Additionally, the trust fund is required to be reviewed as provided in s. 215.3206, F.S., before its schedule termination.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 114-0

Committee on Appropriations

HB 5203 — Property Seized by the Florida Gaming Control Commission

by State Administration & Technology Appropriations Subcommittee and Rep. Busatta Cabrera (SB 2508 by Appropriations Committee)

This bill specifies that the property rights in machines and money and other things of value therein seized by the Florida Gaming Control Commission (Commission) are forfeited to the Commission and deposited into the Pari-Mutuel Wagering Trust Fund. In addition, the bill specifies sums received from a sale or other disposition of property that is seized by the Commission must be deposited into the Pari-Mutuel Wagering Trust Fund.

The bill provides an exemption from the requirement that the Commission pay excess proceeds from forfeiture proceedings to the General Revenue Fund. The bill specifies that proceeds accrued pursuant to the Florida Contraband Forfeiture Act are to be deposited into the Pari-Mutuel Wagering Trust Fund or into the Commission's Federal Law Enforcement Trust Fund. The bill authorizes such proceeds to be used for the operation of the Commission.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 113-0

Committee on Appropriations

HB 5401 — Judges

by Justice Appropriations Subcommittee and Rep. Brannan and others (SB 2514 by Appropriations Committee)

The bill amends ss. 26.031 and 34.022, F.S., to establish two new circuit court judgeships (one in the First Judicial Circuit and one in the Twentieth Judicial Circuit) and seven new county court judgeships (three in Orange County, two in Hillsborough County, one in Santa Rosa County, and one in Columbia County).

The Supreme Court issued Order No. SC2023-1586, dated November 30, 2023, certifying the need for one additional circuit court judge (Twentieth Circuit) and five additional county court judges (three in Orange County and two in Hillsborough County).

The bill conforms to HB 5001, the Fiscal Year 2024-2025 General Appropriations Act, which includes $3,749,038 in General Revenue funding, and authorizes 20 full-time equivalent positions with an associated salary rate of $2,219,713, for the newly established judgeships and associated judicial assistants and attorney staffing.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 109-0

Committee on Appropriations

CS/HJR 7017 — Annual Adjustment to Homestead Exemption Value

by State Affairs Committee; Ways & Means Committee; and Rep. Buchanan and others

The joint resolution proposes an amendment to the State Constitution requiring the $25,000 of assessed value that is exempt from all ad valorem taxes other than school district taxes be adjusted annually for positive inflation growth. It would also apply to any future homestead exemption applying only to ad valorem taxes other than school district taxes.

The joint resolution will be considered by the electorate at the 2024 general election and, if approved by 60 percent of the electors voting on the measure, the joint resolution would take effect on January 1, 2025.
Vote: Senate 25-15; House 86-29

Committee on Appropriations

CS/HB 7019 — Exemption of Homesteads

by State Affairs Committee; Ways & Means Committee; and Rep. Buchanan and others

The bill implements an amendment to Art. VII, s. 6, State Constitution proposed by CS/HJR 7017 (2024) by making conforming statutory changes. If CS/HJR 7017 is approved by the voters, this bill amends current law to add an annual positive inflation adjustment to the current exemption on the assessed value for all levies other than school district levies of $50,000 up to $75,000.

The bill also directs the Legislature to appropriate funds to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties as a result of the annual positive inflation adjustment. To receive the offset, a qualifying county must annually apply to the Department of Revenue and provide certain documentation.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on January 1, 2025, if the amendment to the State Constitution proposed by CS/HJR 7017 is approved by the voters at the 2024 general election or at an earlier special election.
Vote: Senate 26-14; House 84-31

Committee on Appropriations

SB 7080 — Trust Funds/Indian Gaming Revenue Clearing Trust Fund/Department of Financial Services

by Appropriations Committee

The bill creates the Indian Gaming Revenue Clearing Trust Fund within the Florida Department of Financial Services (DFS). The bill:

- Creates the Indian Gaming Revenue Clearing Trust Fund (trust fund) as a depository for the portion of the revenue-sharing payments received by the state under the gaming compact, as defined in s. 285.710(1), F.S.;
- Requires the funds to be credited to the trust fund as provided in s. 380.095, F.S.;
- Provides the funds received from such revenue-sharing payments and deposited into the trust fund are exempt from the service charges imposed pursuant to s. 215.20, F.S.;
- Requires the DFS to disburse funds, by nonoperating transfer, from the trust fund as provided in s. 380.095, F.S.; and
- Provides the trust fund is exempt from the termination provisions of Art. III, s. 19(f)(2), State Constitution.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that CS/SB 1638 or similar legislation takes effect, if such legislation is adopted in this legislative session and becomes a law.
Vote: Senate 40-0; House 114-0

Appropriations Committee on Agriculture, Environment, and General Government

CS/SB 1638 — Funding for Environmental Resource Management

by Fiscal Policy Committee and Senator Hutson

The bill provides that 96 percent of the revenues from the 2021 gaming compact between the Seminole Tribe of Florida and the State of Florida be deposited in the Indian Gaming Revenue Trust Fund within the Department of Financial Services to acquire and manage conservation lands and to make significant investments in resiliency efforts and clean water infrastructure.

- Provides for the distribution of funds as follows:
  - The lesser of 26.042 percent or $100 million to support the Florida Wildlife Corridor, including the acquisition of lands within the corridor. Eligible state agencies may submit budget amendments on a first-come, first-served basis with the release of funds contingent upon approval.
  - The lesser of 26.042 percent or $100 million for the management of uplands and the removal of invasive species, which is divided as follows:
    - The lesser of 36 percent or $36 million to the Department of Environmental Protection (DEP), of which:
      - The lesser of 88.889 percent or $32 million for state park land management activities; and
      - The lesser of 11.111 percent or $4 million for implementation of the Local Trail Management Grant Program.
    - The lesser of 32 percent or $32 million to the Department of Agriculture and Consumer Services for land management activities.
    - The lesser of 32 percent or $32 million to the Fish and Wildlife Conservation Commission for land management activities.
  - The lesser of 26.042 percent or $100 million to the DEP to the Resilient Florida Trust Fund.
  - The remainder to the DEP to the Water Protection and Sustainability Program Trust Fund.

The bill requires the Land Management Uniform Accounting Council to recommend the most efficient use of land management funds provided to state agencies and submit its recommendation to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 3, 2027.

The bill makes the following appropriations from the distributions deposited in the Indian Gaming Revenue Trust Fund and distributed as specified above:

- Appropriates $100 million in nonrecurring funds to Administered Funds for land acquisition.
- Appropriates $32 million in nonrecurring funds from the State Park Trust Fund within the Department of Environmental Protection for land management activities.
- Appropriates $4 million in nonrecurring funds from the Internal Improvement Trust Fund to the Department of Environmental Protection for the purpose of implementing the Local Trail Management Grant Program.

- Appropriates $32 million in nonrecurring funds from the Incidental Trust Fund within the Department of Agriculture and Consumer Services for land management activities.
- Appropriates $32 million in nonrecurring funds from the State Game Trust Fund within the Fish and Wildlife Conservation Commission for control of invasive species and upland land management activities.
- Appropriates $100 million in nonrecurring funds from the Resilient Florida Trust Fund within the Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan.
- Appropriates $79 million in nonrecurring funds from the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection for the Water Quality Improvement Grant Program.
- Appropriates $5 million in nonrecurring funds from the Water Protection and Sustainability Program Trust Fund to the DEP to coordinate with the Water School at Florida Gulf Coast University to conduct a study to identify and analyze potential regional projects that meet the eligibility requirements of the Water Quality Improvement Grant Program.

The bill makes the following additional appropriations:

- Appropriates $2 million in recurring funds from the General Revenue Fund to the University of Florida to continually update the Florida Wildlife Corridor plan and the Florida Ecological Greenways Network plan.
- Appropriates $150 million in nonrecurring funds from the General Revenue Fund to the South Florida Water Management District (SFWMD) for operations and maintenance. The SFWMD shall enter into a contract with the Water School and Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law if SB 7080 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.
Vote: Senate 37-0; House 114-0

Appropriations Committee on Criminal and Civil Justice

HB 7067 — Pretrial Detention Hearings

by Judiciary Committee and Rep. Jacques and others (SB 7068 by Appropriations Committee on Criminal and Civil Justice)

The bill amends s. 907.041, F.S., to allow a court to base an order of pretrial detention under s. 907.041(5)(d), F.S., solely on hearsay. This ensures that victims and other witnesses are not required to appear in person at pretrial detention hearings.

Section 907.041(5), F.S., specifies circumstances in which the state has discretion to motion for pretrial detention and circumstances in which the state or the court must motion for pretrial detention. Paragraph (5)(d) provides the circumstances in which a motion for pretrial detention *must* be made.

The bill changes the evidentiary requirements for a pretrial detention hearing, but does not affect the requirement to hold such a hearing, the standard of proof at such a hearing, or the time frame in which the hearing must be conducted.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 33-5; House 81-31

Appropriations Committee on Health and Human Services

CS/SB 330 — Behavioral Health Teaching Hospitals

by Appropriations Committee on Health and Human Services and Senators Boyd and Rouson

The bill creates the designation of behavioral health teaching hospitals to advance Florida's behavioral health systems of care by creating a new integrated care and education model.

Specifically, the bill includes provisions related to the following topics:

Designation

- Creates a new "behavioral health teaching hospital" designation within ch. 395, F.S., for licensed teaching hospitals that partner with a state university school of medicine and offer specific behavioral health education programs.
- Requires the Agency for Health Care Administration (AHCA) to designate the following hospital and university partnerships as Behavioral Health Teaching Hospitals (BHTHs) within 30 days of the bill becoming law:
  - Tampa General Hospital, in affiliation with the University of South Florida;
  - UF Health Shands Hospital, in affiliation with the University of Florida;
  - UF Health Jacksonville, in affiliation with the University of Florida; and
  - Jackson Memorial Hospital, in affiliation with the University of Miami.
- Beginning July 1, 2025, allows specific Florida-based medical schools to partner with one eligible statutory teaching hospital, notwithstanding the university affiliated with two in the initial BHTH designations once the bill becomes law.
- Limits a BHTH designation to 2 years, with a renewal process, and authorizes the AHCA to deny, revoke, or suspend a designation for non-compliance.
- Allows BHTHs to participate in the AHCA's new Training, Education, and Clinicals in Health (TEACH) funding program for hospitals to offset administrative costs and loss of revenue to train behavioral health workforce professionals.
- Allows BHTHs to participate in the AHCA's Graduate Medical Education Slots for Doctors Program funding to provide each BHTH up to 10 residency slots at $150,000 per slot.

Grant Program

- Establishes a grant program, subject to legislative appropriation, in the AHCA to fund BHTH operations and expenses and fixed capital outlay, including facility renovation and upgrades.
- Requires the ACHA to provide 30-day open application periods on November 1 of 2025 and 2026, to accept applications, accompanied by detailed spending plans, from designated BHTHs.
- On or before January 1 of 2025 and 2026, hospitals that plan to apply for designation must submit a letter of intent to the AHCA.

- The AHCA, in consultation with the Department of Children and Families (DCF), will evaluate and rank grant applications and submit recommendations for grant awards to the President of the Senate and the Speaker of the House of Representatives.
- The AHCA may submit budget amendments requesting the release of funds to make awards.

Florida Center for Behavioral Health Workforce

- Establishes the Florida Center for Behavioral Health Workforce (Center) within the University of South Florida's Louis de la Parte Florida Mental Health Institute to support an adequate, highly skilled, resilient, and innovative workforce that meets the current and future human resources needs of the state's behavioral health system and develop and disseminate best practices. The Center will:
    - Describe and analyze current workforce and possible future workforce demand and produce a statistically valid biennial analysis of the supply and demand of the workforce;
    - Expand pathways to behavioral health professions through enhanced educational opportunities and improved faculty development and retention;
    - Promote behavioral health professions; and
    - Convene stakeholders to assist the Center in its work.

Mental Health Inpatient Treatment Services Capacity Study

- Requires the DCF to contract for a detailed study of the capacity for inpatient treatment services for adults with serious mental illness and children with serious emotional disturbance or psychosis in this state's forensic inpatient, safety-net voluntary and involuntary civil inpatient placement, and Medicaid statewide inpatient psychiatric programs.
- The study must be completed by January 31, 2025.

The bill includes the following appropriations:

- $300 million in nonrecurring general revenue funds to the AHCA to award grants of up to $100 million each fiscal year beginning with Fiscal Year 2024-2025 for the development and implementation of the behavioral health teaching hospital model. Funds will held in reserve and released pursuant to ch. 216, F.S., to designated behavioral health teaching hospitals for operating and capital expenditures contingent upon a detailed spending plan. The grant program can carry forward any non-disbursed grant funds for up to eight years.
- $5 million in recurring general revenue funds to the Louis de la Parte Florida Mental Health Institute for the operation of the Florida Center for Behavioral Health Workforce.
- $6 million in recurring funds, including $2.6 million in general revenue funds and $3.4 million from the Medical Care Trust Fund, to the AHCA for the Graduate Medical Education Slots for Doctors Program for residency positions at $150,000 each.

- $2 million in recurring general revenue funds to the AHCA to provide each BHTH up to $500,000 in TEACH program funds.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise expressly provided.
Vote: Senate 40-0; House 114-0

Appropriations Committee on Health and Human Services

CS/SB 7072 — Cancer Funding

by Fiscal Policy Committee and Appropriations Committee on Health and Human Services

The bill revises the Casey DeSantis Cancer Research Program's purpose to include the promotion of the provision of high-quality, innovative health care for persons undergoing cancer treatment in Florida and requires the program's allocation agreements to contain specific contractual requirements.

The bill specifies that grant funding available through the Cancer Innovation Fund is available to health care providers and facilities that demonstrate excellence in patient-centered cancer treatment or research.

The bill codifies the Cancer Connect Collaborative (Collaborative) in statute by providing that the Collaborative is created within the Department of Health (DOH) to advise the department and the Legislature on developing a holistic approach to the state's efforts to fund cancer research, cancer facilities, and treatments for cancer patients. Under the bill, the Collaborative must:

- Advise the DOH on the awarding of grants issued through the Cancer Innovation Fund;
- Make recommendations on proposed legislation, proposed rules, best practices, data collection and reporting, issuance of grant funds, and other proposals for state policy relating to cancer research or treatment; and
- Develop a long-range comprehensive plan for the Casey DeSantis Cancer Research Program by December 1, 2024.

The bill revises the membership of the Florida Cancer Control and Research Advisory Council from 15 to 16 members and requires that one member be a representative of the Mayo Clinic in Jacksonville.

The bill is expected to have a minimal impact on the DOH, however, such impacts are indeterminate. The 2024-2025 General Appropriations Act provides $40 million in recurring general revenue funds for the Cancer Innovation Fund.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 115-0

Appropriations Committee on Health and Human Services

HB 7085 — Sickle Cell Disease

by Health & Human Services Committee and Reps. Skidmore, Driskell, and others (SB 7070 by Appropriations Committee on Health and Human Services)

The bill establishes the Sickle Cell Disease Research and Treatment Grant Program (Program) within the Department of Health (DOH). The Program will fund projects that improve the quality and accessibility of health care available for persons living with sickle cell disease (SCD) in the state and advance the collection and analysis of comprehensive data to support SCD research. Grants must be awarded to community-based sickle cell disease treatment and research centers to fund the following types of projects:

- SCD workforce development and education; and
- Operational and facility enhancement support for Sickle Cell Disease Treatment Centers of Excellence.

The bill requires the DOH to submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status and progress of each grant award.

The bill revises the SCD and sickle cell trait screening requirements to require that screening providers notify a newborn's parent or guardian, rather than the newborn's primary care physician, of certain information. The bill also authorizes individuals, other than newborns, that have been identified as having SCD or carrying the sickle cell trait, to volunteer for inclusion on the DOH's sickle cell registry.

The bill may have an indeterminate fiscal impact on the DOH to establish the Program. The 2024-2025 General Appropriations Act provides $10 million in recurring general revenue funds for the Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 116-0

Committee on Banking and Insurance

CS/HB 85 — Pub. Rec./New State Bank and New State Trust Companies

by Insurance & Banking Subcommittee and Rep. Barnaby and others (CS/SB 1014 by Governmental Oversight and Accountability Committee and Senator Perry)

The bill makes confidential and exempt from public records disclosure the following information received by the Office of Financial Regulation (OFR) pursuant to an application for authority to organize a new state bank or trust company under ch. 658, F.S.:

- Personal financial information.
- A driver license number, a passport number, a military identification number, or any other number or code issued on a government document used to verify identity.
- Books and records of a current or proposed financial institution.
- The proposed state bank's or proposed state trust company's proposed business plan.

The bill makes exempt from public records disclosure the personal identifying information of a proposed officer or director who is currently employed by, or actively participates in the affairs of, another financial institution that is received by the OFR pursuant to an application for the authority to organize a new state bank or trust company until the application is approved and the charter is issued. The term "personal identifying information" is defined as "names, home addresses, e-mail address, telephone numbers, names of relatives, work experience, professional licensing and education backgrounds, and photographs."

The provisions of the bill are subject to the Open Government Sunset Review Act and are repealed October 2, 2029, unless saved from repeal through reenactment by the Legislature before that date. The bill also provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 33-0; House 114-1

Committee on Banking and Insurance

CS/HB 215 — Risk Retention Groups

by Insurance & Banking Subcommittee and Rep. Truenow (CS/SB 846 by Banking and Insurance Committee and Senator DiCeglie)

The bill provides that motor vehicle liability insurance coverage issued by a risk retention group operating in accordance with 15 U.S.C. ss. 3901 et seq., which conducts business in this state pursuant to s. 627.944, F.S., satisfies the financial responsibility requirements of Florida's state motor vehicle law.

Risk retention groups sell insurance to eligible members, do not submit rate and form filings to state regulators, and are not members of state guaranty associations that manage claims if an insurer becomes insolvent. Members of a risk retention group must be engaged in similar businesses or activities that have similar exposures due to the type of business, trade, product, service, premises, or operations. Risk retention groups certified or licensed in states other than Florida must comply with s. 627.944, F.S., in order to do business as a risk retention group in this state. Federal law under 15 U.S.C. s. 3902, generally exempts risk retention groups meeting certain requirements from state laws that would make unlawful the operation of a risk retention group that assumes or spreads the liability exposure of its group members.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 119-0

Committee on Banking and Insurance

CS/HB 241 — Coverage for Skin Cancer Screenings

by Select Committee on Health Innovation and Reps. Massullo, Payne, and others (CS/SB 56 by Banking and Insurance Committee and Senator Harrell)

The bill requires all contracted state group health insurance plans and health maintenance organizations (HMO) to cover and pay for annual skin cancer screenings performed by a Florida licensed dermatologist. The bill prohibits a state group health insurance plan or HMO from imposing any cost-sharing requirement for the annual skin cancer screening, including a deductible, copayment, coinsurance, or any other type of cost-sharing. The provider conducting the screening must be a dermatologist licensed as a medical doctor under ch. 458, F.S., or an osteopathic physician licensed under ch. 459, F.S., or an advanced practice registered nurse licensed under ch. 464, F.S., who is under the supervision of a dermatologist licensed under ch. 458 F.S. or ch. 459 F.S.

The bill requires payment for such annual skin cancer screenings to be consistent with the state group health insurance plan's or HMO's payments for other preventive screenings. Additionally, the bill prohibits all contracted state group health insurance plans or HMOs from bundling a payment for a skin cancer screening with any other procedure or service, including an evaluation or management visit, which is performed during the same office visit or subsequent office visit.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 114-0

Committee on Banking and Insurance

CS/SB 362 — Medical Treatment Under the Workers' Compensation Law

by Fiscal Policy Committee and Senator Bradley

The bill increases the maximum medical reimbursements for physicians and surgical procedures and the maximum fees for expert witnesses under ch. 440, F.S., the "Workers Compensation Law" (law). The law requires employers to provide injured employees all medically necessary remedial treatment, care, and attendance for such period as the nature of the injury or the process of recovery may require.

The bill increases the maximum reimbursement allowances (MRA) for physicians licensed under ch. 458, F.S., or ch. 459, F.S., from 110 percent to 175 percent of the reimbursement amount allowed by Medicare, and increases the MRA for surgical procedures from 140 percent to 210 percent of reimbursement amount allowed by Medicare.

In regard to expert medical witnesses, the law currently limits the amount health care providers can be paid for expert testimony during depositions on a workers' compensation claim to $200 per hour, unless they only provided an expert medical opinion following a medical record review or provided direct personal services unrelated to the case in dispute, in which case they are limited to a maximum of $200 per day. The bill increases the maximum hourly amount allowed for expert witnesses to $300 per hour. If an expert witnesses is subject to the daily rate, the maximum amount allowed is increased to $300 per day.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 40-0; House 113-0

Committee on Banking and Insurance

CS/CS/SB 532 — Securities

by Fiscal Policy Committee; Banking and Insurance Committee; and Senator Brodeur

The bill substantially revises ch. 517, F.S., the "Securities and Investor Protection Act" (Act). The Office of Financial Regulation (OFR) is responsible for administering the provisions of this chapter. The bill is based on the recommendations contained in the report issued by the Chapter 517 Task Force of the Business Law Section of The Florida Bar in coordination with the OFR. The impetus for the task force is to increase the ability of small and developing Florida businesses to raise capital, while at the same time assuring and improving investor protections and enforcement measures to guard against abuse. Since ch. 517, F.S., has not been substantially updated in many years, the bill also incorporates many small business financing provisions consistent with recently adopted federal rules or legislation adopted in other states. The bill includes the following changes:

- Revises eligibility and recovery provisions relating to the Securities Guaranty Fund (Fund), which was created to provide relief to victims of securities violations under ch. 517, F.S., who are entitled to monetary damages or restitution but cannot recover the full amount of such damages or restitution from the wrongdoer, in the following manner:
  - The bill removes a requirement that an investor who has received a final judgement that is unsatisfied must make searches and inquires to ascertain the assets of the judgment debtor, which may result in delays. Further, the bill removes a two-year waiting period for payment; and
  - The bill increases the amount an eligible person may recover from the Fund from $10,000 to $15,000, adds an exception allowing recovery of up to $25,000 if the person is a specified adult, and increasing the aggregate limit on claims from $100,000 to $250,000.
    - A specified adult is a natural person 65 years of age or older, or a natural person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging.
- Eliminates a registration exemption for short-term notes of $25,000 or more, which have a maturity date of nine months or less. This type of offering is often the subject of abusive efforts by persons trying to evade registration requirements through the issuance of short-term notes to non-accredited investors. There is no comparable provision in the Uniform Securities Act and currently such notes cannot be sold under federal exemptions that preempt state registration.
- Excludes certain industrial revenue bonds and commercial development bonds issued by the United States or a state or local government from a registration exemption unless the bonds are guaranteed by a publicly traded entity. This exclusion is based on the increased risk to investors under such bonds, which depend upon revenue streams for their funding.
- Provides that exempt transactions authorized pursuant to s. 517.061, F.S., are subject to the anti-fraud provisions of s. 517.301, F.S.

- Requires a person who has six or more clients, rather than more than 15 clients, to register with the OFR as an investment adviser.

Investor Protections

Access to Capital Formation and Investment Options

- Revises the regulatory provisions relating to the intrastate crowdfunding exemption, and renames the section, the "Florida Limited Offering Exemption." These changes include increasing the maximum offering limit from one million to five million dollars, which is consistent with the federal crowdfunding rules, and reducing the technical and regulatory requirements for issuers. The issuer may engage in general advertising and general solicitation of the offering.
- Creates the "Florida Invest Local Exemption," a micro-offering exemption that allows an issuer to offer up to $500,000 in securities to residents of Florida in reliance upon the exemption. An issuer may not accept more than $10,000 from any single purchaser, unless the purchaser is an accredited investor or other specified group, for which there are no sale limits. The issuer may engage in general advertising and general solicitation of the offering.
- Revises the limited offering exemption to require a disclosure regarding a purchaser's right to void the transaction within three days from the date of purchase, and to allow additional eligible purchasers that would be excluded for purposes of the 35 purchaser limit, consistent with the Securities and Exchange Commission rules.
- Creates an exemption for a non-issuer transaction with a federal covered adviser managing investments in excess of $100 million, which is consistent with the provisions of the Uniform Securities Act.

Modernization of Chapter 517, Florida Statutes

- Adopts provisions consistent with federal rules that allow issuers to have greater access to potential investors through demonstration day (demo-day) presentations and the pre-offering (testing the waters) solicitations and communications, which allows an issuer to determine whether there is any interest in a contemplated offering of exempt securities prior to incurring the expense of preparing and conducting an offering.
- Eliminates the requirement that issuers of simplified securities offerings that use the Small Company Offering Registration (SCOR) must submit annual financial reports for the first five years following the effective date of an offering. The SCOR offering was designed for use by companies seeking to raise capital through a public offering exempt from registration under the Securities Act of 1933.
- Adopts provisions consistent with the integration of offering federal rule that provides offers and sales of securities will not be integrated if, based on the particular facts and circumstances, the issuer can establish each offering either complies with the registration requirements of the Securities Act of 1933, or that an exemption from registration is available for the particular offering.
- Adopts an exemption for accredited investors, which is consistent with the North American Securities Administrators Association accredited investor exemption model. The provision exempts offers and sales from registration if the offers and sales are made

only to persons in Florida who are, or the issuer reasonably believes are, accredited investors. Accredited investors are considered financially sophisticated investors based upon criteria such as, income, net worth, or professional experience. This exemption is an important option for small businesses attempting to raise capital.
- Clarifies, consolidates, and reorganizes provisions within ch. 517, F.S., and adopts provisions consistent with the Uniform Securities Act.

State Enforcement Authority
- Increases the amount of civil penalties the OFR may petition the court to impose against a defendant and authorizes the imposition of a civil penalty of twice the amount that would otherwise be imposed if a specified adult is the victim of a violation of ch. 517, F.S. The bill also authorizes the OFR to recover any costs and attorney fees relating to any investigation or enforcement.
- Establishes joint and several liability for any control person who is found to have violated any provision of the Act.
- Provides a person who knowingly and recklessly provides substantial assistance to another person in violation of a provision of the Act is deemed to violate the provision to the same extent as the person to whom such assistance was provided.
- Allows the OFR to issue and serve upon a person a cease and desist order if the OFR has reason to believe the person violates any provision of the Act, as well as an emergency cease and desist order under certain circumstances.
- Grants authority to the OFR to impose and collect an administrative fine against any person found to have violated any provision of the Act.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-1; House 113-0

Committee on Banking and Insurance

CS/CS/SB 556 — Protection of Specified Adults

by Rules Committee; Banking and Insurance Committee; and Senators Rouson and Book

The bill provides additional protections for specified adults (a natural person age 65 years or older or a vulnerable adult) who have accounts with financial institutions and may be victims of suspected financial exploitation. A vulnerable adult is a natural person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging. The bill allows financial institutions to delay disbursements or transactions of funds from an account of a specified adult under the following conditions:

- The financial institution reasonably believes that financial exploitation of the specified adult has occurred, is occurring, has been attempted, or will be attempted in connection with the disbursement or transaction.
- The financial institution must promptly initiate an internal review of the facts and circumstances that caused the employee to reasonably believe that the financial exploitation of the specified adult has occurred, is occurring, has been attempted, or will be attempted.
- Not later than three business days after the date on which the delay was first placed, the financial institution provides written notice of the reason for the delay to all parties authorized to transact business on the account and any trusted contact on the account, using the contact information provided on the account, unless the employee of the financial institution believes that any of the parties are involved in the suspected exploitation.
- A delay in a disbursement or transaction expires in 15 business days, and may be extended for an additional 30 business days. A court of competent jurisdiction may shorten or extend the length of any delay.
- The financial institution must develop and implement training policies or programs reasonably designed to educate specified employees on issues pertaining to financial exploitation of specified adults. Further, the financial institution must develop, maintain, and enforce written procedures regarding the manner in which suspected financial exploitation is reviewed internally, including, if applicable, the manner in which suspected financial exploitation is required to be reported to supervisory personnel.
- The financial institution must create and maintain for at least five years from the date of the delayed disbursement or transactions a written or electronic record of specified information.

The bill grants immunity from any administrative or civil liability that might otherwise arise from a delay in a disbursement or transaction to any financial institution who in good faith and exercising reasonable care complies with the provisions of this act. The bill does not alter the obligation of a financial institution to comply with instructions from a client absent a reasonable belief of financial exploitation. The bill does not create new rights or obligations or new duties on a financial institution under other applicable laws or rules. The bill does not limit the right of

a financial institution to refuse to place a delay on a transaction or disbursement under other laws or rules or under a customer agreement.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 34-0; House 104-1

Committee on Banking and Insurance

CS/CS/HB 623 — Builder Warranties

by Commerce Committee; Insurance & Banking Subcommittee; and Reps. Steele, Anderson, and others (CS/CS/CS/SB 966 by Rules Committee; Commerce and Tourism Committee; Banking and Insurance Committee; and Senator Burgess)

The bill creates s. 553.837, F.S., which requires a builder to warrant a newly constructed home for construction defects of equipment, material, and workmanship by the builder or any subcontractor or supplier resulting in a material violation of the Florida Building Code for one year after the date of original conveyance of title or after initial occupancy of the dwelling, whichever occurs first. Defects with respect to appliances or equipment that are covered by a manufacturer warranty are not within the scope of the required builder's warranty. A builder warranty need not provide coverage for any of the following:

- Normal wear and tear of the newly constructed home.
- Normal house settling within generally acceptable trade practices.
- Any object or part of the newly constructed home that contains a defect that is caused by any work performed or material supplied incident to construction, modification, or repair performed by the purchaser, or anyone acting on his or her behalf, other than the builder.
- Any loss or damage to the newly constructed home, whether caused by a purchaser, third party, or act of God.

A builder is required to remedy, at the builder's expense, the construction defects covered under the builder's warranty, including restoring any work damaged in fulfilling the warranty. The bill authorizes a builder to purchase a home warranty from a home warranty association to cover the defects that are required to be covered under the builder's warranty. A builder must comply with the builder's warranty for the full one year term even if the newly constructed home is sold or transferred.

The bill provides that the terms and conditions of a builder's express written warranty that a builder provides to an owner of a newly constructed home may supersede any provisions created under the bill in s. 553.837, F.S., if certain criteria are met, such as that the scope, coverage, and duration of the express written warranty are the same or greater than that required by the bill.

Finally, the bill provides that enforcement of the bill's provisions is limited to a private civil cause of action by a purchaser against a builder who fails to comply with the required builder's warranty. The provisions of the bill may not be construed to extend the statute of repose beyond that provided by law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 39-0; House 104-7

Committee on Banking and Insurance

CS/CS/HB 885 — Coverage for Biomarker Testing

by Health & Human Services Committee, Select Committee on Health Innovation; Rep. Gonzalez Pittman and others (CS/CS/SB 964 by Appropriations Committee on Health and Human Services; Banking and Insurance Committee; and Senator Calatayud)

The bill requires the Florida Medicaid program and the Division of State Group Insurance program to provide coverage for biomarker testing for the diagnosis, treatment, management, and ongoing monitoring of disease or condition of an enrollee or insured, respectively, to guide treatment decisions when such testing provides clinical utility as demonstrated by medical and scientific evidence. The biomarker testing services may not be construed to require coverage of biomarker testing for screening purposes. The Florida Medicaid program and the Division of State Group Insurance program are required to outline a process for insureds and providers to access a process to request an authorization for biomarker testing.

A biomarker is a biological molecule found in blood, other body fluids, or tissues that is a sign of a normal or abnormal process, or of a condition or disease. A biomarker may be used to see how well the body responds to a treatment for a disease or condition. Biomarker testing is a method to look for genes, proteins, and other substances (biomarkers or tumor markers) that can provide information about cancer and other conditions.

The provision relating to mandated coverage of biomarker testing for Medicaid managed care plans takes effect October 1, 2024. The bill directs the Agency for Health Care Administration (AHCA) to include the rate impact relating to mandated coverage of biomarker testing for managed care plans in the applicable Medicaid managed medical assistance program and the long-term managed care program rates. The provision mandating coverage of biomarker testing relating to optional Medicaid services, authorizes the AHCA to seek federal approval necessary to implement the mandated coverage requirement. The mandated coverage requirement for the Division of State Group program applies to state group health insurance policies issued on or after January 1, 2025.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise expressly provided.
Vote: Senate 39-0; House 114-0

Committee on Banking and Insurance

CS/CS/CS/SB 892 — Dental Insurance Claims

by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Banking and Insurance Committee; and Senator Harrell

The bill revises provisions within the Florida Insurance Code relating to covered dental services, contractual agreements, and dental claims payments by a health insurer, prepaid limited health service organization (PLHSO), or a health maintenance organization (HMO). The Office of Insurance Regulation is responsible for regulating these entities. The bill:

- Prohibits a contract between a dentist and the health insurer, HMO, or PLHSO from limiting the method of claim payments for dental services to credit card payments only;
- Requires the health insurer, PLHSO, or HMO to notify the dentist of any fees associated with an electronic funds transfer (EFT) and alternative payment methods before the insurer, HMO or PLHSO pays a dentist via EFT;
- Requires the health insurer, PLHSO, or HMO to obtain the dentist's consent via an email bearing the signature of the dentist or checking a box indicating consent prior to employing the claim payment through EFT;
- Prohibits the health insurer, HMO or PLHSO that pays a claim to a dentist through an automatic clearing house (ACH) from charging a fee solely to transmit the payment unless the dentist has consented to the fee;
- Prohibits the health insurer, HMO, or PLHSO from denying the payment of a claim if the procedure was previously authorized by an insurer, HMO, or PLHSO prior to the dentist rendering the service except under the following circumstances:
  - Benefit limitations were reached subsequent to the issuance of the prior authorization.
  - Inadequate documentation was submitted by the dentist to support the originally authorized procedures and claim.
  - Subsequent to the issuance of the prior authorization, new procedures are provided to the insured or the insured's condition changes, resulting in the prior authorized procedure not being medically necessary.
  - Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or the insured's condition changes in the patient's condition occurs such that the prior authorized procedure would at that time have required disapproval pursuant to the terms and conditions for coverage under the patient's plan in effect at the time the prior authorization was issued.
  - The claim was denied because:
    - Another payor is responsible for payment.
    - The dentist has already been paid.
    - The claim was submitted fraudulently or the prior authorization was based on erroneous information submitted to the insurer, HMO, or PLHSO.
    - The person receiving the procedure was not eligible to receive the procedure on the date of service.
    - The services were provided during the grace period established under s. 627.608, F.S., or applicable federal regulations, and the dental insurer, HMO, or PLHSO notified the provider that the patient was in a grace period when the provider

requested eligibility or enrollment verification from the dental insurer, HMO, or PLHSO, if such request was made.

The provisions of the bill apply to all policies and contracts issued or renewed on or after January 1, 2025. The Office of Insurance Regulation has all rights and powers to enforce the provisions of the bill pursuant to s. 624.307, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 40-0; House 113-0

Committee on Banking and Insurance

CS/CS/SB 902 — Motor Vehicle Retail Financial Agreements

by Commerce and Tourism Committee; Banking and Insurance Committee; and Senator Boyd

Vehicle Value Protection Agreements

The bill creates the "Florida Vehicle Value Protection Agreements Act" (the "Florida Act"), which includes:

- Definitions of the terms: administrator, commercial transaction, consumer, contract holder, finance agreement, free look period, motor vehicle, provider, and vehicle value protection agreement. A "vehicle value protection agreement" (VVPA) is a contractual agreement that provides a benefit toward either the reduction of some or all of the contract holder's current finance agreement deficiency balance, or the purchase or lease of a replacement motor vehicle upon the occurrence of an adverse event to the vehicle. The term does not include guaranteed asset protection products, and the product is not insurance.
- Requirements for offering VVPAs, including provisions regarding restricting the type of charges, prohibiting certain conditional sales, utilizing an administrator, providing a copy of the agreement, prohibiting sales with duplicative coverage, and providing for financial security requirements;
- The nature, extent, and type of disclosures required in VVPAs;
- Penalties for violating the Florida Act, which include noncriminal violations punishable by a fine per violation or in the aggregate for all "violations of a similar nature," which is defined in the bill; and
- Exemption of VVPAs offered in connection with a commercial transaction from the disclosure and penalty provisions of the Florida Act.

Excess Wear and Use Waivers

The bill authorizes a retail lessee to contract with a retail lessor for an "excess wear and use waiver," which is an agreement wherein the lessor agrees to cancel all or part of amounts that may become due under the lease because of excessive wear and use of a motor vehicle. The bill prohibits the terms of the related motor vehicle lease from being conditioned upon the consumer's payment for any excess wear and use wavier, except such waiver may be discounted or given at no charge for the purchase of other noncredit-related goods or services. A lease agreement that includes an excess wear and use waiver must contain certain disclosures. An excess wear and use waiver is not insurance for purposes of the Florida Insurance Code.

Guaranteed Asset Protection Products

The bill amends the definition of "guaranteed asset protection product" ("GAP product,") which is an agreement by which a creditor agrees to waive a customer's liability for any debt that exceed the value of the collateral, to specify that a GAP product:

- May be with or without a separate charge;
- May cancel, rather than just waive, the customer's liability;

- Applies when a motor vehicle incurs total physical damage or is subject to an unrecovered theft; and
- May provide a benefit that waives a portion of, or provides a customer with a credit toward, the purchase of a replacement vehicle.

The bill also amends the provisions regarding GAP products to:

- Provide for the refund of all unearned portions of the purchase price of a contract for a GAP product if the contract is terminated, unless the contract provides otherwise;
- Prohibit an entity from deducting more than $75 in administrative fees from a refund;
- Provide that a GAP product may be cancelable or noncancelable after a "free-look period" defined in the bill; and
- Provide that if a termination of a GAP product occurs for a specified reason, the entity may pay any refund directly to the holder or administrator, and deduct the refund amount from the amount owed under the retail installment contract except if such contract has been paid in full.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Banking and Insurance

CS/CS/HB 939— Consumer Protection

by Commerce Committee; Insurance & Banking Subcommittee; Rep. Griffitts and others (CS/CS/CS/SB 1066 by Rules Committee; Judiciary Committee; Banking and Insurance Committee; and Senator Burton)

The bill amends various statutes in the area of consumer protection.

The bill requires third party settlement organizations that conduct transactions involving a payee in Florida to create a mechanism for the sender of the payment to identify whether a transaction is for goods and services or personal transactions. The sender of the payment is responsible for indicating the appropriate transaction type. All third party settlement organizations must maintain records that clearly identify whether a transaction, as designated by the sender of the payment, is a transaction for goods and services or is personal. Section 6050W of the Internal Revenue Code defines "third party settlement organization" as the "central organization which has the contractual obligation to make payment to participating payees of third party network transactions."

The bill creates a right for a residential property owner to cancel a contract to replace or repair a roof without penalty or obligation within 10 days following the execution of the contract or the official start date, whichever comes first, if the contract was entered into based on events that are the subject of a declaration of a state of emergency by the Governor. The residential property owner must send the notice of cancellation to the contractor by certified mail, return receipt requested, or by another form of mailing that provides proof thereof, to the address specified in the contract. A contractor that executes a contract during a state of emergency to replace or repair a roof must include in the contract specified language providing notice of the right of cancellation in bold type of not less than 18 points immediately before the space reserved for the signature of the residential property owner.

For purposes of the Florida Commercial Financing Disclosure Law, the bill expands the definition of "depository institution" to include institutions chartered by another state, territory, or the federal government authorized to do business in Florida and whose deposits or share accounts are insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. The Florida Commercial Financing Disclosure Law requires "providers" to make certain disclosures of the terms of a commercial financing transaction. The definition of "provider" includes a person who enters into a written agreement with a "depository institution" to arrange a commercial financing transaction. Expanding the definition of "depository institution" expands the applicability of the disclosure requirements.

For purposes of an insurer reporting property insurance data to the Office of Insurance Regulation, the bill provides that any certified public accountant who prepares the mandatory annual audit for an insurer must be licensed in Florida and have completed at least 4 hours of insurance-related continuing education within each 2-year continuing education cycle. This requirement becomes effective once the courses have been created.

The bill provides that each public adjuster contract relating to a property and casualty claim must contain the license number of the public adjusting firm.

Regarding notices of change in insurance policy terms sent to a policy holder by an insurer, the bill requires, beginning January 1, 2025, the "Notice of Change in Policy Terms" to be in bold type of not less than 14 points and included as a single page or consecutive pages, as necessary, within the written notice.

Regarding short-term health insurance, the bill provides that the required disclosures in contracts for short-term health insurance must be in writing and signed by the purchaser at the time of purchase. The bill requires additional disclosures regarding duration of the contract, including any waiting period; any essential health benefit that the contract does not provide; the content of coverage; and any exclusion of preexisting conditions. The disclosures must be printed in at least 12-point type and in a color that is readable. A copy of the signed disclosures must be maintained by the issuer for a period of five years after the date of purchase. Disclosures provided by electronic means must include the content required by this provision.

Regarding notices of property insurance claims, the bill provides that a notice of claim from a condominium unit owner resulting from a loss assessment for loss assessment coverage may not occur later than three years after the date of loss and must be made by the later of one year after the date of loss or 90 days after the date on which the condominium association votes to levy the assessment. For purposes of this provision, the date of loss is the date of the covered loss event that created the need for an assessment.

The bill adopts the 2018 edition of the National Fire Protection Association Code for Fireworks Display.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 111-0

Committee on Banking and Insurance

CS/CS/SB 988 — Public Records/My Safe Florida Home Program

by Rules Committee; Banking and Insurance Committee; and Senator Martin

The bill provides that certain information within applications and home inspection reports submitted by applicants as part of the My Safe Florida Home Program to the Department of Financial Services is exempt from s. 119.07(1), F.S., and s. 24(a), Art. I, State Constitution. The information made exempt by the bill is:

- The components of the applicant's mailing address other than the city, zip code, and the addressee's name;
- Any phone number or email address provided by the applicant; and
- Detailed descriptions and pictures of the inside and outside of applicants' homes.

The bill applies the exemption retroactively to applications and home inspection reports submitted before, on, or after the effective date of the exemption.

The bill provides a statement of public necessity as required by the State Constitution. The exemption is necessitated because it is believed that public availability of this information puts participants in the MSFH Program at increased risk of home invasions and reduces privacy in their homes. Such risk may be significantly limited by making such information exempt.

The bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2029, unless the statute is reviewed and reenacted by the Legislature before that date.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 35-1; House 115-0

Committee on Banking and Insurance

CS/CS/CS/HB 989 — Chief Financial Officer

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; Insurance & Banking Subcommittee; and Rep. LaMarca (CS/CS/CS/SB 1098 by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Banking and Insurance Committee; and Senator DiCeglie)

The bill revises provisions of multiple programs within the Department of Financial Services (DFS).

Federal Tax Liaison – The bill establishes the position of Federal Tax Liaison (Liaison) within the DFS. The Liaison, to be appointed by the Chief Financial Officer (CFO), reports directly to the CFO but is not otherwise under the authority of the DFS or of any employee of the DFS. In order to assist Florida's taxpayers, the tax liaison may assist taxpayers by answering taxpayer questions; direct taxpayers to the proper departments or offices within the Internal Revenue Service (IRS) to hasten resolution of taxpayer issues; prepare recommendations for the IRS of any actions that will help resolve problems encountered by taxpayers; provide information about the policies, practices, and procedures that the IRS uses to ensure compliance with the tax laws; and with the consent of the taxpayer, request records from the IRS to assist the liaison in responding to taxpayer inquiries.

Division of Criminal Investigations – The bill renames the Division of Investigative and Forensic Services (DIFS) to the Division of Criminal Investigations (DCI) and deletes provisions relating to the duties of the DIFS and the bureaus and offices in the DIFS. The DCI is designated as a criminal justice agency with the authority to initiate and conduct investigations into matters falling under the jurisdiction of the CFO and the State Fire Marshal. The bill abolishes the Division of Public Assistance Fraud (DPAF). The programs and responsibilities within the DPAF will be moved under the DCI.

Firefighter Cancer Benefits – The bill clarifies that the benefit package that a firefighter diagnosed with cancer meeting certain criteria may elect, as an alternative to workers' compensation, includes "leave time and job retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty."

Special Risk – For purposes of special risk employee classification, the bill replaces references to employees of the Division of State Fire Marshal with employees of the DFS.

Risk Management – The bill repeals a requirement that the Division of Risk Management to prepare quarterly reports of the total amount of salary indemnification benefits paid and the total amount of reimbursements from each agency to the State Risk Management Trust Fund for initial costs each quarter.

Qualified Public Depositories – Regarding qualified public depositories, the bill authorizes the CFO to designate a credit union as a qualified public depository if specified criteria are met, including, complying with requirements that are similar to the requirements that must be

complied with by banks, savings banks, and savings associations. All of the relevant regulatory provisions for qualified public depositories apply to any such designated credit union. The total combined amount of public deposits that may be held by all credit unions is limited to:

- A total combined amount of not more than seven percent of the total funds held in the state treasury.
- A total combined amount of not more than seven percent of all public deposits of any state university or any state college.

A credit union may not hold public deposits of more than ten percent of its total institution's assets.

Workers Compensation – The bill provides for reimbursement for emergency services and care provided when a maximum reimbursement allowance is not available. In such a case, the maximum allowance must be at 250 percent of the Medicare rate, unless there is a contract, in which case the contract governs reimbursement. The bill requires the DFS to engage an actuarial services firm to begin development of maximum reimbursement provisions contained within this section. This provision expires June 30, 2026.

Purchasing by Guaranty Associations – The bill requires purchases and contracts of $100,000 or more entered into by the Florida Self-Insurers Guaranty Association, the Florida Medical Malpractice Joint Underwriting Association, the Florida Insurance Guaranty Association, the Florida Life and Health Guaranty Association, the Florida Health Maintenance Organization Consumer Assistance Plan, and the Florida Workers' Compensation Guaranty Association, entered into after July 1, 2024, must first be approved by the DFS and that all such contracts must be competitively procured and be awarded to the most responsible and responsive vendor.

Board of Funeral, Cemetery, and Consumer Services – Relating to the Board of Funeral, Cemetery, and Consumer Services (Board), the bill provides that:

- The CFO is to appoint Board members, rather than the Governor, and such appointments are subject to Senate confirmation;
- One of the funeral director members of the Board no longer must own or operate an approved incinerator facility;
- Board members may be reappointed but may not serve for more than eight consecutive years;
- Specifies the State Health Officer shall serve so long as that person holds office; however, the designee of the State Health Officer shall serve at the pleasure of the CFO;
- Provides the CFO may remove any board member for malfeasance or misfeasance, neglect of duty, incompetence, substantial inability to perform official duties, commission of a crime, or other substantial cause as determined by the CFO to evidence a lack of fitness to sit on the Board. Any vacancy created by a board member's resignation shall be filled by the CFO;
- Members of the Board are subject to the code of ethics under ch. 112, part III , F.S.;
- A Board member may not vote on any measure that would inure to his or her special private gain or loss;

- A Board member may not knowingly accept any gift or expenditure from a person or entity, or an employee or representative of such person or entity, which has a contractual relationship with the DFS or Board, which is under consideration for a contract, or is licensed by the DFS;
- Board members who fail to comply with the code of ethics are subject to penalties provided under ss. 112.317 and. 112.3173, F.S.
- All meetings of the Board are subject to the open meeting requirements of s. 286.011, F.S., and all books and records of the Board are open to the public for reasonable inspection except as otherwise provided by law; and
- Except for emergency meetings, the DFS must give notice of any Board meeting by publication on the DFS website at least seven days before the meeting. The DFS must publish its agenda at least seven days before the meeting. The agenda must contain the items to be considered in order of presentation. After the agenda has been made available, a change may be made only for good cause.

The bill revises disciplinary procedures and penalties under the Board to provide that if service of an administrative complaint or citation on a licensee by certified mail cannot be obtained at the last address provided to the DFS by the licensee, then service may be made by e-mail, delivery receipt required, sent to the most recent e-mail address provided to the DFS by the licensee in accordance with s. 497.146, F.S. The bill provides for public disclosure of an investigative file if the department issues an emergency order.

Human Remains – Relating to storage, preservation, and transportation of human remains, the bill provides:

- In the event of an emergency situation, including abandonment of any establishments or facilities licensed under ch. 497, F.S., or any medical examiner's facility, morgue or cemetery holding facility, the DFS may enter and secure such establishment, facility, or morgue during or outside normal business hours;
- The DFS may remove human remains and cremated remains from the establishment, facility, or morgue;
- The DFS is authorized to determine if a facility is abandoned and if there is an emergency situation;
- A licensee or licensed facility that accepts transfer of human remains and cremated remains from the DFS pursuant to an emergency situation or determination of abandonment, will not be held liable for their condition at the time of transfer; and
- That it is a third-degree felony to hold a dead human body over 24 hours without refrigeration or otherwise preserving the body until final disposition, or to fail to cover human remains that are being transported or stored and treat the remains with dignity and respect.

Pre-Need Contracts – Relating to fulfillment of pre-need contracts, the bill provides:

- Upon delivery of merchandise or performance of services in fulfillment of a preneed contract, either in part of in whole, a preneed licensee may withdraw the amount

deposited in trust plus income earned on such amount for the merchandise delivered or services performed, when adequate documentation is submitted to the trustee;
- That certain documentation is proof that a preneed funeral contract has been fulfilled; and
- A preneed licensee shall maintain documentation that supports fulfillment of a particular contract until such time as the records are examined by the DFS.

Division of Consumer Services – The bill requires eligible surplus lines insurers to respond, in writing or electronically, to the Division of Consumer Services within the DFS within 14 days after receipt of a written request from the Division for documents and information concerning a consumer complaint. This section of the bill also requires authorized insurers and eligible surplus lines insurers to file e-mail addresses with the DFS to which requests for response to consumer complaints may be directed. The insurer must designate a contact person for escalated complaint issues and must provide the name, e-mail address, and telephone number of the contact person.

Licensure Requirements – The bill requires the DFS to make provisions for applicants to submit cellular telephone numbers as part of the application process on a voluntary basis for purposes of two-factor authentication of login credentials only. A separate bill, SB 1078 (2024), proposes to exempt these phone numbers from public records requirements.

The bill adds "Registered Claims Adjuster (RCA) from American Insurance College" to the list of individuals exempted from the examination requirement to become an agent or public adjuster.

The bill allows the DFS to disclose confidential investigative information to the subject of an investigation, or the subject's representative, in order to review the details of the investigation.

The bill adds the designation of "Chartered Customer Service Representative (CCSR) from American Insurance College" to the list of criteria for applicants to qualify as a customer representative.

The bill requires a licensed public adjuster to identify themselves in any advertisements, solicitations or written documents based on the adjuster appointment type held. The bill also provides that an adjuster who has had his or her license revoked or suspended may not participate in any part of an insurance claim or in the insurance claim adjusting process. A person who provides these services while the person's license is revoked or suspended acts as an unlicensed adjuster.

The bill provides that a general lines agent, while licensed as a surplus lines agent, may appoint licenses with a single surplus license agent appointment pursuant to s. 624.501, F.S. Such an appointed agent may only originate surplus lines business and accept surplus lines business from other originating Florida-licensed general lines agents appointed and licensed as to the kinds of insurance involved and may compensate such agent. Such agent may not be appointed by or transact general lines insurance on behalf of an admitted insurer.

State Fire Marshal – Regarding the State Fire Marshal, the bill:

- Adopts the National Fire Protection Association, Inc., Standard 1126, 2021 Edition, Standard for the Use of Pyrotechnics before a Proximate Audience;
- Amends s. 633.202, F.S., relating to the Florida Fire Prevention Code to provide that the State Fire Marshal may not adopt an accessibility code, since accessibility is provided for under the Florida Building Code Americans with Disabilities Act (ADA) accessibility code; and
- Amends s. 633.206, F.S., to require the DFS to establish uniform fire safety standards for mobile food dispensing vehicles and energy storage systems.

Motor Vehicle Service Agreements – Regarding motor vehicle service agreement companies, the bill:

- Amends s. 634.041, F.S., to allow motor vehicle service agreement companies to utilize multiple contractual liability insurance policies when backing their financial obligations; and
- Amends s. 634.081, F.S., to allow motor vehicle service agreement companies to utilize multiple contractual liability insurance policies when backing their financial obligations.

Home Warranty Associations – Regarding home warranty associations (associations), the bill amends s. 634.3077, F.S., to provide that an association is not required to establish an unearned premium reserve or maintain contractual liability insurance and may allow its premiums to exceed the ratio to net assets limitation if the association complies with the following:

- The association or, if the association is a direct or indirect wholly owned subsidiary of a parent corporation, its parent corporation has, and maintains at all times, a minimum net worth of at least $100 million and provides the OIR with the following:
  - A copy of the association's annual audited financial statements or the audited consolidated financial statements of the association's parent corporation, prepared by an independent certified public accountant in accordance with generally accepted accounting principles, that clearly demonstrate the net worth of the association or its parent corporation to be $100 million, and a quarterly written certification to the OIR that the association or its parent corporation continues to maintain the net worth required under this paragraph; and
  - The association's or its parent corporation's Form 10-K, Form 10-Q, or Form 20-F as filed with the United States Securities and Exchange Commission, or such other documents required to be filed with a recognized stock exchange, which shall be provided on a quarterly and annual basis within 10 days after the last date each such report must be filed with the Securities and Exchange Commission, the National Association of Security Dealers Automated Quotation system, or other recognized stock exchange.
- If the net worth of a parent corporation is used in lieu of the establishment of an unearned premium reserve or the maintenance of contractual liability insurance to satisfy the net worth requirements, the following must be met:
  - The parent corporation must guarantee all service warranty obligations of the association, wherever written, on a form approved in advance by the OIR;

- A cancellation, termination, or modification of the guarantee does not become effective unless the parent corporation provides the OIR written notice at least 90 days before the effective date of the cancellation, termination, or modification and the OIR approves the request in writing;
- Before the effective date of the cancellation, termination, or modification of the guarantee, the association must demonstrate to the satisfaction of the OIR compliance with all applicable provisions of this part, including whether the association will meet the requirements of this section by the purchase of contractual liability insurance, establishing required reserves, or other method allowed under this section;
- If the association or parent corporation does not demonstrate to the satisfaction of the OIR compliance with all applicable provisions of this part, the association or parent association shall immediately cease writing new and renewal business upon the effective date of the cancellation, termination, or modification; and
- The association must maintain at all times net assets of at least $750,000.

The bill exempts a municipality, a county government, a special district, an entity operated by a municipality or county government, or an employee or agent of a municipality, county government, special district, or entity operated by a municipality or county government from home warranty association licensing and appointment requirements.

Bail Bonds – Regarding the regulation of bail bonds, the bill:

- Defines "referring bail bond agent" to mean the limited surety agent who is appointed with the surety company issuing the transfer bond that is to be posted in a county where the referring limited surety agent is not registered. The referring bail bond agent is the appointed agent held liable for the transfer bond, along with the issuing surety company; and
- Defines "transfer bond" to mean the appearance bond and power of attorney form posted by a limited surety agent who is registered in the county where the defendant is being held in custody.
- Provides that the papers, documents, reports, or any other records of an investigation (related to bail bond regulation) by the DFS that are made confidential and exempt from the public records law until such investigation is completed or ceases to be active, are not confidential and exempt once the DFS or the OIR files a formal administrative complaint, emergency order, or consent order against the individual or entity.
- Provides that the confidential and exempt investigative records may be disclosed to the subject of the investigation, or the subject's representative, in order to review the details of the investigation.
- Provides that bail bond agents are not required to be employed with a bail bond agency.
- Removes the requirement of the submission of a full face photograph with a limited surety's or bail bond agent's application for license.

Financial Institution Unsafe and Unsound Practices –Regarding financial institutions, the bill:

- Clarifies the definition of "unsafe and unsound practices" in the financial institutions codes, to include the suspension or termination of a customer's or member's services on a specified basis, such as political opinions, religious beliefs, or non-quantitative standard.
- Provides the process that must be complied with following a complaint for unsafe and unsound practices being submitted by a customer or member of a financial institution, including:
  - Requiring the Office of Financial Regulation (OFR) to notify a financial institution that a complaint has been made;
  - Requiring such financial institution, unless precluded by law, to file a complaint response report with the OFR within 90 calendar days of receiving notice from the OFR;
  - Requiring an investigation to begin within 90 days of receiving notice; and
  - Requiring that OFR must provide an investigation report, unless precluded by law, to the complaining party and the financial institution and, if there is a violation, to the DFS and the proper enforcing authority under the Florida Unfair and Deceptive Trade Practices Act.
- If the complaint response report indicates that the financial institution took action due to suspicious activity, the initial investigation by the OFR must be handled in accordance with s. 655.50, F.S. If the OFR determines that the financial institution's action was taken without any basis under s. 655.50, F.S., the OFR must continue to investigate and determine whether the financial institution engaged in unsafe and unsound practices in violation of s. 655.0323(2), F.S. The Financial Services Commission is authorized to adopt rules to administer the provisions.

Unclaimed Property – The bill substantially revises the Florida Disposition of Unclaimed Property Act (Act). The bill:

- Provides or revises definitions for the following terms: "audit;" "audit agent;" "banking organization;" "business association;" "claimant's representative;" "domicile;" "due diligence;" "electronic;" "financial organization;" "holder;" "intangible property," to include virtual currency; "owner;" "person;" "record;" "unclaimed property purchase agreement;" "unclaimed property recovery agreement;" and "virtual currency." The bill repeals the definition of "ultimate equitable owner."
- Provides that a presumption that property is unclaimed is rebutted by an apparent owner's expression of interest in the property. The bill specifies actions that constitute an owner's expression of interest in property, including any action by the apparent owner which reasonably demonstrates to the holder that the apparent owner knows that the property exists.
- Provides that any virtual currency held or owing by a banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity is presumed unclaimed unless the owner, within five years, has communicated in writing with the banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity concerning the virtual currency or otherwise indicated an interest as evidenced by a memorandum or other record on file with the

banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity; and

- Provides that a holder may not deduct from the amount of any virtual currency held subject to the Act any charges imposed by reason of the failure to present the instrument for encashment unless there is a valid and enforceable written contract between the holder and the owner of the instrument pursuant to which the holder may impose those charges and does not regularly reverse or otherwise cancel those charges with respect to the instrument.
- Provides that stock or other equity interest in a business association is presumed unclaimed on the date of the earliest of the following:
  - Three years after the most recent of any owner-generated activity or communication related to the account, as recorded and maintained in the holder's database and records systems sufficient enough to demonstrate the owner's continued awareness or interest in the property;
  - Three years after the date of the death of the owner, as proven by certain evidence; or
  - One year after the date on which the holder receives notice of the owner's death, if the notice is received two years or less after the owner's death and the holder lacked knowledge of the owner's death during that period of two years or less.
- Provides that intangible property held in a fiduciary capacity for the benefit of another person is presumed unclaimed unless the owner has within five years after it has become payable or distributable increased or decreased the principal, accepted payment of principal or income, communicated, in writing, concerning the property, or otherwise indicated an interest as evidenced by a memorandum or other record on file with the fiduciary; provides that the provisions in that section do not relieve a fiduciary of its duties under the Florida Trust Code.
- Effective January 1, 2025, requires holders to report owner or account information for unclaimed property valued at $10 or more to the DFS, rather than the current threshold of $50, and that such reporting be made electronically.
- Provides that the required written notice to the apparent owner of unclaimed property must identify the property and any fixed value of the property, that the property will be turned over to the DFS if no response is received within 30 days of the notice, that such property (if not United States legal tender) may be sold or liquidated by the DFS, and what the apparent owner must do to obtain the property from the holder or, once the property is turned over to the DFS, from the DFS.
- Provides that virtual currency reported on the annual report must be remitted to the DFS with the report. The holder must liquidate the virtual currency within 30 days before the filing of the report and remit the proceeds to the DFS. Upon delivery of the proceeds, the holder is relieved of all liability for any losses or damages resulting by the delivery of the virtual currency proceeds.
- Provides a holder may not assign or otherwise transfer its obligation to report, pay, or deliver property or to comply with the provisions of this chapter, other than to a parent, subsidiary, or affiliate of the holder. Unless otherwise agreed to by the parties to a transaction, the holder's successor by merger or consolidation, or any person or entity that acquires all or substantially all of the holder's capital stock or assets, is responsible

for fulfilling the holder's obligations under the chapter. A holder is not prohibited from contracting with a third party for the reporting of unclaimed property, but the holder remains responsible for the complete, accurate, and timely reporting of the property.

- Provides that a holder's substantial compliance with the written notice requirements of s. 717.117(6), F.S., and good faith payment or delivery of property terminates any legal relationship between the holder and the owner and releases the holder from liability that may arise from such payment or delivery, and such delivery and payment may be pled as a defense in any suit or action brought by reason of such delivery or payment. This provision does not relieve a fiduciary of duties under the Florida Trust Code or Florida Probate Code. If the holder delivers property to the DFS in good faith and thereafter any other person or state claims the property, the DFS must defend the holder against the claim and indemnify the holder against any liability on the claim, except that a holder may not be indemnified against penalties imposed by another state. The bill provides a payment or delivery of property is made in good faith if:
  - The payment or delivery was made in conjunction with an accurate and acceptable report;
  - The payment or delivery was made in a reasonable attempt to comply with the chapter and other applicable Florida law;
  - The holder had a reasonable basis for believing, based on the facts then known, that the property was unclaimed and subject to this chapter; and
  - There is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.
- If it appears to the DFS that, because of mistake of fact or error, a person has delivered to the DFS any property not required to be so delivered, the DFS may, within five years after such erroneous payment or delivery, refund or redeliver such money or other property to the person, provided that such money or property has not been paid or delivered to a claimant or otherwise disposed of in accordance with the chapter.
- Includes devisee, heir, personal representative, or other interested person of an estate among those persons who must file a claim with the DFS for any interest in unclaimed property.
- Increases the threshold for small estate accounts to be accompanied with a signed affidavit from $10,000 to $20,000.
- Provides that the ten-year period of limitation on the DFS to enforce the provisions of the chapter is tolled by the earlier of the DFS's or audit agent's delivery of a notice that a holder is subject to an audit or examination or the holder's written election to enter into an unclaimed property voluntary disclosure agreement.
- Revises the enforcement powers of the DFS to include the authority to:
  - Investigate, examine, inspect, request, or otherwise gather information or evidence on claim documents from a claimant or a claimant's representative during its review of a claim;
  - Audit the records of a person or the records in the possession of an agent, representative, subsidiary, or affiliate of the person subject to the chapter to determine whether the person complied with the chapter. Such records may include information

to verify the completeness or accuracy of the records provided, even if such records may not identify property reportable to the DFS;
  - Take testimony of a person, including the person's employee, agent, representative, subsidiary, or affiliate, to determine whether the person complied with the chapter;
  - Issue an administrative subpoena to require that certain records be made available for examination or audit and that certain testimony be provided;
  - Bring an action in a court of competent jurisdiction seeking enforcement of an administrative subpoena issued under the enforcement authority of the DFS; and
  - Bring an administrative action or an action in a court of competent jurisdiction to enforce the Act.
  - If a person is subject to reporting property under the Act, the DFS may require the person to file a verified report that:
    - States whether the person is holding property reportable under the Act;
    - Describes the property not previously reported, the property about which the DFS has inquired, or the property that is in dispute as to whether it is reportable under; and
    - States the amount or value of the property.
  - The DFS may authorize a compliance review of a report for a specified reporting year that is limited to the contents of the report filed and all supporting documents. If the review results in a finding of a deficiency in unclaimed property due and payable, the DFS must notify the holder in writing of the amount of deficiency within one year after the authorization of the compliance review. If the holder fails to pay the deficiency within 90 days, the DFS may seek to enforce the assessment under subsection (1). The DFS is not required to conduct a review under this section before initiating an audit.
- Clarifies in a contract providing for the location or collection of unclaimed property, the DFS may authorize the contractor to deduct its fees and expenses for services provided under the contract from the unclaimed property that the contractor has recovered or collected under the contract. The DFS must annually report to the CFO the total amount collected or recovered by each contractor during the previous fiscal year and the total fees and expenses deducted by each contractor.
- Provides if any material obtained during an investigation or examination contains a holder's financial or proprietary information, such information may not be disclosed or made public after the investigation or audit is completed, except as required by a court of competent jurisdiction in the course of a judicial proceeding in which the state is a party, or pursuant to an agreement with another state allowing joint audits. Any such material may be considered a trade secret and exempt from the public records law.
- Provides the fee for the costs of the investigation or audit shall be remitted to the DFS within 30 days after the date of notification the fee is due and owing and allows the DFS to charge interest at the rate of 12 percent per annum.
- Increases the duration holders must retain records of unclaimed property from five to 10 years.
- Removes the requirement that a person must be registered with the DFS in order to purchase unclaimed property.

- Provide the penalties only apply to willful violations the Act.
- Removes the threshold of $2,000 or less for agreements that may be signed electronically, allowing all such agreements to be signed electronically.
- Provides that the recovery agreements provisions do not apply to the sale and purchase of Florida-held unclaimed property accounts through a bankruptcy estate representative or other person or entity authorized pursuant to Title 11 of the United States Code or an order of a bankruptcy court to act on behalf of or for the benefit of the debtor, its creditors, and its bankruptcy estate.

Florida Birth-Related Neurological Injury Compensation Association – Regarding the Florida Birth-Related Neurological Injury Compensation Association (NICA), the bill:

- Revises the definition of "Family residential or custodial care" to remove an exclusion that the award of family residential or custodial care is not to be included in current estimates for purposes of assessments;
- Removes the exclusion of 20 percent of the asset value from the calculation of assets and liabilities to provide that if the total of all current estimates equals or exceeds 100 percent (presently, it is 80 percent) of the funds on hand and the funds that will become available within the next 12 months, the association may not accept any new claims without express authority from the Legislature; and
- Requires NICA, in consultation with the Office of Insurance Regulation and the Agency for Health Care Administration, to provide a report to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2024. The report must include recommendations for:
  - Defining actuarial soundness for the association, including options for phase-in, if appropriate;
  - Timing of reporting actuarial soundness and to whom it should be reported; and
  - Ensuring a revenue level to maintain actuarial soundness, including options for phase-in, if appropriate.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 35-3; House 92-9

Committee on Banking and Insurance

CS/CS/CS/HB 1029 — My Safe Florida Condominium Pilot Program

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; Insurance & Banking Subcommittee; and Reps. Lopez, V., Hunschofsky, and others (CS/CS/SB 1366 by Appropriations Committee; Banking and Insurance Committee; and Senators DiCeglie and Pizzo)

The bill creates the My Safe Florida Condominium Pilot Program (Program) within the Department of Financial Services (DFS), to provide hurricane mitigation inspections and hurricane mitigation grants to eligible condominium associations. Implementation of the Program is subject to annual legislative appropriations. Under the Program, the DFS must provide fiscal accountability, contract management, and strategic leadership for the Program.

The bill provides, to condominium associations with condominium property within 15 miles of the coastline, a program similar to that of the My Safe Florida Home Program (MSFH) for owners of site-built, single-family, residential properties regarding requirements for participation, hurricane mitigation inspectors and inspections, eligibility for mitigation grants, contract management by the DFS, and required annual reports.

The bill places specific limits on grant awards. The limit for roof-related projects is set at $11 per square foot times the square feet of the replacement roof, limited to $1,000 per unit, and the maximum grant contribution is limited to 50 percent of the project. The limit for opening protection-related projects grant contribution is a maximum of $750 per replacement window, not to exceed $1,500 per unit, and a maximum grant contribution of 50 percent of the project. The bill provides that an association may receive grant funds for both roof-related and opening protection-related projects, but the maximum grant contribution is limited to $175,000 per association.

The bill provides that the DFS may not accept grant applications or maintain a waiting list for grants after the cumulative value of the grants awarded have fully obligated the appropriation, unless the Legislature provides express authority otherwise.

The bill requires the DFS to adopt rules to govern the program; to govern hurricane mitigation inspections and grants, mitigation contractors, and training of inspectors and contractors; and to carry out its duties under the Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 116-0

Committee on Banking and Insurance

CS/HB 1031 — Debt Relief Services

by Insurance & Banking Subcommittee and Rep. Buchanan (CS/SB 1074 by Banking and Insurance Committee and Senator Calatayud)

The bill adds an exception to the provisions of credit counseling services under ch. 817, part IV, F.S., for telemarketers and sellers who:

- Provide debt relief services within the scope of the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. ss. 6101-6108, and the Telemarketing Sales Rule (TSR), 16 C.F.R. part 310;
- Are required to comply with such federal regulation; and
- Do not receive from the debtor or disburse to a creditor any money or other thing of value, in accordance with the second prong of the definition of "debt management services" under s. 817.801(4)(b), F.S.

The terms "telemarketer," "seller," and "debt relief service" have the same meaning as the definitions in the TSR, which provides:

- "Telemarketer means any person who, in connection with telemarketing, initiates or receives telephone calls to or from a customer or donor."
- "Seller means any person who, in connection with a telemarketing transaction, provides, offers to provide, or arranges for others to provide goods or services to the customer in exchange for consideration."
- "Debt relief service means any program or service represented, directly or by implication, to renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a person and one or more unsecured creditors or debt collectors, including, but not limited to, a reduction in the balance, interest rate, or fees owed by a person to an unsecured creditor or debt collector."

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 119-0

Committee on Banking and Insurance

SB 1078 — Public Records/Cellular Telephone Numbers Held by the Department of Financial Services

by Senator DiCeglie

The bill exempts from public records inspection and copying requirements cellular telephone numbers voluntarily submitted to the Department of Financial Services (DFS) as part of the application process for licensure for the purpose of two-factor authentication of login credentials.

Legislation filed this legislative session, CS/CS/CS/HB 1098, requires the DFS to allow licensure applicants to voluntarily submit cellular telephone numbers to the DFS during the application process for the purpose of two-factor secure login authentication. Such applicants include insurance agents, insurance agencies, managing general agents, insurance adjusters, reinsurance intermediaries, viatical settlement brokers, customer representatives, service representatives, and agencies.

The bill provides a statement of public necessity as required by the State Constitution. According to the public necessity statement contained in the bill, the exemption from public records inspection and copying requirements is necessary because the unintentional publication of such information may subject the filer to identity theft, financial harm, or other adverse impacts. Without the public records exemption, the effective and efficient administration of the electronic filing system, which is otherwise designed to increase the ease of filing records, would be hindered.

The bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2029, unless the statute is reviewed and reenacted by the Legislature before that date.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 112-0

Committee on Banking and Insurance

CS/HB 1347 — Consumer Finance Loans

by Commerce Committee and Rep. Brackett (CS/SB 1436 by Appropriations Committee on Agriculture, Environment, and General Government and Senator Burton)

The bill revises laws governing consumer finance loans, which are loans of $25,000 or less for which a lender charges an interest rate greater than 18 percent per annum. The Florida Consumer Finance Act in ch. 516, F.S., provides an exemption from Florida's prohibition against usurious contracts, under which any interest rate greater than 18 percent per annum is prohibited.

The bill increases the maximum limits of consumer finance loan interest rates to no more than 36 percent per annum, computed on the first $10,000 of the principal amount; 30 percent per annum on that part of the principal amount exceeding $10,000 and up to $20,000; and 24 percent per annum on that part of the principal amount exceeding $20,000 and up to $25,000.

The bill increases the number of days a payment must be in default before a delinquency charge may be imposed from 10 days in default to 12 days in default.

The bill revises the licensure process to allow a single licensure application for the principle place of business and all branches. The bill defines a "branch" as any location, other than a licensee's principal place of business, at which a licensee operates or conducts consumer finance loan business or controls for the purpose of conducting consumer finance loan business.

The bill requires consumer finance lenders, in any county designated in a Federal Emergency Management Agency (FEMA) major disaster declaration, to suspend for 90 days after the initial date of such declaration, the following:

- The application of delinquency charges for payments in default for at least 12 days;
- Repossessions of collateral pledged to a consumer finance loan; and
- The filing of civil actions for the collection of amounts owed under a consumer finance loan.

The bill also requires consumer finance lenders to:

- Provide notice to the Office of Financial Regulation (OFR) of any assistance program offered by the lender to borrowers impacted by a disaster subject to a FEMA major disaster declaration;
- Offer a free credit education program or seminar to borrowers at the time a loan is made; and
- Annually report to the OFR information detailing loans issued by the lender during the previous calendar year.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 21-18; House 104-10

Committee on Banking and Insurance

CS/CS/HB 1503 — Citizens Property Insurance Corporation

by Commerce Committee; Insurance & Banking Subcommittee; and Rep. Esposito and others (CS/CS/SB 1716 by Fiscal Policy Committee; Banking and Insurance Committee; and Senator Boyd)

The bill allows surplus lines insurers meeting certain criteria and approved by the Office of Insurance Regulation (OIR) to submit take-out offers on personal lines residential risks insured by Citizens, or for which Citizens has received an application for coverage, if such risks are not primary residences or do not have a valid homestead exemption under ch. 193, F.S. A "primary residence" is defined as a dwelling that is the policyholder's primary home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than nine months of each year.

A take-out offer from an approved surplus lines insurer will only render a Citizens policyholder ineligible for Citizens if the premium offered does not exceed the Citizens premium on comparable coverage by more than 20 percent; this is the standard that applies to take-out offers from authorized insurers. Only surplus lines insurers that are approved to participate by the OIR may make participate in the take-out program. To obtain approval, the surplus lines insurer must apply to the OIR to participate in the take-out process, provide data to the OIR related to coverage and rates, and file rates for review with the OIR for the take-out offer. The surplus lines insurer must also meet certain criteria such as having an "A-" financial strength rating from A.M. Best and having a personal lines residential risk program that is managed by a Florida resident surplus lines broker.

The bill revises the Citizens eligibility requirement that certain personal lines residential risks must maintain flood insurance, by requiring flood insurance only on the dwelling. This provision is effective upon the bill becoming law.

The bill makes statutory changes to facilitate the transition of Citizens Property Insurance Corporation from an organizational structure where Citizens policies are held in three different accounts (a personal lines account, commercial account, and a coastal account) to a structure where all Citizens policies are held in a single account (the Citizens account). A primary benefit of a single-account structure is that it eliminates the possibility of a Citizens account experiencing a deficit necessitating policyholder surcharges and emergency assessments while one of Citizens' other accounts has surplus funds.

The bill provides that only licensed agents holding appointments by at least three authorized insurers that are actually writing or renewing property insurance in this state may be appointed by Citizens as its licensed agents. Current law requires the agent to hold an appointment by only one such insurer.

The bill also:

- Revises the signed acknowledgment of potential policyholder surcharge and assessment liability that agents must obtain from an applicant for Citizens coverage for the purpose of conforming the revised surcharge and assessment liabilities associated with the reorganization of Citizens into a single account;
- Provides that the executive director of Citizens is the agency head of Citizens for purposes of procurement bid protests under s. 287.057, F.S., and authorizes the executive director to appoint a designee to act on his or her behalf for all purposes under the that statute;
- Deletes language prohibiting the application of the Division of Administrative Hearing's bond requirements related to Citizens bid protest hearings;
- Allows licensed surplus lines agents access to confidential and exempt claims files for the purpose of considering whether to write a risk currently insured by Citizens;
- Authorizes Citizens to share its claims data with the National Insurance Crime Bureau (NICB), so long as the NICB maintains the confidentiality of certain documents;
- Authorizes Citizens to acquire patents, trademarks, and copyrights on work products and take action to enforce its rights therein; and
- Makes technical and clarifying changes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.
Vote: Senate 40-0; House 113-0

Committee on Banking and Insurance

CS/HB 1569 — Exemption from Regulation for Bona Fide Nonprofit Organizations

by Insurance & Banking Subcommittee and Rep. Grant and others (CS/SB 514 by Banking and Insurance Committee and Senators Boyd and Stewart)

The bill exempts from the regulations under ch. 494, F.S., a bona fide nonprofit organization and any employee thereof who acts as a loan originator only with respect to his or her work duties and only with respect to residential mortgage loans with terms that are favorable to the borrower. This exemption is substantially similar to the exemption permitted under the federal Secure and Fair Enforcement for Mortgage Licensing Act (S.A.F.E. Act) except that the exemption in the bill also covers the bona fide organization (not only the employee of such organization.)

The bill also:

- Provides that the Office of Financial Regulation (OFR) must determine whether an organization satisfies all of the following factors to be deemed a bona fide nonprofit organization:
  - Has the status of a tax-exempt organization under s. 501(c)(3), of the Internal Revenue Code.
  - Promotes affordable housing or provides homeownership education or similar services.
  - Conducts its activities in a manner that serves public or charitable purposes rather than commercial purposes.
  - Receives funding and revenue and charges fees in a manner that does not incentivize it or its employees to act other than in the best interests of its clients.
  - Compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients.
  - Provides or identifies for the borrower residential mortgage loans with terms favorable to the borrower and comparable to mortgage loans and housing assistance provided under government housing assistance programs.
- Requires the OFR to determine that the terms of residential mortgage loans provided to or identified for the borrower are consistent with loan origination in public or charitable context, rather than a commercial context.
- Requires the OFR to periodically examine the books and activities of the organization and revoke its status if the organization does not continue to meet the requirements.

The bill expands the Financial Services Commission's rulemaking authority to prescribe criteria and processes for determining whether an organization is and remains a bona fide nonprofit organization for the purpose of determining whether the organization and its employees acting as loan originators may be exempt from regulation under ch. 494, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Banking and Insurance

CS/CS/HB 1611 — Insurance

by Commerce Committee; Insurance & Banking Subcommittee; and Rep. Stevenson and others (CS/CS/SB 1622 by Fiscal Policy Committee; Banking and Insurance Committee; and Senators Trumbull and Perry)

The bill revises various provisions relating to the Office of Insurance Regulation (OIR).

Residential Property Insurance Reporting

The bill requires each insurer and insurer group, beginning January 1, 2025, to file the required personal and commercial lines residential property insurance supplemental reports to the annual report monthly, rather than quarterly, and to provide such information broken down by zip code rather than by county.

The bill provides the Financial Services Commission authority to adopt rules to administer provisions that require any insurer planning to nonrenew more than 10,000 residential property insurance policies in this state within a 12-month period to give the OIR at least 90 days written notice before issuing notices of nonrenewal.

Public Housing Self-Insurance Funds

Regarding public housing self-insurance funds, the bill specifies that reinsurance may be used as part of its program to protect the financial stability of the fund. The bill provides that a continuing program of excess insurance coverage and reinsurance must:

- Include a net retention in an amount and manner selected by the administrator, ratified by the governing body, and certified by a qualified actuary;
- Include reinsurance or excess insurance from authorized insurance carriers or eligible surplus lines insurers; and
- Be certified by a qualified and independent actuary as to the program's adequacy.

The bill eliminates a requirement that the program retain a per-loss occurrence that does not exceed $350,000.

Cancellation or Nonrenewal of Surplus Lines Residential Property Insurance Policies

Regarding notices of cancellation or nonrenewal by surplus lines insurers, the bill provides:

- Upon a declaration of an emergency pursuant to s. 252.36, F.S., and the filing of an order by the Commissioner of Insurance Regulation, a surplus lines insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering a dwelling or residential property which has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency for a period of 90 days after the dwelling or residential property has been repaired. A dwelling or residential property is deemed to be repaired when substantially completed and restored

to the extent that the dwelling or residential property is insurable by another insurer that is writing policies in the area;

- Exceptions allowing the surplus lines insurer to cancel the policy:
  - Upon 10 days notice for nonpayment of premium.
  - Upon 45 days notice:
    - For a material misstatement or fraud;
    - If the insurer determines the insured has unreasonably caused a delay in repairs;
    - If the insurer or its agent makes a reasonable written inquiry to the insured as to the status of repairs, and the insured fails within 30 calendar days to provide a response; or
    - If the insurer has paid policy limits;
- If the insurer elects to nonrenew a policy covering a property that has been damaged, the insurer must provide at least 90 day notice to the insured that the insurer intends to nonrenew the policy 90 days after the dwelling or residential property has been repaired;
- Other than the specified limitations proscribed within this section, the insurer may cancel or nonrenew the policy 90 days after the repair is completed for the same reasons the insurer would have otherwise canceled or nonrenewed the policy; and
- The Financial Services Commission may adopt rules, and the Commissioner of the Office of Insurance Regulation may issue orders, necessary to implement this requirement.

Residential Property Insurance Ratemaking

Regarding rate standards for residential property insurance, the bill provides that if an averaged model is used in ratemaking, the same averaged model must be used throughout this state. If a weighted average is used, the insurer must provide the OIR with an actuarial justification for using the weighted average which shows that the weighted average results in a rate that is reasonable, adequate, and fair.

Regarding coverage under the Citizens Property Insurance Corporation (Citizens), the bill repeals provisions that allow Citizens to apply a different rate methodology to policies which, immediately prior to being insured by Citizens, were insured by an insurer determined by the OIR to be unsound or that was placed in receivership. Rates for such policies, if they cover a primary residence, will be subject to the Citizens rate "glidepath" which will restrict rate increases to 13 percent for 2024, rather than a prohibition on rate decreases and a limit of 50 percent on rate increases at issuance at renewal. If such policies do not cover a primary residence, the prohibition on rate decreases and the 50 percent limit on rate increases will apply.

Roof Inspections

The bill provides that a licensed roofing contractor is considered an "authorized inspector" for purposes of s. 672.7011(5), F.S., to provide roof inspections to determine if an insurer may require the replacement of a roof that is at least 15 years old as a condition of continuing to provide homeowner's property insurance for a risk.

Insurance Holding Company System Model Regulation

The bill amends s. 628.801, F.S., to provide that the Financial Services Commission may adopt rules for the filing of the annual enterprise risk report by an authorized insurer that is a member of an insurance holding company in accordance with the Insurance Holding Company System Regulatory Act and the Insurance Holding Company System Model Regulation of the National Association of Insurance Commissioners (NAIC), as adopted in December 2020.

Reciprocal Insurers

Regarding the regulation of reciprocal insurers, the bill substantially rewrites provisions regulating reciprocal insurers.

Investigations and Examinations – The bill specifies that for any proposed reciprocal insurer the OIR may investigate various aspects of the reciprocal insurer's attorney in fact, members of its subscribers' advisory committee or officers of its attorney in fact, and stockholders and directors of any attorney in fact of the reciprocal insurer. The OIR may also conduct market conduct examinations of the attorney in fact of each reciprocal insurer.

Fiduciary Duty – The bill provides that an attorney in fact has a fiduciary duty to the subscribers of the reciprocal insurer.

Definitions – The bill defines the terms "affiliated person," "attorney in fact," "controlling company," and "reciprocal insurer."

Permit Applications – The bill requires that a reciprocal insurer application must include certain information, including the name of the proposed reciprocal insurer and location of its principal office, the kinds of insurance it proposes to transact, the names and addresses of the original subscribers, certain information about the proposed attorney in fact, the articles of incorporation and bylaws, certain information about the subscribers' advisory committee, a copy of the proposed subscribers' agreement, and a copy of each form the insurer proposes to use.

A permit application as a domestic reciprocal insurer must include certain information, including required documents and a copy of the required bond, statements affirming that all moneys not payable to the attorney in fact will be held in the name of the insurer and for the purposes specified in the subscribers' agreement, and a statement that each original subscriber has in good faith applied for insurance and the insurer received the full premium or premium deposit for such coverage for at least a six month term.

To maintain its eligibility for a certificate of authority, a domestic reciprocal insurer must continue to meet all conditions required under the chapter and the rules for the initial applications for a permit and certificate of authority.

Fiduciary Duty – The bill provides that the attorney in fact has a fiduciary duty to the subscribers of the reciprocal insurer.

Acquisitions – The bill provides the following requirements regarding the acquisition of 10 percent or more of a reciprocal insurer:

- A person may not acquire 10 percent or more of the outstanding voting securities of an attorney in fact unless the OIR approves the acquisition after notice of the acquisition is provided to the OIR, the attorney in fact, the subscribers' advisory committee (which must then notify the subscribers regarding how to object to the acquisition), and the domestic reciprocal insurer.
- The requirements do not apply to any acquisition of voting securities or ownership interest of an attorney in fact or of a controlling company by any person who is the owner of a majority of the voting securities or ownership interest with the approval of the OIR.
- The OIR may waive, or the person filing the notice may request that the OIR waive, the requirement that the subscribers' advisory committee provide notice to subscribers of the proposed acquisition, if there is no change in ultimate controlling shareholders and their ownership percentages and no unaffiliated parties acquire any interest in the attorney in fact.
- The application must contain certain information the OIR deems necessary to determine the character, experience, ability, and other qualifications of the person or affiliated person seeking to make the acquisition so that the OIR can protect the reciprocal insurer's subscribers and the public.
- An amendment to the application must be filed with the OIR detailing any changes in facts or the background information detailed in the application.
- The applicant has the burden of proof.
- During the application review period, any person or affiliated person complying with the filing requirements may proceed and take all steps necessary to conclude the acquisition so long as the acquisition becoming final is conditioned upon approval by the OIR. A material change in the operation or management of the attorney in fact or controlling company, unless specifically approved by the OIR, is prohibited;
  - "Material change in the operation of the attorney in fact" is defined to mean a transaction that disposes of or obligates five percent or more of the domestic reciprocal insurer.
  - "Material change in the management of the attorney in fact" is defined to mean any change in management involving officers or directors of the attorney in fact or any person of the attorney or controlling company having authority to dispose of or obligate five percent or more of the attorney in fact's capital or surplus.
- The proceeding must conducted within 60 days after the date of the written request is received by the OIR and the OIR will issue a recommended order within 20 days after the date of the close of the proceedings. A final order will be issued within 20 days after the date of the recommended order or, if exceptions are filed, within 20 days after the date exceptions are filed.
- If at any time, the OIR finds an immediate danger to the public health, safety, and welfare of the reciprocal insurer's subscribers exists, the OIR shall immediately order the

proposed acquisition disapproved and any further steps to conclude the acquisition ceased. The OIR may disapprove any acquisition by any person or affiliated person who willfully violates these acquisition requirements or violates the OIR orders related to divestiture or the acquisition of specified additional stock or ownership interest without complying with this section.

- The OIR generally must approve an acquisition if the OIR finds that the acquisition will not jeopardize the financial stability of the attorney in fact or prejudice the interests of the reciprocal insurer's subscribers or harm the public. OIR approval of an offer or acquisition does not constitute a recommendation by the OIR. Any acquisition contrary to this section is void, as is any vote by a stockholder of record or any other person of any security so acquired.
- A presumption of control may be rebutted by filing a valid disclaimer of control.
- The OIR may order divesture by a person who acquires 10 percent or more of voting securities of an attorney in fact or a controlling company without complying with this section. The OIR may suspend or revoke the certificate of authority of the reciprocal insurer whose attorney in fact or controlling company is acquired in violation of this section.
- A person who violates these provisions commits a third degree felony, punishable as provided in ss. 775.082, 775.083, and 775.084, F.S.

Background Information – The bill requires that persons required to provide information on their background and identity must file a sworn biographical statement on a form adopted by the commission and fingerprints. The sworn biographical statement must include certain details regarding the person's business and employment history for the past 20 years.

Attorneys in Fact, Officers, and Directors of Insolvent Reciprocal Insurers – The bill provides that any person who served as an attorney in fact, or as an officer, director, or manager of an attorney in fact, any member of a subscribers' advisory committee of a reciprocal insurer doing business in this state, or an officer or director of any other insurer doing business in this state, and who served in that capacity within the two-year period before the date the insurer or reciprocal insurer became insolvent, for any insolvency that occurs on or after July 1, 2024, may not, unless the individual demonstrates that his or her personal actions or omissions were not a significant contributing cause to the insolvency:

- Serve as an attorney in fact, or as an officer, director, or manager of an attorney in fact, or a member of a subscribers advisory committee of a reciprocal insurer doing business in this state, or an officer or director of any other insurer doing business in this state; or
- Have direct or indirect control over the selection or appointment of an attorney in fact, or of an officer, director, or manager of an attorney in fact, or a member of the subscribers' committee of a reciprocal insurer doing business in this state, or an officer or director of any insurer doing business in this state, through contract, trust, or by operation of law, unless the individual demonstrates that his or her personal actions or omissions were not a significant contributing cause to the insolvency.

Impairment of Surplus – The bill provides that upon impairment of the surplus of a nonassessable reciprocal insurer, the OIR must revoke its authorization. Such revocation does not subject existing policies to assessments for the remainder of the period for which the premium has been paid. After revocation, no policy shall be issued or renewed without providing for contingent assessment liability of the subscriber. Upon revocation of the authority to issue nonassessable policies, the reciprocal insurer may not issue or renew nonassessable policies or convert assessable policies to nonassessable policies, and the provisions of s. 629.301, F.S., apply to such insurer.

Merger or Conversion – Provides requirements for mergers and conversions. A domestic stock insurer may not be converted to a reciprocal insurer. Any plan to merge a reciprocal insurer with another reciprocal insurer or for conversion of the reciprocal insurer to a stock or mutual insurer must be filed with the OIR on forms adopted by the Financial Services Commission and must contain such information as the OIR reasonably requires to evaluate the transaction. An assessable reciprocal insurer may be converted to a nonassessable reciprocal insurer if the subscriber's advisory committee approves, the attorney in fact submits the required application, and the OIR approves.

Rulemaking – Provides rulemaking authority to the Financial Services Commission to adopt, amend, or repeal rules necessary to implement the chapter.

Florida Birth-Related Neurological Injury Compensation Association

Regarding the Florida Birth-Related Neurological Injury Compensation Association (NICA), the bill:

- Removes an exclusion providing that the award of family residential or custodial care is not to be included in current estimates for purposes of assessments;
- Provides that if the total of all current estimates of claims equals or exceeds 100 percent (presently, it is 80 percent) of the funds on hand and the funds that will become available within the next 12 months, the association may not accept any new claims without express authority from the Legislature; and
- Requires NICA, in consultation with the Office of Insurance Regulation and the Agency for Health Care Administration, to provide a report to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2024. The report must include recommendations for:
  - Defining actuarial soundness for the association, including options for phase-in, if appropriate;
  - Timing of reporting actuarial soundness and to whom it should be reported; and
  - Ensuring a revenue level to maintain actuarial soundness, including options for phase-in, if appropriate.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-0

Committee on Banking and Insurance

CS/SB 7028 — My Safe Florida Home Program

by Fiscal Policy Committee and Banking and Insurance Committee

The bill amends various provisions relating to the My Safe Florida Home Program to:

- Allow a subsequent application for a mitigation inspection or mitigation grant only under certain circumstances;
- Provide that an applicant meeting the requirements for a mitigation inspection may receive an inspection even if the applicant is not eligible for a mitigation grant or the applicant does not apply for such grant;
- Require the homeowner to agree to provide information received from the homeowner's insurer identifying the premium discounts realized by the homeowner due to the mitigation improvements funded through the program;
- Provide that the Department of Financial Services (DFS) is not required to maintain a list of participating contractors, but rather, the homeowner must use a properly licensed contractor for the project and the DFS must verify that the contractor performing the work is licensed;
- Revise the list of grant eligible improvements to specify the inclusion of windows and skylights;
- Require the DFS to prioritize the review and approval of inspection applications and grant applications in the following order:
  - First, applications from low-income homeowners who are at least 60 years old;
  - Second, applications from all other low-income homeowners;
  - Third, applications from moderate-income homeowners who are at least 60 years old;
  - Fourth, applications from all other moderate-income homeowners; and
  - Lastly, all other applications;
- Remove the provision authorizing matching grants to local governments and nonprofit entities;
- Remove the provision authorizing grants to a previously inspected existing structure or on a rebuild;
- Require homeowners to finalize construction and request a final inspection, or request an extension, within one year after grant approval;
- Authorize the DFS to request additional information from the applicant;
- Revise provisions regarding the distribution of the MSFH Program brochure which provides information on the benefits to homeowners of residential hurricane damage mitigation; and
- Reorganize and rephrase certain provisions within the statute to provide better clarity.

The bill appropriates, for the 2024-2025 fiscal year, $200 million in nonrecurring funds from the General Revenue Fund to the DFS to be used for hurricane mitigation grants, hurricane mitigation inspections, and outreach and administrative costs. The bill provides that the DFS may not continue to accept applications or create a waiting list in anticipation of additional funding unless the Legislature expressly provides authority to implement such actions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 115-0

Committee on Banking and Insurance

HB 7089 — Health Care Expenses

by Health & Human Services Committee and Rep. Grant and others (CS/SB 1640 by Fiscal Policy Committee and Senator Collins)

Consumer Protections Relating to Debt Collection Practices of Hospitals and Ambulatory Surgical Centers

The bill creates several consumer protections relating to the collection of medical debt.

The bill requires hospitals and ambulatory surgical centers (ASCs) to have an internal grievance process for patients to dispute charges.

In regard to the medical debt collection practices of hospitals and ASCs (facilities) medical debt, the bill prohibits a hospital or ASC from engaging in extraordinary collections actions such as certain legal or judicial processes including commencing a civil action, garnishing wages, or placing a lien on property:

- Before the facility makes a reasonable effort to determine whether the individual is eligible for assistance under the facility's financial assistance plan and, if eligible, before the facility makes a decision regarding the patient's application for such financial assistance.
- Before the facility has provided the individual with an itemized statement or bill.
- During an ongoing grievance process or an ongoing appeal of a claim adjudication.
- Before billing any applicable insurer and allowing the insurer to adjudicate a claim.
- For 30 days after notifying the patient, in writing by a traceable delivery method, that a collection action will commence absent additional action by the patient.
- While the individual:
  - Negotiates in good faith the final amount of a bill for services rendered; or
  - Complies with all terms of a payment plant with the facility.

The bill establishes a three-year statute of limitations for actions to collect medical debt, which runs from the date on which the facility refers the medical debt to a third-party for collection. Currently, medical debt is subject to a five-year statute of limitation.

The bill exempts from attachment, garnishment, or other legal process in an action on hospital medical debt:

- A debtor's interest, not to exceed $10,000 in value, in a single motor vehicle. Currently, the exempt interest is $1,000.
- A debtor's interest in personal property, not to exceed $10,000 in value, if the debtor does not claim or receive the benefits of a homestead exemption. Currently, the exempt interest is $1,000.

Price Transparency Provisions Relating to Facilities and Insurers

The bill creates price transparency requirements for hospitals, ASCs, and insurers relating to nonemergency services.

The bill requires a hospital or ASC must post standard charges for specified shoppable services on its website or implement an internet-based price estimator tool that meets federal standards.

The bill requires hospitals and ASCs must provide estimates of anticipated charges for nonemergency services and provide such good faith estimates (GFEs) to the patient's health insurer and the patient. A health insurer, in turn, must prepare an advanced explanation of benefits (AEOB) for the insured patient, within a specified time frame prior to the service being provided, based on the facility's estimate. An individual may request a GFE from a facility or an AEOB from an insurer, and the facility or the insurer must provide the applicable document within three business days after receipt of a request from an individual. These provisions are consistent with existing federal law.

The bill defers implementation of these provisions as follows:

- The changes made in this act relating to shoppable services, do not apply to ASCs until January 1, 2026.
- The changes made by this act to s. 395.301, F.S., relating to the issuance of GFEs by facilities, are not effective until the federal agencies adopt rules to implement the law. The Agency for Health Care Administration must notify the Division of Law Revision upon the promulgation of the final rule.
- The changes made by this is act to s. 627.446, F.S., relating to the AEOBs issued by insurers upon the submission of a GFE by a facility, are not effective until federal rules are adopted relating to the GFE and the AEOBs. The Office of Insurance Regulation must notify the Division of Law Revision upon the promulgation of the final rule pertaining to AEOBs.

Direct Health Care Agreements

The bill expands the health care providers that may participate in a direct health care agreement that is exempt from the insurance code to include a health care provider licensed under ch. 490 (practice of psychology) or ch. 491, F.S., (clinical, counseling, and psychotherapy services).

Transparency and Accountability Requirements of Community-Based Care Lead Agencies

The bill amends laws governing contracts of the Department of Children and Families (DCF) with community-based care lead agencies (CBCs) to increase transparency and accountability related to the administration of and services provided by the CBCs.

The bill revises contractual rights and obligations between DCF and the CBCs. For example, the bill provides that DCF may only extend a contract for a period of one to five years in accordance with s. 287.057, F.S., if the CBC has met performance expectations within the monitoring evaluation. The DCF must set forth minimum training criteria for CBC board members in the

contracts with the CBCs. The CBCs must ensure that board members participate in annual training related to their responsibilities to provide oversight and ensure accountability and transparency for the CBC system of care, and to provide fiduciary oversight to prevent conflicts of interest, promote accountability and transparency, and protect state and federal funding from misuse. The board of directors must discharge their duties in accordance with s. 617.0830, F.S.

The bill establishes the regulatory framework for a CBC's subcontracts and transactions with related parties, revises the CBC subcontract procurement process, and creates contractual remedies to address conflicts of interest, failures to follow procurement law, noncompliance with contractual requirements, and inadequate performance in the provision of child protection and child welfare services. The CBCs must competitively procure all contracts, consistent with the federal simplified acquisition threshold. The CBCs are required to competitively procure all contracts in excess of $35,000 with related parties.

The bill requires board member of CBCs to disclose any known actual or potential conflicts to the DCF. The bill requires a CBC to post a fidelity bond for the board to cover any costs associated with reprocurement and the assessed penalties related to a failure of a board member to disclose a conflict of interest. All DCF contracts with CBCs must contain the following penalty provisions:

- The DCF must impose penalties in the amount of $5,000 per occurrence for each known and potential conflict of interest, which is not disclosed to the DCF.
- If a contract is executed for which a conflict of interest was not disclosed to the DCF before execution of contract, the following penalties apply:
  - A penalty in the amount of $20,000 for a first offense.
  - A penalty in the amount of $30,000 for a second or subsequent offense.
  - The removal of the board member who did not disclose a known conflict of interest.

Further, a contract procured by a CBC board for which a conflict of interest was not disclosed to DCF before execution of the contract must be reprocured. The DCF must recoup from the CBC expenses related to a contract that was executed without disclosure of a conflict of interest.

The bill caps the salary of a CBC administrative employee at 150 percent of the Secretary of DCF's salary, regardless of the number of contracts a CBC may execute with DCF. The bill also requires contracts between DCF and CBCs to delineate the rights and obligations related to the acquisition, transfer, or other disposition of real property and sets minimum standards for those rights and obligations. Effective July 1, 2024, the DCF must approve any sale, transfer, or disposition of real property acquired and held by the CBC using state funds.

The bill repeals the current law related to the allocation of funds to CBCs and directs DCF in collaboration with the CBCs and child welfare providers to develop a new funding methodology for core service funding allocation that at a minimum, must be:

- Actuarially sound;
- Reimbursement based;

- Designed to incentivize efficient and effective CBC operations, prevention, family preservation, and child permanency;
- Scalable to account for regional cost-of-living differences; and
- Consider variable costs for in-home and out-of-home care, prevention services, operational costs, and fixed costs.

The bill also establishes the Future of Child Protection Contracting and Funding Workgroup to study, evaluate, and offer recommendations relating to contracts and general funding of the child welfare system. The DCF must convene the workgroup and is responsible for producing and submitting a report on the workgroup's findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 15, 2025.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 111-0

Committee on Children, Families, and Elder Affairs

CS/SB 474 — Public Records/Suicide Victims

by Governmental Oversight and Accountability Committee and Senators Grall and Book

The bill makes confidential and exempt from public inspection and copying the photograph or video or audio recording that depicts or records the suicide of a person when it is held by an agency. The bill allows for disclosure to a surviving spouse of the deceased; the surviving parents, if there is no surviving spouse; or the surviving adult children or siblings, if there are no surviving spouse or parents. The bill defines the "suicide of a person" and specifies who may obtain such photographs and recordings and the process for obtaining these materials. The bill amends s. 119.071(2)(p), F.S., to conform to the expanded exemption for photographs or video or audio recordings that depict the suicide of a person.

The bill also makes confidential and exempt from public inspection and copying an autopsy report of a person whose manner of death was suicide as held by a medical examiner. The bill allows for disclosure to a surviving spouse of the deceased; the surviving parents, if there is no surviving spouse; or the surviving adult children or siblings, if there are no surviving spouse or parents. The bill amends s. 406.135, F.S., to conform to the expanded exemption for autopsy reports of a person whose manner of death was suicide.

The bill gives retroactive application to both of these exemptions so that photographs, recordings, and autopsy reports addressed by this bill, regardless of when they were initially held by an agency, are treated as confidential and exempt from public inspection and copying requirements upon this bill becoming a law.

The bill makes findings that the new exemptions from public records disclosure for photographs or video or audio recordings that depict the suicide of a person and for an autopsy report of a person whose manner of death was suicide meet public necessities as required by the State Constitution.

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 113-0

Committee on Children, Families, and Elder Affairs

CS/CS/SB 564 — Young Adult Aftercare Services

by Fiscal Policy Committee; Children, Families, and Elder Affairs Committee; and Senators Garcia, Hooper, Book, and Rouson

The bill expands the eligibility for receiving aftercare services subject to available funding. If a young adult between 18 and 22 years of age was placed in out-of-home care for at least six months after turning 14 years of age and did not achieve reunification with his or her parent or guardian, they are eligible to receive aftercare services. This will allow more young adults to access needed services.

The bill permits the Department of Children and Families to distribute federal funds to all young adults deemed eligible by the federal funding source in the event of a state or national emergency even if the young adult does not meet eligibility requirements for aftercare services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-0; House 113-0

Committee on Children, Families, and Elder Affairs

CS/HB 591 — Hot Car Death Prevention

by Children, Families & Seniors Subcommittee and Reps. Brannan, Smith, and others
(CS/SB 554 by Rules Committee and Senators Bradley and Perry)

The bill designates April as "Hot Car Death Prevention Month" to raise awareness of the dangers of leaving children unattended in motor vehicles and educate the public on how to prevent hot car deaths. The bill encourages the Florida Department of Children and Families, the Florida Department of Health, the Florida Department of Highway Safety and Motor Vehicles, local governments, and other agencies to sponsor events on specific topics that promote public awareness and education related to the dangers of leaving children unattended in motor vehicles and how to prevent hot car deaths. These campaigns must address proper motor vehicle safety, steps a bystander can take to rescue a vulnerable child in imminent danger, and the criminal penalties associated with leaving a child in a motor vehicle unattended or unsupervised.

The bill may be cited as "Ariya's Act" in memoriam of a 10-month-old infant that died of heatstroke after being left in a vehicle.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 118-0

Committee on Children, Families, and Elder Affairs

CS/CS/CS/HB 1065 — Substance Abuse Treatment

by Health & Human Services Committee; Ways & Means Committee; Children, Families & Seniors Subcommittee; and Rep. Caruso and others (CS/CS/CS/SB 1180 by Appropriations Committee; Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Harrell)

The bill amends the definition of "certified recovery residence" to include four levels and sets minimum standards for the level of care provided at those residences. The levels of care include:

- Level I: These homes house individuals in recovery who are post-treatment, with a minimum of nine months of sobriety and are run by the members who reside in them.
- Level II: These homes provide oversight from a house manager. Residents are expected to follow rules outlined in a resident handbook, pay dues, and work toward achieving milestones.
- Level III: These homes offer 24-hour supervision by formally trained staff and peer-support services for residents.
- Level IV: These homes are dwellings offered, referred to, or provided to patients by licensed service providers and are staffed 24 hours a day. The patients receive intensive outpatient care.

The bill defines "community housing" to align with a Level IV certified recovery residence to give effect to the substantive changes in the definition of certified recovery residence.

The bill makes the following changes as well to make the operation and regulation of a certified recovery residence more efficient:

- Authorizes the Department of Children and Families to issue one license for all eligible service components operated by a service provider.
- Allows certain certified recovery residences 90 days to retain another administrator, when an administrator has been removed.
- Prohibits a recovery residence from denying an individual access to the residence solely on the basis the individual has been prescribed federally approved medication for the treatment of substance use disorders.
- Prohibits a local ordinance or regulation from regulating the duration or frequency of a resident's stay in a certified recovery residence located within a multifamily zoning district.
- Authorizes an increase in the number of residents actively managed in a recovery residence at any given time from 100 residents to 150 residents, if certain requirements are met.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 35-0; House 116-0

Committee on Children, Families, and Elder Affairs

CS/CS/CS/HB 1083 — Permanency for Children

by Health & Human Services Committee; Appropriations Committee; Children, Families & Seniors Subcommittee; and Reps. Trabulsy, Abbott, and others (CS/CS/SB 1486 by Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Collins)

When child welfare necessitates that the Florida Department of Children and Families (DCF) remove a child from the home, a series of dependency court proceedings must occur to adjudicate the child dependent, place that child in out-of-home care, and achieve a permanency outcome for the child in the form of reunification, a permanent guardian, adoption, or another permanent living arrangement.

The bill makes several changes to current law to modernize and streamline the dependency system, with particular focus on permanency for youth and young adults. Specifically, the bill:

- Updates background screening language to meet federal requirements to maintain access to Federal Bureau of Investigation databases.
- Creates a process for the commitment of a child whose parents are deceased to the DCF for subsequent adoption.
- Provides flexibility for service of process in termination of parental rights advisory hearings.
- Allows quicker closure of a case when a child was placed with a relative in permanent guardianship but another approved adult that the child knows is listed as an alternate placement in the guardianship assistance program agreement.
- Shifts judicial review of DCF's decision on an adoption application from a separate administrative process to the dependency court.
- Creates a process for emergency postdisposition change of placement from a court ordered placement, instead of using the shelter process, as is currently done.
- Requires that an individual have completed or be in the process of completing an adoptive home study before they may access photos and information of a child available for adoption and also requires youth 12 years of age or older be consulted when creating their adoption profile and photo.
- Requires a court to issue an order approving or disapproving adoption fees over the statutory limits with a written determination of reasonableness.
- Requires adoption entities to quarterly report specified information on private adoptions to the DCF, beginning January 1, 2025.
- Prohibits the placement of adoption related paid advertisements by non-licensed adoption entities in Florida.
- Expands eligibility for adoption incentive to health care practitioners and tax collector employees and increases the award amounts for all eligible individuals.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 110-0

Committee on Children, Families, and Elder Affairs

CS/CS/CS/SB 1224 — Protection of Children and Victims of Crime

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Children, Families, and Elder Affairs Committee; and Senators Burton and Grall

The bill amends multiple statutes to expand the role and operations of the Statewide Guardian Ad Litem Office (office), and specifies the duties and responsibilities of that office and Guardians Ad Litem (GAL). Specifically, the bill:

- Requires appointment of a GAL at the earliest possible time to represent a child throughout dependency proceedings, including appeals.
- Allows for representation of the child by GAL in proceedings outside of dependency cases in order to secure services and benefits that provide for the care, safety, and protection of the child.
- Requires the GAL to receive invitation to a multidisciplinary team staffing in the event of a placement change.
- Requires that the written description of programs and services required in the case plan for a child who is 13 years of age or older must include age-appropriate activities for the child's development of relationships, coping skills, and emotional well-being.
- Requires the office to provide oversight and technical assistance to Attorneys Ad Litem (AAL) and develop a training program in collaboration with dependency court stakeholders, including, but not limited to, dependency judges, representatives from legal aid providing AAL representation, and an AAL appointed from a registry maintained by the chief judge.
- Requires the office to assist youth in meeting supportive adults with the hope of creating an ongoing relationship and requires collaboration with the Department of Children and Families (DCF) Office of Continuing Care to connect youth with supportive adults.
- Establishes the Fostering Prosperity grant program to help youth transition from foster care to independent adult living and requires increased GAL involvement in, and court attention to, ensuring a youth aging out of care has a permanent connection to a caring adult.

The bill also amends s. 741.29, F.S., to require law enforcement officers who investigate an alleged incident of domestic violence to administer a lethality assessment if the allegation is against an intimate partner, regardless of whether an arrest is made. Specifically, the bill:

- Requires the Department of Law Enforcement must consult with the Department of Children and Families, the Florida Sheriffs Association, the Florida Police Chiefs Association, and the Florida Partnership to End Domestic Violence, and at least two domestic violence advocacy organizations to develop policies, procedures, and training necessary for implementation of a statewide evidence-based lethality assessment. The approved training on how to administer the assessment must be accessible to a law enforcement officer in an online format.
- Requires an analysis of the questions of the lethality assessment placed in statute by the bill, and recommendations as to whether they should be included in a statewide lethality

assessment instrument and form and requires a report by the DCF to the President of the Senate and Speaker of the House of Representatives detailing the results and recommendations, including proposed statutory changes, of the creation of the lethality assessment instrument and form.

- Requires the Criminal Justice Standards and Training Commission to require by rule that all law enforcement receive instruction on the policies and procedures for administering a lethality assessment and minimum training requirements.
- Requires the head of each law enforcement agency to provide written certification verifying the agency has complied with new training requirements, by November 1, 2026; and requires a report to the Governor, President of the Senate, and Speaker of the House of Representatives identifying each law enforcement agency not in compliance with the training requirements by January 1, 2027.
- Requires a law enforcement officer to advise the victim of the results of the assessment and refer the victim to the nearest locally certified domestic violence center if the victim's responses meet the criteria for referral. If a victim does not, or is unable to, provide information to a law enforcement officer sufficient to allow the officer to administer a lethality assessment, the officer must document the lack of an assessment in the written police report and refer the victim to the nearest locally certified domestic violence center.
- Requires a notation of the score of a lethality assessment, if administered, to be included in the written police report.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 1267 — Economic Self-sufficiency

by Appropriations Committee; Children, Families & Seniors Subcommittee; and Rep Anderson and others (CS/SB 7052 by Fiscal Policy Committee and Children, Families, and Elder Affairs Committee)

Public assistance programs help low-income families meet their basic needs, such as housing, food, and utilities. The most commonly utilized public assistance programs in Florida include Medicaid, the Supplemental Nutrition Assistance Program (SNAP) or food assistance, and the Temporary Assistance for Needy Families (TANF), and Temporary Cash Assistance (TCA) program. In Florida, the majority of the participants in these programs are children. While the goal of public assistance programs is, generally, to ensure that a family's basic needs are met and facilitate economic advancement, families often exit programs before they are truly capable of maintaining self-sufficiency. A benefit cliff occurs when a modest increase in wages results in a net loss of income due to the reduction in or loss of public benefits that follows.

The bill revises various components of the TANF, SNAP, and SR programs to better facilitate economic advancement and self-sufficiency. Specifically, the bill:

- Creates case management as a transitional benefit for families transitioning from TCA.
- Requires CareerSource Florida to use a tool to demonstrate future financial impacts of changes to benefits and income.
- Requires local workforce boards to administer, analyze, and use data from intake and exit surveys of TCA recipients.
- Requires the Department of Children and Families to expand mandatory SNAP Employment and Training participation to include adults ages 18-59, who do not have children under age 18 in the home, or otherwise qualify for an exemption.
- Creates the School Readiness Plus Program that provides a child care subsidy for families deemed ineligible on redetermination for the SR program, but have income between 85 and 100 percent of the state median income.

The bill appropriates $23,076,259 in nonrecurring funds from the General Revenue Fund to the Department of Education to implement the School Readiness Subsidy Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-1

Committee on Children, Families, and Elder Affairs

CS/CS/SB 1758 — Individuals with Disabilities

by Fiscal Policy Committee; Children, Families, and Elder Affairs Committee; and Senators Brodeur, Passidomo, Albritton, Avila, Baxley, Boyd, Bradley, Broxson, Burgess, Burton, Calatayud, Collins, Davis, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Jones, Martin, Mayfield, Osgood, Perry, Pizzo, Polsky, Powell, Rodriguez, Rouson, Simon, Stewart, Thompson, Torres, Trumbull, Wright, Yarborough, and Book

The Agency for Persons with Disabilities (APD) provides services to eligible individuals with developmental disabilities under the Medicaid Home and Community-Based Services (HCBS) waiver. The HCBS waiver allows individuals to continue to live in their own homes or in another homelike setting to avoid institutionalization. Applications submitted to the APD using a paper application are reviewed under statutory deadlines.

The bill amends multiple sections of law related to the APD to modernize the application process and enhance an individual's eligibility determination and enrollment experience. Specifically, the bill:

- Requires the APD to offer care navigation services to clients and their caregivers, including, but not limited to, creating care plans that address immediate, intermediate, and long term needs and goals of the client.
- Modifies the application process for APD services, requiring the creation of an online application process and streamlines the timeframes the APD has to determine eligibility.
- Reduces the age requirement of a client's caregiver in pre-enrollment category 4 from 70 years of age to 60 years of age or older. This will allow a higher number of individuals to be included in category 4 of the pre-enrollment prioritization list.
- Requires iBudget waiver support coordinators to inform iBudget clients of the option to apply for the Consumer-Directed Care Plus (CDC+) program when creating family or individual support plans.

The bill also makes changes to programming offered by the APD:

- Transfers the Florida Unique Abilities Partner Program from the Department of Commerce to the Agency for Persons with Disabilities.
- Requires the Agency for Health Care Administration, the APD, and other stakeholders to develop a plan for a new home and community-based services Medicaid waiver program for clients transitioning to adulthood and requires a report to the Governor, President of the Senate, and Speaker of the House of Representatives by December 1, 2024, on the progress of this plan.

The bill appropriates $16,562,703 in recurring funds from the General Revenue fund and $22,289,520 in recurring funds from the Operations and Maintenance Trust Fund to the APD to fund the expansion of services to additional clients.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 114-0

Committee on Children, Families, and Elder Affairs

HB 7001 — OGSR/Reporter of Child Abuse, Abandonment, or Neglect

by Ethics, Elections & Open Government Subcommittee and Rep. Tramont (SB 7036 by Children, Families, and Elder Affairs Committee)

The Open Government Sunset Review Act requires the Legislature to review each public record exemption and each public meeting exemption five years after enactment. If the Legislature does not reenact the exemption, it automatically repeals on October 2nd of the fifth year after enactment.

The Department of Children and Families operates the Florida central abuse hotline (hotline), which accepts reports of child abuse, abandonment, or neglect 24 hours a day, seven days a week. Any person who knows or suspects that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare must report such information or suspicion to the hotline. Current law provides a public record exemption for the name of any person reporting child abuse, abandonment, or neglect, as well as other identifying information of such reporter.

The bill saves from repeal the public record exemption concerning all identifying information of a person other than a person's name, which is already protected by law reporting child abuse, abandonment, or neglect.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect October 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Children, Families, and Elder Affairs

HB 7009 — OGSR/Mental Health Treatment and Services

by Ethics, Elections & Open Government Subcommittee and Rep. Griffitts (SB 7034 by Children, Families, and Elder Affairs Committee)

The Open Government Sunset Review Act requires the Legislature to review each public record exemption and each public meeting exemption five years after reenactment. If the Legislature does not reenact the exemption, it automatically repeals on October 2nd of the fifth year after enactment.

The Florida Mental Health Act, otherwise known as the Baker Act, provides legal procedures for voluntary and involuntary mental health examination and treatment. A person may be admitted for mental health treatment on a voluntary or involuntary basis. Current law makes all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records filed with or by a court pursuant to a Baker Act confidential and exempt from public record requirements. The information contained in these court files may only be released to certain entities and individuals.

The bill saves from repeal the public records exemption relating to all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court pursuant to a Baker Act.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect October 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Children, Families, and Elder Affairs

CS/CS/HB 7021 — Mental Health and Substance Abuse

by Health & Human Services Committee; Health Care Appropriations Subcommittee; Children, Families & Seniors Subcommittee; and Rep. Maney and others (CS/SB 1784 by Fiscal Policy Committee and Senator Grall)

In Florida, the Baker Act provides a legal procedure for voluntary and involuntary mental health examination and treatment. The Marchman Act addresses substance abuse through a comprehensive system of prevention, detoxification, and treatment services. The Department of Children and Families (DCF) is the single state authority for substance abuse and mental health treatment services in Florida.

The bill makes substantive changes to both Florida's Baker and Marchman Acts by combining processes for courts to order individuals to involuntary outpatient services and involuntary inpatient placement in the Baker Act, to streamline the process for obtaining involuntary services, and providing more flexibility for courts to meet individuals' treatment needs. The bill also repeals existing provisions for court-ordered involuntary assessments and stabilization in the Marchman Act, and creates a new consolidated involuntary treatment process.

The bill amends the Baker Act in that it:

- Combines and streamlines processes for courts to order individuals to involuntary outpatient services and involuntary inpatient placement.
- Provides cleaner and clearer processes for courts to meet an individuals' treatment needs and provides needed flexibility to order outpatient services over inpatient placement or both when necessary.
- Prohibits courts from ordering an individual with a developmental disability who lacks a co-occurring mental illness to a state mental health treatment facility for involuntary inpatient placement.
- Authorizes certain parties and witnesses to appear remotely.
- Allows an individual to be admitted as a civil patient in a state mental health treatment facility without a transfer evaluation and prohibits a court, in a hearing for placement in a treatment facility, from considering substantive information in the transfer evaluation unless the evaluator testifies at the hearing.
- Allows for consideration of the patient's treatment history at the facility and any information regarding the patient's condition and behavior provided by knowledgeable individuals to be considered in the criteria for involuntary examination.
- Allows the court to retain jurisdiction to enter further orders as needed.

The bill amends the Marchman Act in that it:

- Repeals existing provisions for court-ordered involuntary assessments and stabilization in the Marchman Act, and creates a new consolidated involuntary treatment process.
- Authorizes witnesses to appear remotely.

- Allows an individual to be admitted as a civil patient in a state mental health treatment facility without a transfer evaluation.
- Prohibits a court, in a hearing for placement in a treatment facility, from considering substantive information in the transfer evaluation unless the evaluator testifies at the hearing.

For both the Baker and Marchman Acts, the bill:

- Creates a more comprehensive and personalized discharge planning process.
- Requires specific information to be included in court orders requiring involuntary services.
- Requires the DCF to publish certain specified reports on its website.
- Removes limitations on advance practice registered nurses and physician assistants serving the physical health needs of individuals receiving psychiatric care.
- Allows a psychiatric nurse to release a patient from a receiving facility if certain criteria are met.
- Removes the 30-bed cap for crisis stabilization units.

The bill also creates the Office of Children's Behavioral Health Ombudsman to be a central point to receive complaints on behalf of children and adolescents with behavioral health disorders receiving services to use such information to improve the child and adolescent mental health treatment and support system.

The bill appropriates $50,000,000 to the Department of Children and Families to implement the substantive provisions of the bill and fund the likely increase in outpatient services orders.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 111-0

Committee on Commerce and Tourism

CS/CS/HB 49 — Employment

by Local Administration, Federal Affairs & Special Districts Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Chaney and others (SB 1596 by Senator Burgess)

The bill (Chapter 2024-25, L.O.F.):

- Clarifies that minors 15 years old or younger may not work more than 15 hours in any one week, when school is in session.
- Provides an exception for minors 16 and 17 years to work for more than 8 hours in any one day when school is scheduled the following day and the day of work is a holiday or a Sunday.
- Provides that the cap of 30 hours per week when school is in session for minors 16 and 17 years old may be waived by a minor's parent or custodian or by the school superintendent or designee.
- Allows minors 16 and 17 years old to work more than 6 consecutive days in any one week by lowering the age limitation to minors 15 years old or younger.
- Requires that minors 16 and 17 years old who work for 8 hours or more in any one day may not work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period. The bill retains the limitation that minors 15 years old or younger may not work more than 4 hours continuously without an interval of at least 30 minutes for a meal period.
- Provides that the work restrictions do not apply to:
  - Minors enrolled in any educational institution, not just public schools, who qualify on a hardship basis and receive a waiver on hours from the school superintendent.
  - Minors 16 and 17 years old who are in a home education program, or are enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only.
- Clarifies that the DBPR may grant a waiver of these restrictions.
- Clarifies that a violation by an employer of this section of law is punishable by fine and as a second degree misdemeanor as provided in s. 450.141, F.S.

These provisions were approved by the Governor and take effect July 1, 2024.
Vote: Senate 27-11; House 76-33

Committee on Commerce and Tourism

CS/HB 141 — Economic Development

by Ways & Means Committee and Rep. Abbott and others (CS/SB 196 by Appropriations Committee on Transportation, Tourism, and Economic Development and Senator Simon)

The bill amends the Regional Rural Development Grants Program to:

- Eliminate the requirement that grant funds received by a regional economic development organization must be matched each year by nonstate resources in an amount equal to 25 percent of the state contributions;
- Remove the requirement that the Department of Commerce must consider the demonstrated need of the applicant for assistance when approving participants for the program; and
- Remove the requirement that an applicant must show proof that each local government and the private sector made a financial or in-kind commitment to the regional organization in order to receive funding.

Additionally, the bill allows Triumph Gulf Coast, Inc., to retain interest earned on the funds in its trust account rather than having those funds revert to the Triumph Gulf Coast Trust Fund. The funds are required to be used to make awards or pay for administrative costs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Commerce and Tourism

SB 304 — Household Moving Services

by Senator Hooper

The bill broadens protections for consumers who use intrastate moving services by:

- Providing additional registration and proof of registration requirements for movers and moving brokers;
- Providing for a required performance bond or certificate of deposit in certain circumstances for shippers' moved goods;
- Requiring a binding estimate of the cost of services, including any applicable fees of a moving broker, to be provided by the mover to a prospective shipper;
- Requiring a moving broker to arrange with a registered mover for the loading, transportation, shipment, or unloading of household goods as part of a household move;
- Requiring a moving broker to include their registration number in all documents and advertisements, and include certain identifying information and information pertaining to applicable fees on any document provided by the moving broker to a shipper;
- Prohibiting a moving broker from providing an estimate or from entering into a contract or agreement for moving, loading, shipping, transporting, or unloading services with a shipper that was not prepared and electronically signed by a registered mover;
- Requiring the Department of Agriculture and Consumer Services to suspend a mover's or moving broker's registration upon notification and subsequent written verification by a law enforcement agency, a court, a state attorney, or the Department of Law Enforcement that such registrant is formally charged with a crime involving:
  - Fraud;
  - Theft;
  - Larceny;
  - Embezzlement;
  - Fraudulent conversion;
  - Misappropriation of property; or
  - A crime arising from conduct during a movement of household goods; and
- Clarifying that it is a felony of the third degree if a mover or mover's employee, agent, or contractor refuses to comply with an order from a law enforcement officer to relinquish a shipper's household goods in certain situations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Commerce and Tourism

CS/CS/HB 433 — Employment Regulations

by Commerce Committee; Regulatory Reform & Economic Development Subcommittee; and Rep. Esposito and others (CS/SB 1492 by Commerce and Tourism Committee and Senator Trumbull)

Workplace Heat Exposure Requirements

A political subdivision is prohibited from:

- Requiring an employer or contractor to meet or provide heat exposure requirements that are not required under state or federal law;
- Giving preference in solicitations based upon employer heat exposure requirements; and
- Considering or seeking information relating to an employer's heat exposure requirements.

The bill does not limit the authority of a political subdivision to provide heat exposure requirements not otherwise required under state or federal law for direct employees of the political subdivision. These heat exposure provisions do not apply if compliance will prevent the political subdivision from receiving federal funds.

Restrictions on Wage and Employment Benefits Requirements by Political Subdivisions

Starting September 30, 2026, a political subdivision is prohibited from preferring one contractor over another based on the wages or employment benefits provided by the contractor.

Starting September 30, 2026, a political subdivision cannot require or try to control a minimum wage or employment benefits for certain employees under the terms of a contract or otherwise through the purchasing power of the political subdivision.

The above provisions do not impair any contract entered into before September 30, 2026.

Preemption of Employee Scheduling Regulation

Local governments are prohibited from adopting or enforcing any regulation relating to scheduling, including predictive scheduling, by a private employer except as expressly authorized or required by state or federal law, rule, or regulation or pursuant to federal grant requirements.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise provided.
Vote: Senate 24-15; House 74-36

Committee on Commerce and Tourism

CS/HB 481 — Building Construction Regulations and System Warranties

by Civil Justice Subcommittee and Rep. Maggard (CS/SB 612 by Commerce and Tourism Committee and Senator Hooper)

The bill expands the kind of work that Class A and Class B air-conditioning contractors and mechanical contractors may undertake to include replacing, disconnecting, or reconnecting power wiring on the line side of a dedicated existing electrical disconnect switch on a single phase electrical system; and repairing or replacing power wiring, disconnects, breakers, or fuses for dedicated HVAC circuits with proper use of a circuit breaker lock.

The bill prohibits the conditioning of an HVAC system warranty on product registration, and specifies that the full length of such a warranty's coverage term begins on the date a licensed contractor installs the system. The bill also requires that an HVAC warranty or product registration card or form must specify that the card or form is for the product registration and that failure to complete and return the form does not diminish any warranty rights.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 117-0

Committee on Commerce and Tourism

CS/SB 998 — Sale of Liquefied Petroleum Gas

by Fiscal Policy Committee and Senator Collins

The bill makes a number of changes with regard to the regulation of liquefied petroleum (LP) gas by the Department of Agriculture and Consumer Services (DACS). Specifically the bill:

- Provides that a category I liquefied petroleum gas dealer license must include one licensed location, and may include up to two remote bulk storage locations, and that remote bulk storage locations must be located within 75 miles of the licensed location and included in the category I liquefied petroleum gas dealer license application;
- Specifies that a competency exam must be completed within 90 days after the application has been accepted by the DACS;
- Requires that category I or category V qualifiers must have one year of verifiable LP gas experience;
- Clarifies that a qualifier for a business must actually function in a position with authority to monitor and enforce safety provisions at the licensed location, and that a separate qualifier is required for every 10 employees performing LP gas activities;
- Provides that a person may not act as a master qualifier for more than one licensee;
- Empowers the DACS to revoke the license of a qualifier or master qualifier who demonstrates a lack of trustworthiness;
- Gives the DACS the authority to condemn unsafe equipment and issue an immediate final order requiring the immediate removal of LP gas that is deemed a threat to public health;
- Adjusts language relating to aggregate capacity of containers;
- Requires LP gas technicians to provide their name and qualifier number on all work orders;
- Prohibits anyone other than those authorized from adding or removing gas from a customer's tank, and gives the DACS the authority to adopt rules to provide exceptions for emergencies; and
- Revises and clarifies the minimum storage requirement to account for aggregate storage.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Commerce and Tourism

CS/CS/SB 1198 — Corporate Actions

by Rules Committee; Commerce and Tourism Committee; and Senator Martin

The bill provides a statutory ratification procedure for corporate actions that may not have been properly authorized, and for shares that may have been improperly issued. These improperly authorized corporate actions, that would otherwise be proper, are called defective corporate actions.

The bill provides a statutory ratification process that is intended to supplement common law ratification. The ratification procedure is intended to be available only where there is objective evidence that a corporate action was defectively implemented. Subsequent ratified defective corporate actions will remain subject to equitable review. The bill gives specified affected parties the ability to file motions in the circuit court of the applicable county.

The bill also provides a statutory method, through filing a single composite statement, for a registered agent to resign from more than one corporate entity at a time, if the specified entity has been dissolved, administratively or voluntarily, for 10 years or longer. The bill applies to the following business entity types:

- Limited liability companies or foreign limited liability companies;
- Corporations; and
- Corporations not for profit.

Finally, the bill keeps the fee to file the registered agent resignation the same for the above listed business entity types, even if filing to resign from more than one entity at a time.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Commerce and Tourism

CS/CS/SB 1420 — Department of Commerce

by Rules Committee; Commerce and Tourism Committee; and Senator Burgess

The bill makes the following changes that impact the Department of Commerce (DCM):

- Specifies that a citizen-led county charter amendment not required to be approved by the board of county commissioners which preempts certain land development decisions is prohibited, unless expressly authorized in the county charter that was lawful and in effect on January 1, 2024. This provision is effective upon becoming a law.
- Provides that if the local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within 10 working days after the final adoption hearing.
- Deletes an outdated requirement that the Florida Sports Foundation must continue amateur sports programs previously conducted by the Florida Governor's Council on Physical Fitness and Amateur Sports.
- Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years, and directs the DCM to amend existing loans executed before February 1, 2024, to increase the loan term to a total of 10 years from the original date of execution. This provision is effective upon becoming a law.
- Requires the DCM to establish a direction-support organization (DSO) to take over the duties of the Florida Defense Support Task Force; provides for organizational composition; revises the mission of the DSO; requires the DSO to operate under a contract with the DCM; revises the due date for the annual report; and provides a repeal date of October 1, 2029.
- Creates a Supply Chain Innovation Grant Program within the DCM; requires the DCM to jointly select grants with the Florida Department of Transportation; provides that priority must be given to projects with innovative plans, advanced technologies, and development strategies that focus on future growth and economic prosperity; requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to review the program by January 1, 2027, and every three years thereafter; and provides the program expires June 30, 2034. Neither the bill nor the General Appropriations Act provides funding for this program.
- Revises the term "businesses" in the Incumbent Worker Training Program to include healthcare facilities and allied health care opportunities, and revises the funding priority to provide that health care facilities, in addition to hospitals, operated by nonprofit or local government entities that provide opportunities in health care, are eligible for the funding.
- Provides that specified members of the state workforce development board are voting members.
- Specifies that a homeowner's association's proposed revived declaration of covenants and articles of incorporation and bylaws must be submitted to the DCM within 60 days after obtaining valid written consent from a majority of the affected parcel owners, or

within 60 days after the date the documents are approved by affected parcel owners by a vote at a meeting.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise expressly provided.
Vote: Senate 38-1; House 104-9

Committee on Community Affairs

CS/HB 103 — Pub. Rec./County and City Attorneys

by Civil Justice Subcommittee and Rep. Arrington and others (CS/SB 712 by Rules Committee and Senator Powell)

The bill creates a public records exemption for specified personal information of current county attorneys, deputy county attorneys, assistant county attorneys, city attorneys, deputy city attorneys, and assistant city attorneys. Personal information relating to their spouses and children is likewise exempt. The specific personal information made exempt from public records disclosure requirements includes:

- Home addresses, telephone numbers, photographs and dates of birth of the specified county and city attorneys;
- Names, home addresses, telephone numbers, photographs, places of employment, and dates of birth of the spouses and children of the specified county and city attorneys; and
- Names and locations of schools and day care facilities attended by the children of the specified county and city attorneys.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2029, unless reviewed and saved from the repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-1; House 119-0

Committee on Community Affairs

HB 113 — Tax Collections and Sales

by Rep. Maney and others (SB 216 by Senators Hooper and Gruters)

The bill makes various clarifying changes to local governments' annual tax collection administration to reflect current best practices related to errors and insolvencies reports and tax certificate sales. Specifically, the bill:

- Removes a defunct $10 processing fee associated with partial payment of current year taxes which has not been collected in recent years;
- Requires that tax collectors include properties subject to federal bankruptcies, properties in which the taxes are below the minimum tax bill, and properties assigned to the list of lands available for taxes in their report on tax collections submitted annually to the board of county commissioners; and
- Clarifies the status of a tax certificate following cancellation of a tax deed application. Upon cancellation of a tax deed application due to failure to pay costs to bring the property to sale, the tax certificate on which the canceled tax deed application was based shall earn interest at the original bid rate of that certificate and remain inclusive of other taxes and costs paid associated with bringing the application.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 110-0

Committee on Community Affairs

CS/CS/SB 224 — Citizen Volunteer Advisory Committees

by Rules Committee; Governmental Oversight and Accountability Committee; and Senator Wright

The bill authorizes certain regional citizen volunteer advisory committees to conduct public meetings and workshops by means of communications media technology, as permitted by the Administrative Procedures Act. This authorization applies to volunteer citizen advisory committees created to provide technical expertise and support to the National Estuary Program whose membership is composed of representatives from four or more counties.

The National Estuary Program is a non-regulatory program, administered by the U.S. Environmental Protection Agency, to identify Estuaries of National Significance and support the development of comprehensive management plans to assure such estuaries maintain their ecological integrity. There are currently four recognized National Estuary Programs in Florida:

- Coastal and Heartland National Estuary Program.
- Indian River Lagoon National Estuary Program.
- Sarasota National Estuary Program.
- Tampa Bay National Estuary Program.

Each National Estuary Program is governed by a body known as a National Estuary Program management conference, which may appoint advisory committees to advise the conference on various topics such as research, restoration, technical expertise, public involvement, and resource management. Some management conferences have entered into partnerships with special districts through interlocal agreements to serve as the advisory committee. Meetings of these advisory committees are open to the public.

Communications media technology is defined in law as the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available. The bill requires that the use of communications media technology at an advisory committee meeting or workshop must allow for all persons attending to audibly communicate as if the person is physically present. Additionally, the notice of the meeting or workshop must state whether communications media technology will be used and how an interested person may participate. An advisory committee member who participates in a meeting or workshop by means of communications media technology is deemed to be present at such meeting or workshop.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 112-0

Committee on Community Affairs

CS/CS/CS/HB 267 — Building Regulations

by Commerce Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Esposito and others (CS/CS/CS/SB 684 by Rules Committee; Fiscal Policy Committee; Community Affairs Committee; and Senator DiCeglie)

Building Permit Processing Timeframes

The bill provides a number of revisions to current law to adjust the statutory timeframes for local governments to process building permit applications and to notify permit applicants of any deficiencies. Specifically, the bill requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within the following timeframes:

- 30 business days for the following permits for structures that are less than 7,500 square feet: single-family residential unit or dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanism, plumbing, or roofing.
- 60 business days for the above-mentioned permits for structures more than 7,500 square feet.
- 60 business days for signs and nonresidential buildings less than 25,000 square feet.
- 60 business days for multifamily residential not exceeding 50 units, certain site-plan approvals and subdivision plats, and lot grading and site alteration.
- 12 business days for master building permits for site-specific building permit.
- 10 business days for single-family dwellings utilizing the Community Development Block Grant-Disaster Recovery Program.

If a local government fails to meet a deadline provided in the bill, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline, with certain exceptions. The bill also revises the timeframe for local governments to provide written notice to an applicant specifically stating the reasons the permit application is deficient and to provide the applicant an opportunity to resubmit revisions.

Private Providers

Current law allows property owners and contractors to hire licensed building code officials, engineers, and architects, referred to as private providers, to review building plans, perform building inspections, and prepare certificates of completion. The bill makes the following changes concerning private providers:

- Requires local governments to process a building permit application associated with a private provider who is a licensed engineer or architect within 10 days.
- Requires local governments to create standard operating private provider audit procedures in order to be able to audit the performance of building code inspection services by private providers.

- Reduces the number of times a local government can audit a private provider from four times per month to four times per year.
- Removes a provisions requiring a private provider to notify a local government by a specified day and time when performing an inspection.

Window and Door Replacements

The bill directs the Florida Building Commission to modify the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse, if all of the following conditions are met:

- The replacement windows, doors, or garage doors are installed in accordance with the manufacturer's instructions for the appropriate wind zone.
- The replacement windows, doors, or garage doors meet the design pressure requirements in the most recent version of the Florida Building Code, Residential.
- A copy of the manufacturer's instructions is submitted with the permit application in a printed or digital format.
- The replacement windows, doors, or garage doors are the same size and are installed in the same opening as the existing windows, doors, or garage doors.

Unvented Attic Requirements

The bill creates a new section of law to provide thermal efficiency standards for unvented attic and unvented enclosed rafter assemblies. The Florida Building Commission must review these provisions and consider any technical changes thereto and report such findings to the Legislature by December 31, 2024.

Building Code Inspector and Plans Examiner Licensure

The bill allows an internship program for residential inspectors to satisfy the internship requirement to qualify an applicant to sit for the building code inspector or plans licensure exam.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025, except where otherwise provided.
Vote: Senate 36-0; House 83-29

Committee on Community Affairs

CS/CS/SB 328 — Affordable Housing

by Fiscal Policy Committee; Community Affairs Committee; and Senators Calatayud, Osgood, and Stewart

The bill amends various provisions of the Live Local Act (Chapter 2023-17, L.O.F.), passed during the 2023 Regular Session, which made substantial changes and additions to affordable housing related programs and policies at both the state and local level.

The bill amends the 2023 Live Local Act's land use and zoning provisions for affordable multifamily rental developments to:

- Preempt a local government's floor area ratio for qualifying developments.
- Specify that a local government must reduce parking requirements for qualifying developments by at least 20 percent if the development is located within one-half mile of certain transportation facilities and has available parking within 600 feet.
- Modify the building height entitlement to address situations where a qualifying development is adjacent to single family parcels.
- Prohibit qualifying developments within one-quarter mile of a military installation from being approved administratively.
- Exempt certain airport-impacted areas from the zoning and land use entitlements.
- Make clarifying changes pertaining to the density, height, and floor area ratio entitlements for qualifying developments.
- Require qualifying developments be treated as a conforming use.
- Require local governments to publish procedures and expectations for the administrative approval of qualifying developments.
- Clarify that only the affordable units in a qualifying development must be rental units.
- Impose special qualifiers for developments within a transit-oriented development or area.

The bill makes a special provision to allow an applicant of a qualifying development who applied to the local government prior to the effective date of the bill to proceed under the applicable land use and zoning provisions of the Live Local Act as they existed as the time of submittal of the application.

The bill also amends the ad valorem tax exemptions of the Live Local Act, established to incentivize development of multifamily rental units for individuals and families at specified household income levels. The bill clarifies administrative procedures for the exemptions, allows developments in the Florida Keys to set aside fewer rent-restricted units to qualify for the exemption in s. 196.1978, F.S., and prohibits owners from using exempt units as vacation rentals.

The bill appropriates $100 million in non-recurring funds from the General Revenue Fund to the Florida Housing Finance Corporation (FHFC) to administer the Florida Hometown Hero Program and makes one programmatic change. The Florida Hometown Hero Program was codified into law by the Live Local Act to provide down payment assistance to first-time Florida

homebuyers meeting certain household income thresholds. Finally, the bill clarifies the authority of the FHFC to preclude developers from participating in FHFC programs for certain violations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 40-0; House 112-1

Committee on Community Affairs

CS/HB 479 — Alternative Mobility Funding Systems

by Commerce Committee and Rep. Robinson, W. and others (CS/SB 688 by Rules Committee and Senator Martin)

The bill revises provisions concerning impact fees and concurrency and provides additional guidance concerning mobility fees. In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for the issuance of a project's building permit, to maintain various civic services amid growth. While some local governments charge traditional impact fees related to transportation improvements, others have shifted to mobility-based fees which promote compact, mixed-use, and energy-efficient development. The interaction of counties' and municipalities' mixed use of fees has given rise to a need for guidelines related to administration.

Specifically, the bill:

- Provides definitions for "mobility fee" and "mobility plan" to be used within the Community Planning Act;
- Provides that local governments adopting and collecting impact fees by ordinance or resolution must use localized data based on a regularly updated study;
- Provides that after an applicant makes its contribution or constructs its proportionate share, the project must be allowed to proceed;
- Requires local governments charging overlapping transportation impact fees to coordinate calculation and collections through interlocal agreement;
- Provides default method for collection and distribution, including a penalty on fees charged by local governments that have failed to execute an interlocal agreement; and
- Provides that holders of transportation or road impact fee credits, which existed before the adoption of the mobility fee-based funding system, are entitled to the full benefit of the intensity and density prepaid.

The interlocal agreement provisions do not apply to Miami-Dade County or any county or municipality which has entered into or otherwise updated an existing interlocal agreement as of October 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-1; House 115-0

Committee on Community Affairs

CS/HB 705 — Public Works Projects

by Local Administration, Federal Affairs & Special Districts Subcommittee and Rep. Shoaf (CS/SB 742 by Community Affairs Committee and Senator Grall)

Current law prohibits the state or political subdivisions from imposing certain requirements such as regional preference, minimum wages, and single source hiring on contractors for competitively bid public works projects utilizing state-appropriated funds. The bill revises the definition of "public works project" related to this prohibition to include those paid for with local or state funds, rather than limited to projects including state funding.

The bill clarifies that the term "public works project" does not include the provision of goods, services, or work incidental to the public works project, such as the provision of security services, janitorial services, landscaping services, maintenance services, transportation services, or other services that do not require a construction contracting license or do not involve supplying or carrying construction materials for a public works project.

The bill provides an exception permitting a county or municipality to engage in local preference-limiting eligible bidders for projects based on geographic location of the contractor, subcontractor, or supplier with respect to public works projects for which the local government is the sole funding source.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-12; House 80-32

Committee on Community Affairs

CS/CS/SB 770 — Improvements to Real Property

by Fiscal Policy Committee; Community Affairs Committee; and Senator Martin

The bill substantially amends a program authorized in current law, commonly known as the "Property Assessed Clean Energy" or "PACE" program, which allows property owners to make qualifying improvements to real property and finance the cost through annual non-ad valorem tax assessments. Qualifying improvements are those that enhance energy efficiency, renewable energy, wind resistance, and newly added by the bill wastewater treatment, flood and water damage mitigation, and sustainable building improvements.

The bill significantly restructures statutes related to the PACE program in order to enhance certain protections for consumers entering into PACE contracts, ensure oversight for contractors that install improvements, and expand the universe of improvements this financing may be utilized to install. Specifically, the bill:

- Divides commercial and residential PACE programs into separate statutes to provide separate procedures and protections;
- Adds waste system, flood and water damage mitigation, and resiliency improvements to qualified improvements, depending on if the improvement is for a residential or commercial program;
- Provides that a program administrator may only offer a program for financing qualifying improvements to residential or commercial property within the jurisdiction of a county or municipality which has authorized by ordinance or resolution the administration of the program;
- Creates for both residential and commercial financing a list of findings and disclosures, including the ability to pay and certain terms and conditions of the loan, which must precede a financing agreement;
- Sets requirements for program administrators to be able to participate in local programs;
- Requires contractor registration and provides for oversight of behavior of contractors utilized by program administrators to enter and perform contracted services under PACE programs;
- Provides parameters for solicitation and advertising and unenforceable financing agreements; and
- Enacts reporting requirements for program administrators and operational audit requirements to be performed annually by the Auditor General.

The bill allows current contracts, agreements, or other authorization between a county or municipality and a program administrator to continue without additional action.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-2; House 87-24

Committee on Community Affairs

CS/CS/CS/SB 812 — Expedited Approval of Residential Building Permits

by Rules Committee; Regulated Industries Committee; Community Affairs Committee; and Senator Ingoglia

The bill requires certain local governments to create a program to expedite the issuance of residential building permits based on a preliminary plat and to issue the number or percentage of permits requested by an applicant if certain conditions are met. Local governments required to establish this expedited program are counties with 75,000 residents or more (except for Monroe County) and municipalities that have 10,000 residents or more and 25 acres or more of contiguous land designated for agricultural or residential purposes.

By October 1, 2024, applicable local governments must establish the program and allow an applicant to request up to 50 percent of the permits for a residential subdivision or planned community. By December 31, 2027, applicable local governments must update their program to allow an applicant to request up to 75 percent of the permits of the development.

The bill provides that an applicant for a building permit may not obtain a temporary or final certificate of occupancy for each residential structure or building until the final plat is approved by the governing body and recorded in the public records. Additionally, an applicant may contract to sell, but may not transfer ownership of, a residential structure or building located in the preliminary plat before the final plat is approved by the local government.

The bill further allows an applicant to use a private provider to expedite the application process for building permits after a preliminary plat is approved, and requires local governments to establish a registry of qualified contractors whom the local government can use for assistance in processing and expediting the review of applications for preliminary plats.

Finally, the bill provides that vested rights may be formed in a preliminary plat, under certain circumstances.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 89-25

Committee on Community Affairs

SB 958 — Local Government Employees

by Senators Martin and Perry

The bill raises the statutory base salary rates for tax collectors and district school superintendents by $5,000. Salaries for these positions are calculated through a formula beginning with the base rate and accounting for county population and certain annualized factors.

The bill also makes various changes to benefits and incentive programs for tax collector employees in order to promote retention. The bill provides that tax collector employees who are domiciled in Florida and who adopt a child within the child welfare system are eligible for a lump-sum monetary benefit associated with adoption. The bill also permits county tax collectors to budget for and pay a hiring or retention bonus to employees, if such expenditure is approved by the Department of Revenue or board of county commissioners.

The bill finally allows district school boards to contract with the county tax collector for a tax collector employee to administer road tests for driver licensure on school grounds at schools within the district.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-0; House 110-3

Committee on Community Affairs

CS/SB 1082 — Housing for Legally Verified Agricultural Workers

by Rules Committee and Senator Collins

The bill preempts a local government from inhibiting the construction or installation of housing for legally verified agricultural workers on land classified as agricultural if the housing meets certain criteria related to location and construction.

The bill provides that a local ordinance regulating such housing must comply with state and federal regulations for migrant farmworker housing, including rules adopted by the Department of Health and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. As the bill establishes maximum requirements for such housing, a local government may validly adopt less restrictive land use regulations. The bill provides for circumstances requiring the removal or disuse of such housing and recordkeeping requirements for property owners of housing sites.

The bill further provides that the construction or installation of housing for seasonal agricultural employees in the Florida Keys and City of Key West Areas of Critical State Concern is subject to the permit allocation system in place for those areas.

The bill grandfathers housing sites constructed and in use before July 1, 2024, which may continue to be used. The property owner may not be required to make changes to meet the requirements of the bill, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-0; House 113-0

Committee on Community Affairs

CS/HB 1161 — Verification of Eligibility for Homestead Exemption

by Ways & Means Committee and Reps. Arrington, Keen, and others (CS/CS/SB 172 by Finance and Tax Committee; Community Affairs Committee; and Senators Polsky, Osgood, and Book)

The bill requires the Department of Revenue to create a form that a property appraiser may use to provide a person with tentative verification of that person's eligibility to receive an ad valorem property tax exemption related to the applicant's status as a disabled veteran after the purchase of homestead property. The person must submit forms, documentation, and other necessary proof of qualification for the exemption or discount.

The bill provides that decisions by property appraisers whether to consider a request for the tentative verification or regarding a person's eligibility are not subject to administrative or judicial review under ch. 194, F.S. Currently, this is a service which is not required but may be undertaken by local property appraisers at their own discretion.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Community Affairs

CS/CS/HB 1365 — Unauthorized Public Camping and Public Sleeping

by Health & Human Services Committee; Judiciary Committee; and Rep. Garrison and others (CS/CS/SB 1530 by Fiscal Policy Committee; Judiciary Committee; and Senator Martin)

The bill preempts counties and municipalities from authorizing individuals to regularly sleep or camp on public property, at public buildings, or on public rights-of-way within their jurisdictions. The prohibitions against camping or sleeping on public property do not apply when the Governor has declared a state of emergency or when local officers have declared a local state of emergency pursuant to ch. 870, F.S.

The bill authorizes counties and municipalities to designate public property for public camping or sleeping by majority vote. Before use, such designated property must be certified by the Department of Children and Families that the local government and the property meet certain requirements. A designated property may not be used continuously for longer than 1 year and, except for properties in fiscally constrained counties that make certain findings, must meet specified minimum standards and procedures. The Department of Children and Families may inspect the property and recommend decertification if requirements for the designation are no longer being met.

Effective January 1, 2025, the bill authorizes a resident, local business owner, or the Attorney General to bring a civil action against a county or municipality to enjoin practices of allowing unlawful sleeping or camping on public property. When filing an application for an injunction, the plaintiff must also file an affidavit demonstrating that the governmental entity has been notified of the problem and that the problem has not been cured. A prevailing plaintiff may recover reasonable expenses incurred in bringing the action.

Individuals who sleep or camp on public property without authorization are not subject to penalties under the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024, except where otherwise provided.
Vote: Senate 27-12; House 82-26

Committee on Community Affairs

CS/CS/SB 1456 — Counties Designated as Areas of Critical State Concern

by Finance and Tax Committee; Community Affairs Committee; and Senator Rodriguez

The bill provides various changes applying specifically to the Florida Keys and the City of Key West Areas of Critical State Concern. Development in these areas is subject to limits that maintain the ability to evacuate permanent residents 24 hours before a hurricane strikes, with non-permanent residents and visitors evacuated earlier. The bill revises the evacuation time criteria to provide that mobile home residents are not considered permanent residents to be evacuated in the last phase. The bill also clarifies that, for the purpose of calculations on evacuation time, Key West must be included with the other keys.

The bill also authorizes land authorities, which operate in areas of critical state concern, (i.e., the Monroe County Land Authority) to require compliance with income limitations on land conveyed for affordable housing by memorializing the original land authority funding or contribution in a recordable perpetual deed restriction. Additionally, until July 1, 2029, a county or municipality within an area of critical state concern is exempt from certain local housing assistance trust fund requirements to allow more flexibility in the households awarded.

Finally the bill allows a county designated as an area of critical state concern (i.e., Monroe County) to use any accumulated surplus revenue from tourist development and impact taxes incurred through September 30, 2024, for affordable housing. Revenues from these taxes may only be used for specified purposes, typically directly related to the tourism industry. The expenditure of funds on affordable housing under this bill cannot exceed $35 million, and is subject to approval by a majority vote of the board of county commissioners. Affordable housing must be available to employees of private sector tourism-related businesses in the county. Any housing financed from the accumulated surplus must be used to provide affordable housing for no less than 99 years.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Community Affairs

CS/SB 1526 — Local Regulation of Nonconforming and Unsafe Structures

by Environment and Natural Resources Committee and Senator Avila

The bill creates the Resiliency and Safe Structures Act, providing that a local government may not prohibit, restrict, or prevent the demolition of certain qualifying structures and buildings for any reason other than public safety. This applies to any structure or building on a property at least partially seaward of the coastal construction control line which has been determined to be unsafe or ordered demolished by a local building official, or does not conform to the base flood elevation requirements for new construction issued by the National Flood Insurance Program for the applicable zone. The bill does not, however, apply to:

- Structures or buildings individually listed in the National Register of Historic Places;
- Single-family homes;
- Contributing structures or buildings within a historic district which was listed in the National Register of Historic Places before January 1, 2000; or
- Structures or buildings located on a barrier island in a municipality with a population of less than 10,000 according to the most recent decennial census and which has at least six city blocks that are not located in zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map issued by the Federal Emergency Management Agency.

A local government may only administratively review an application for a demolition permit for compliance with safety codes and regulations applicable to a similarly situated parcel. The local government may not impose additional local land development regulations or public hearings on an applicant for a demolition permit under this bill.

The bill provides that a local government must authorize replacement structures for qualifying buildings to be developed to the maximum height and overall building size allowed for a similarly situated parcel within the same zoning district. The bill prohibits a local government from imposing certain restrictions and limitations on a replacement structure to be built on the property where a qualifying structure was demolished.

The bill also includes a preemption provision that prohibits a local government from adopting or enforcing a law that in any way limits the demolition of a qualifying structure or that limits the development of a replacement structure. A local government may not penalize an owner or a developer of a replacement structure or otherwise enact laws that defeat the intent of the bill. Any local government law contrary to this bill is void.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 36-2; House 86-29

Committee on Community Affairs

CS/CS/SB 1628 — Local Government Actions

by Fiscal Policy Committee; Community Affairs Committee; and Senator Collins

The bill reduces the exceptions to the requirement that counties and cities, respectively, produce or have produced a "business impact estimate" prior to passing an ordinance. A local government must generally, with certain exceptions, complete a business impact estimate, which includes an estimate of the direct economic impact of the government action, before passing an ordinance. The bill provides that local governments must complete a business impact statement prior to adopting and implementing a comprehensive plan amendment or land development regulation amendment, other than those amendments initiated by a private party.

The bill also provides that a local government holding a referendum on approving a bond issue in an amount greater than $500 million must do so at a general election, as opposed to a special election held for that purpose.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 30-1; House 84-30

Committee on Community Affairs

CS/CS/SB 1704 — Sheriffs in Consolidated Governments

by Rules Committee; Community Affairs Committee; and Senator Yarborough

The bill provides that two current laws, the first of which permits a sheriff to transfer funds between categories and code levels after their budget has been approved, and the second of which retains the independence of the Sheriff in certain personnel and procurement decisions, apply to the Sheriff of a consolidated government.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 25-12; House 86-23

Committee on Community Affairs

SB 1720 — Marine Encroachment on Military Operations

by Senator Rodriguez

The Community Planning Act in ch. 163, part II, F.S., promotes cooperation between local governments and nearby military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in Florida.

Current law identifies 16 major military installations that, due to their mission and activities, have a greater potential for experiencing compatibility and coordination issues with local government planning than others. For these identified installations, local governments must transmit to the commanding officer information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations which, if approved, would affect the use of land adjacent to or in close proximity to the military installation. The local government must take into consideration the advisory comments submitted by the commanding officer on the impact of proposed changes on the mission of the military installation.

The bill adds various annexes and a range at Naval Air Station Key West that require coordination with local government on land use decisions. These include the annexes across Boca Chica Key and Key West as well as the Fleming Bay/Patton Water Drop Zone training range used by the Army Special Forces Underwater Operations School.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 114-0

Committee on Community Affairs

CS/HB 7011 — Inactive Special Districts

by State Affairs Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; and Rep. Persons-Mulicka (CS/SB 1052 by Community Affairs Committee and Senator Hutson)

The bill dissolves the following special districts created by special act, which have been declared inactive by the Department of Commerce, and repeals their enabling laws:

- Calhoun County Transportation Authority.
- Dead Lakes Water Management District.
- Highland View Water and Sewer District.
- West Orange Airport Authority.

The bill also dissolves the Sunny Isles Reclamation and Water Control Board and repeals the judicial order establishing the district.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Community Affairs

CS/CS/HB 7013 — Special Districts

by State Affairs Committee; Ways & Means Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; and Rep. Persons-Mulicka (CS/SB 1058 by Community Affairs Committee and Senator Hutson)

The bill revises numerous provisions relating to special districts. A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary. Specifically the bill makes changes by:

- Creating a 12-year consecutive term limit for elected members of governing bodies of most types of independent special districts;
- Providing that boundaries of independent special districts may only be changed by an act of the Legislature, with an exception;
- Repealing provisions that allow special districts to convert to a municipality without legislative approval;
- Adding additional criteria for declaring a special district inactive;
- Revising notice and procedures for proposed declaration of inactive status;
- Authorizing districts that have been declared inactive to expend funds in certain instances;
- Requiring all special districts to adopt goals and objectives, as well as performance measures and standards to determine if those goals and objectives are being achieved;
- Requiring independent special fire control districts to report certain information to the Division of the State Fire Marshal;
- Reducing the maximum ad valorem millage rate that may be levied by a mosquito control district from 10 mills to one mill, with one exception;
- Requiring mosquito control districts to meet certain conditions required to participate in state programs; and
- Prohibiting the creation of new safe neighborhood improvement districts and requiring the Office of Program Policy Analysis and Government Accountability to conduct a performance review of existing safe neighborhood improvement districts.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-1

Committee on Community Affairs

CS/SB 7054 — Private Activity Bonds

by Appropriations Committee and Community Affairs Committee

The bill substantially revises Part VI, Private Activity Bonds, of ch. 159, F.S. The bill modernizes, updates, and streamlines out-of-date provisions throughout the part and codifies certain Division of Bond Finance (division) rules related to the administration of private activity bonds. Specifically, the bill:

- Provides legislative intent to maximize the annual use of private activity bonds to finance improvements, projects, and programs serving public purposes and benefitting the social and economic well-being of Floridians;
- Refines and adds definitions used throughout;
- Revises the regions, pools, and timelines related to bond allocations to consolidate infrequently used pools and expedite usage of bonds;
- Codifies current rules and procedures related to requests for volume limitation by notice of intent to issue, evaluation of such notices, and the division's role in final certification of bond issuance;
- Allows for all volume cap allocated in a confirmation to be entitled to be carried forward, rather than limiting it to specific types of projects or basing it on the amount of the confirmation;
- Replaces the existing processes for requesting and granting allocation of volume cap with an electronic application wherein all notices and issuance reports will be submitted on the division's website in lieu of via certified/overnight mail;
- Repeals the division's rulemaking authority; and
- Amends related statutes to correct cross references and outdated references.

The bill combines certain bond allocation pools into a single pool available for all bonds other than those issued to finance affordable housing projects. The bill also consolidates a number of regions from the existing regional allocation pools and specifies that the regional pools are specific to affordable housing projects.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 39-0; House 109-1

Committee on Criminal Justice

SB 184 — Impeding, Threatening, or Harassing First Responders

by Senators Avila and Hooper

The bill provides that it is a second degree misdemeanor for any person, after receiving a verbal warning not to approach from a person he or she knows or reasonably should know is a first responder, who is engaged in the lawful performance of a legal duty, to violate such warning and approach or remain within 25 feet of the first responder, with the intent to:

- Impede or interfere with the first responder's ability to perform such duty;
- Threaten the first responder with physical harm; or
- Harass the first responder.

The bill defines "first responder" as a law enforcement officer, correctional probation officer, firefighter, or an emergency medical care provider. The bill defines "harass" to mean to willfully engage in a course of conduct directed at a first responder which intentionally causes substantial emotional distress in that first responder and serves no legitimate purpose.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 39-1; House 85-27

Committee on Criminal Justice

CS/CS/CS/HB 275 — Offenses Involving Critical Infrastructure

by Judiciary Committee; Energy, Communications & Cybersecurity Subcommittee; Criminal Justice Subcommittee; and Rep. Canady and others (CS/CS/CS/SB 340 by Fiscal Policy Committee; Regulated Industries Committee; Criminal Justice Committee; and Senator Yarborough)

The bill creates s. 812.141, F.S., relating to offenses involving critical infrastructure. The bill creates new felony offenses and provides for civil remedies if a person is found to have improperly tampered with critical infrastructure.

The bill defines "critical infrastructure" to mean any linear asset or any specified entities for which the owner or operator thereof has employed measures designed to exclude unauthorized persons, including, but not limited to, fences, barriers, guard posts, or signs prohibiting trespass.

"Improperly tampers" means to cause, or attempt to cause, significant damage to, or a significant interruption or impairment of a function of, critical infrastructure without permission or authority to do so.

A person commits a second degree felony if he or she knowingly and intentionally improperly tampers with critical infrastructure which results in:

- Damage to such critical infrastructure that is $200 or more; or
- The interruption or impairment of the function of such critical infrastructure which costs $200 or more in labor and supplies to restore.

The bill provides that a person who is found in a civil action to have improperly tampered with critical infrastructure based on a conviction of the above described crime is liable to the owner or operator of the critical infrastructure.

A person commits a third degree felony crime of trespass if he or she, without being authorized, licensed, or invited, willfully enters upon or remains upon critical infrastructure as to which notice against entering or remaining in is given.

A person commits a third degree felony if he or she willfully, knowingly, and without authorization gains access to a computer, computer system, computer network, or electronic device owned, operated, or used by any critical infrastructure entity, while knowing that such access is unauthorized.

A person commits a second degree felony if he or she willfully, knowingly, and without authorization physically tampers with, inserts a computer contaminant into, or otherwise transmits commands or electronic communications to a computer, computer system, computer network, or electronic device that causes a disruption in any service delivered by any critical infrastructure.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 110-5

Committee on Criminal Justice

CS/HB 305 — Offenses Involving Children

by Criminal Justice Subcommittee and Rep. Baker and others (CS/CS/SB 312 by Judiciary Committee; Criminal Justice Committee; and Senators Collins and Hooper)

The bill amends s. 90.803, F.S., to increase the age for the child hearsay exception from 16 years of age to 17 years of age. The hearsay rule is a rule of evidence which prohibits the admission of out-of-court statements that are offered to prove the truth of the matter asserted as evidence in judicial proceedings.

Under the child hearsay exception in current law, an out-of-court statement made by a child victim with a physical, mental, emotional, or developmental age of 16 or less describing any act of child abuse or neglect, any act of sexual abuse against a child, the offense of child abuse, the offense of aggravated child abuse, or any offense involving an unlawful sexual act, contact, intrusion, or penetration performed in the presence of, with, by, or on the declarant child, not otherwise admissible, is admissible in evidence in any civil or criminal proceeding if:

- The court finds in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and
- The child either testifies, or is unavailable as a witness and there is other corroborative evidence of abuse or offense.

The bill amends s. 775.21, F.S., requiring a person convicted of a human trafficking offense, where the victim is a minor under s. 787.06(3)(f) and (g), F.S., to be designated a sexual predator on a first offense. The bill provides that any violation of s. 787.06(3)(f) and (g), F.S., will require registration as a sexual predator if the offender has a previous qualifying offense.

Under current law, s. 787.06(3)(f) and (g), F.S., which generally relate to human trafficking for commercial sexual activity, do not require an offender to be designated as a sexual predator based solely on a single conviction. Both s. 787.06(3)(f) and (g), F.S., require an offender to have a specified prior sexual offense conviction before he or she is required to be designated as a sexual predator upon such a conviction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 115-0

Committee on Criminal Justice

HB 533 — DNA Samples from Inmates

by Rep. Fabricio and others (SB 524 by Senator Ingoglia)

The bill requires that each inmate in the custody of the Department of Corrections who has not previously provided a DNA sample pursuant to s. 943.325, F.S., provide a DNA sample to the Florida Department of Law Enforcement (FDLE) by September 30, 2024. The FDLE is required to collect and process the samples pursuant to s. 943.325, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 115-0

Committee on Criminal Justice

CS/HB 549 — Theft

by Criminal Justice Subcommittee and Rep. Rommel and others (CS/SB 1222 by Criminal Justice Committee and Senators Trumbull and Perry)

The bill amends s. 812.04, F.S., to lower the threshold value for third degree felony theft from a dwelling or unenclosed curtilage of a dwelling from $100 or more, but less than $750, to $40 or more, but less than $750. This crime retains a level 2 ranking in the offense severity ranking chart.

The bill creates new crimes relating to taking property from a person's home or porch. Specifically, if the property is taken from a dwelling or from the unenclosed curtilage of a dwelling, it is a:

- Third degree felony, if the property stolen is valued at $750 or more. This crime is ranked as a level 4 in the offense severity ranking chart.
- Second degree felony, if the property stolen is taken from more than 20 dwellings or from the unenclosed curtilage of more than 20 dwellings, or any combination thereof. This crime is ranked as a level 5 in the offense severity ranking chart.
- First degree misdemeanor, if the property stolen is valued at less than $40.
    - A person who commits the above misdemeanor offense and who has previously been convicted of any theft commits a third degree felony. This crime is ranked as a level 2 in the offense severity ranking chart.
    - A person who commits the above misdemeanor offense and has previously been convicted two or more times of any theft commits a third degree felony. This crime is ranked as a level 4 in the offense severity ranking chart.

The bill amends s. 812.015, F.S., to provide that it is a third degree felony for a person to commit retail theft if the person acts in concert with five or more other persons within one or more establishments for the purpose of overwhelming the response of a merchant, merchant's employee, or law enforcement officer in order to carry out the offense or avoid detection or apprehension for the offense. This crime is listed as a level 5 in the offense severity ranking chart.

Commission of the offense described above is a second degree felony if the person solicits the participation of another person in the offense through the use of a social media platform. This crime is listed as a level 6 in the offense severity ranking chart.

The bill provides it is a first degree felony, if a person commits retail theft under s. 812.015(8) or (9), F.S., and:

- Has two or more previous convictions of violations of either or both of those subsections; or
- Possesses a firearm during the commission of such offense. This crime is listed as a level 8 in the offense severity ranking chart.

Additionally, the bill increases the time-period in which the number of retail thefts, specified value of property stolen, or specified number of items stolen, is aggregated. This time-period is increased from 30 days to 120 days.

Additionally, the bill lowers the number of retail thefts from five to three in the 120 day period, to constitute a third degree felony of retail theft.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 36-3; House 83-27

Committee on Criminal Justice

HB 601 — Law Enforcement and Correctional Officers

by Rep. Duggan and others (CS/SB 576 by Community Affairs Committee and Senator Ingoglia)

The bill amends s. 112.533, F.S., to provide that it is the intent of the Legislature to make the process for receiving, processing, and investigation of complaints against law enforcement or correctional officers, and the rights and privileges while under investigation, apply uniformly throughout the state and political subdivisions.

The bill specifies that a political subdivision may not adopt or attempt to enforce any ordinance relating to either:

- The receipt, processing, or investigation by any political subdivision of this state of complaints of misconduct by law enforcement or correctional officers.
- Civilian oversight of law enforcement agencies' investigations of complaints of misconduct by law enforcement or correctional officers.

Any civilian oversight that is operating in violation of the above provisions would be prohibited from operating in such manner after the July 1, 2024, effective date. The bill does not change the process for misconduct investigations for employing agencies, the Criminal Justice Standards and Training Commission, or any criminal investigations based on misconduct by law enforcement officers, correctional officers, or correctional probation officers.

The bill provides a $5,000 increase to the base salary for each sheriff.

The bill provides that a county sheriff or chief of a municipal police department may establish a civilian oversight board to review the policies and procedures of his or her office and its subdivisions. Boards must be composed of at least three and up to seven members appointed by the county sheriff or chief of a municipal police department, one of which shall be a retired law enforcement officer.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-0; House 81-28

Committee on Criminal Justice

CS/SB 678 — Forensic Investigative Genetic Genealogy Grant Program

by Criminal Justice Committee and Senator Bradley

The bill creates the Forensic Investigative Genetic Genealogy Grant Program within the Florida Department of Law Enforcement (FDLE). The purpose of the program is to award grants to statewide and local law enforcement agencies and medical examiner's offices to support local agencies in the processing of DNA samples.

The FDLE must annually award to law enforcement agencies and medical examiner's offices funds specially appropriated for the grant program to cover expenses related to using forensic investigative genetic genealogy methods to generate investigative leads for criminal investigations of violent crimes and aid in identifying unidentified human remains.

The term "forensic investigative genetic genealogy" means the combined application of laboratory testing, genetic genealogy, and law enforcement investigative methods to develop investigative leads in unsolved violent crimes and provide investigative leads as to the identity of unidentified human remains. Such methods must be in accordance with department rule and compatible with multiple genealogical databases that are available for law enforcement use. Grant funding is intended for developing genealogy DNA profiles consisting of 100,000 or more markers.

Grants may be used in accordance with FDLE rule to:

- Analyze DNA samples collected under applicable legal authority using forensic genetic genealogy methods for solving violent crimes.
- Analyze unidentified human remains.

Grant recipients must provide a report to the FDLE executive director no later than one year after receiving the funding. The report must include:

- The amount of annual funding received;
- The number and type of cases pursued using forensic genetic genealogy methods;
- The type of forensic investigative genetic genealogy methods used, including the name of the laboratory to which such testing is outsourced, if any, and the identity of the entity conducting any genetic genealogical research;
- The result of the testing, such as decedent identification, perpetrator identification, or no identification; and
- The amount of time it took to make an identification or to determine no identification could be made.

The FDLE may adopt rules to implement and administer the grant program, and to establish the process for the allocation of funds. For Fiscal Year 2024-2025, the sum of $500,000 in nonrecurring funds is appropriated from the General Revenue Fund to the FDLE for the Forensic Investigative Genetic Genealogy Grant Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Criminal Justice

CS/CS/CS/SB 718 — Exposures of First Responders to Fentanyl and Fentanyl Analogs

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Collins and Hooper

The bill creates s. 893.132, F.S., relating to dangerous fentanyl exposure of first responders resulting in overdose or serious bodily injury. First responder means an emergency medical technician, a paramedic, a firefighter, a correctional officer, a correctional probation officer, and a state or local law enforcement officer, who is acting in his or her official capacity.

The bill provides that a person 18 years of age or older who, in the course of unlawfully possessing dangerous fentanyl or fentanyl analogs, recklessly exposes a first responder to such substance that results in an overdose or serious bodily injury of the first responder, commits a second degree felony.

Dangerous fentanyl or fentanyl analogs means any controlled substance described in s. 893.135(1)(c)4.a.(I)-(VII), F.S.

The bill amends s. 893.21, F.S., to provide immunity from arrest and prosecution for a person who acting in good faith, seeks medical assistance because he or she, or another person is experiencing an alcohol or drug related overdose.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 30-0; House 100-12

Committee on Criminal Justice

CS/SB 758 — Tracking Devices and Applications

by Judiciary Committee and Senator Martin

The bill amends s. 934.425, F.S., to prohibit a person from knowingly:

- Placing a tracking device or tracking application on another person's property without that person's consent; or
- Using a tracking device or tracking application to determine the location or movement of another person or another person's property without that person's consent.

The bill expands the scope of prohibited conduct to capture those persons who do not install a tracking device or tracking application on another person's property themselves, but who place or use such a device or application to determine the location or movement of another person or another person's property without that person's consent.

The bill increases the penalty for a violation of this section from a second degree misdemeanor to a third degree felony.

The bill expands the exceptions in s. 934.425, F.S., to include an exception for placement or use of a tracking device or tracking application, under certain circumstances, by:

- Law enforcement officers, or any local, state, federal, or military law enforcement agency;
- A parent or legal guardian of a minor;
- A caregiver of an elderly person or disabled adult; and
- An owner or lessee of a motor vehicle.

The bill amends s. 493.6118, F.S., to provide that use of a tracking device or tracking application is grounds for which disciplinary action may be taken by the Department of Agriculture and Consumer Services against any licensee, agency, or applicant regulated by ch. 493, F.S., or any unlicensed person engaged in activities regulated by ch. 493, F.S.

Chapter 493, F.S., relates to private investigative, private security, and repossession services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 37-0; House 113-0

Committee on Criminal Justice

CS/CS/CS/SB 764 — Retention of Sexual Offense Evidence

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Stewart

The bill amends s. 943.326(3), F.S., to specify parameters for the storage of sexual assault evidence kits (SAKs). Kits that are collected from an alleged victim of a sexual offense who does not report the sexual offense to law enforcement during the forensic physical examination and does not request to have the evidence tested, must be retained for a minimum of 50 years.

The bill requires that:

- The medical facility or certified rape crisis center that collected the kit must transfer the SAK to the Florida Department of Law Enforcement (FDLE) within 30 days after the collection date; and
- The FDLE must store the evidence anonymously, in a secure environmentally safe manner, and with a documented chain of custody.

If at any time following the initial retention of a SAK an alleged victim reports the crime to law enforcement or requests testing of the evidence, and if the applicable time limitation under s. 775.15, F.S., has not expired and a criminal prosecution may still be commenced, the previously collected SAK evidence will be retained in the same manner as if the victim initially reported the offense or requested testing at the time of collection. However, if a criminal case may not be commenced because the applicable time limitation under s. 775.15, F.S., has expired, the kit must be maintained in a secure, environmentally safe manner until the department has approved its destruction.

The bill provides that a SAK, or other DNA evidence if a kit is not collected, that is collected from an alleged victim who reports a sexual offense to law enforcement or who makes a request, or on whose behalf a request is made, for testing, must be retained in a secure, environmentally safe manner until the prosecuting agency has approved its destruction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 112-1

Committee on Criminal Justice

CS/HB 801 — Alzheimer's Disease and Related Dementia Training for Law Enforcement Officers

by Criminal Justice Subcommittee and Rep. Buchanan and others (CS/CS/SB 208 by Fiscal Policy Committee; Criminal Justice Committee; and Senators Burgess and Perry)

This bill creates s. 943.17299, F.S., to establish a continued employment training component related to Alzheimer's disease and related forms of dementia. The Florida Department of Law Enforcement, in consultation with the Department of Elder Affairs, must establish an online training. Such training must include, but is not limited to instruction on interacting with persons with Alzheimer's disease or a related form of dementia, including:

- Instruction on techniques for recognizing behavioral symptoms and characteristics;
- Effective communication;
- Employing the use of alternatives to physical restraints; and
- Identifying signs of abuse, neglect, or exploitation.

Completion of the training component may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer, correctional officer, or correctional probation officer.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 117-0

Committee on Criminal Justice

CS/CS/SB 808 — Treatment by a Medical Specialist

by Appropriations Committee; Criminal Justice Committee; and Senators DiCeglie, Stewart, Osgood, Powell, Polsky, and Hooper

The bill amends s. 112.18, F.S., to authorize firefighters, law enforcement officers, correctional officers, and correctional probation officers to receive medical treatment for a compensable presumptive condition by his or her selected medical specialist. Under the bill, compensable presumptive conditions include tuberculosis, heart disease, or hypertension.

"Medical specialist" is defined as a physician licensed under ch. 458, F.S., or ch. 459, F.S., who has board certification in a medical specialty inclusive of care and treatment of tuberculosis, heart disease, or hypertension.

Written notice of the selection of a medical specialist must be given to a person's workers' compensation carrier, self-insured employer, or third-party administrator before he or she begins treatment, except in emergency situations. The bill creates an exception applicable to the usual provider selection process provided under the workers' compensation law.

The bill requires the firefighter's or officer's workers' compensation carrier, self-insured employer, or third-party administrator to authorize the selected medical specialist or authorize an alternative medical specialist with the same or greater qualifications and schedule an appointment within 5 business days after receipt of the written notice and schedule the appointment for treatment to be held within 30 days after receipt of the written notice. If after 5 days, an alternative medical specialist is not authorized, the selected medical specialist is authorized.

The continuing care and treatment must be reasonable, necessary, and related to tuberculosis, heart disease, or hypertension and be reimbursed at no more than 200 percent of the Medicare rate for a selected medical specialist.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 38-0; House 112-0

Committee on Criminal Justice

CS/CS/SB 1036 — Reclassification of Criminal Penalties

by Fiscal Policy Committee; Criminal Justice Committee; and Senator Ingoglia

The bill creates two new sections of law relating to the reclassification of criminal offenses under certain circumstances.

The bill creates s. 775.0848, F.S., reclassifying felony offenses to the next higher degree in cases when:

- A person has been previously convicted of a crime relating to reentry of removed aliens pursuant to 8 U.S.C. s. 1326; and
- That person commits a felony offense after the federal conviction relating to the reentry.

The bill also creates s. 908.12, F.S., providing for reclassifications of criminal offenses to the next higher degree when a defendant is convicted of committing a misdemeanor or felony for the purpose of benefiting, promoting, or furthering the interests of a transnational crime organization.

"Transnational crime organization" is defined by the bill as an organization that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 32-0; House 83-30

Committee on Criminal Justice

HB 1131 — Online Sting Operations Grant Program

by Rep. Temple and others (SB 1190 by Senator Ingoglia)

The bill creates s. 943.0411, F.S., establishing the Online Sting Operations Grant Program within the Florida Department of Law Enforcement (FDLE). The purpose of the program is to award grants to local law enforcement agencies to support their creation of sting operations to target individuals online who prey upon children or attempt to do so.

The FDLE must annually award to local law enforcement agencies any funds specifically appropriated for the grant program to cover expenses related to computers, electronics, software, and other related necessary supplies.

Grants must be provided to local law enforcement agencies if funds are appropriated for that purpose. The total amount of grants awarded may not exceed funding appropriated for the grant program.

The bill authorizes the FDLE to establish criteria and set specific time periods for the acceptance of applications and for the selection process for awarding grant funds.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 116-0

Committee on Criminal Justice

CS/CS/HB 1171 — Schemes to Defraud

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Steele and others
(SB 1220 by Senator Martin)

The bill amends s. 817.034, F.S., to reclassify the penalty for committing specified offenses of schemes to defraud. A scheme to defraud is a systematic, ongoing course of conduct with intent to defraud one or more persons, or with intent to obtain property from one or more persons by false or fraudulent pretenses, representations, *endorsements of nonconsenting parties*, or promises or willful misrepresentations of a future act. The penalty for committing the offense of scheme to defraud against a person 65 years of age or older, against a minor, or against a person with a mental or physical disability, is as follows:

- A first degree misdemeanor is reclassified to a third degree felony;
- A third degree felony is reclassified to a second degree felony;
- A second degree felony is reclassified to a first degree felony; and
- A first degree felony is reclassified to a life felony.

The bill adds "endorsements of nonconsenting parties" to the definition of "scheme to defraud."

The bill provides that a person whose image or likeness is used without his or her consent in a scheme to defraud may file a civil action in a court of competent jurisdiction to recover damages caused by the use of his or her image or likeness. The civil remedies in the bill are in addition to and not in limitation of the remedies available under common law or any other law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 104-8

Committee on Criminal Justice

CS/CS/HB 1181 — Juvenile Justice

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Jacques and others
(CS/CS/SB 1274 by Fiscal Policy Committee; Criminal Justice Committee; and Senator Martin)

This bill makes multiple changes throughout ch. 985, F.S., to revise provisions relating to citation programs, secure detention, probation, conditional release, and contraband. Sections relating to firearm offenses committed by minors are amended throughout ch. 790, F.S., and ch. 985, F.S. Additionally, the bill amends s. 1002.221, F.S., to provide that education records may be used for proceedings initiated under ch. 984, F.S., and ch. 985, F.S.

Prearrest and Postarrest Programs

The bill amends s. 985.12, F.S., relating to civil citation programs, to rename civil citation programs as prearrest delinquency citation programs, prohibit such programs for firearm related offenses, and provide such programs must specify classes established for the program.

Additionally, a law enforcement agency, in cooperation with the state attorney, may establish a postarrest diversion program. Under current law, a school district or a law enforcement agency may establish a prearrest or post arrest diversion program.

The bill revises reporting requirements for law enforcement agencies and the Florida Department of Juvenile Justice (DJJ). Each law enforcement agency must submit specified information to the DJJ for every minor who is charged for the first-time with a misdemeanor, and who was referred to the DJJ.

Additionally, the DJJ must publish quarterly reports on its website and distribute the reports to the Governor, President of the Senate, and Speaker of the House of Representatives listing the entities that use prearrest delinquency citations for less than 70 percent of first-time misdemeanor offenses.

Firearm and Other Serious Offenses

The bill amends s. 790.22, F.S., to permit a minor charged with possession of a firearm by a minor to complete paid work in lieu of community service ordered as part of his or her sentence. A minor who commits a third or subsequent offense must be adjudicated delinquent and sentenced to a residential program.

A withhold of adjudication of delinquency must be considered a prior offense for the purpose of determining a second, third, or subsequent offense of possession of a firearm by a minor.

The bill provides a court may commit a child who commits a misdemeanor offense of possession of a firearm by a minor to a residential facility.

An officer may make a warrantless arrest for the misdemeanor crime of possession of a firearm by a minor, under s. 901.15, F.S.

Any child adjudicated by the court and committed for any offense or attempted offense involving a firearm must be placed on conditional release for at least 1 year after release from the residential commitment program. Such terms of conditional release must include electronic monitoring for the initial six months under terms and conditions set by the DJJ.

For a firearm offense, other than minor possession of a firearm under s. 790.22(3), F.S., or for an offense that is committed while the minor is in possession of a firearm, the court must order 30 days of secure detention, 100 hours of community service, and 1 year probation. The court may impose restrictions on the minor's driver license.

The court may, upon finding a compelling circumstance, direct the Florida Department of Highway Safety and Motor Vehicles to make an exception to issue the minor a license for driving privileges restricted to business or employment purposes only.

The DJJ shall establish a class focused on the risk and consequences of youthful firearm offending and shall provide the class to any youth adjudicated or who had adjudication withheld for any offense involving the use or possession of a firearm.

Secure Detention

The bill amends s. 985.25, F.S., requiring youths arrested for violating the terms of his or her electronic monitoring supervision or his or her supervised release be placed in secure detention until a detention hearing.

A child on probation for an underlying felony firearm offense who is taken into custody under s. 985.101, F.S., for violating conditions of probation not involving a new law violation shall be held in secure detention to allow the state attorney to review the violation. If the state attorney notifies the court that commitment will be sought, the child must remain in secure detention pending proceedings until the 21 day period of secure detention has expired. The state attorney may motion that the child be held an additional 21 days.

The bill specifies the court has the authority to depart from the detention risk assessment instrument and order continued detention: if the court makes certain findings, or the court finds probable cause that the minor committed a specified offense. For a child who has committed a specified offense, there is a presumption that the child presents a risk to public safety and danger to the community and must be held in secure detention, unless the court makes certain findings. Written notice of release must be given to the victim, the arresting agency, and the law enforcement agency with primary jurisdiction over the minor's residence.

If an adjudicatory hearing has not been held after 60 days, the court must prioritize the efficient disposition of cases and hold a review hearing within each successive 7 day review period.

The bill amends s. 985.26, F.S., to provide the court may order a child to be held in secure detention beyond 21 days based on the nature of the charge under specified circumstances, including if the child is held for specified offenses.

Probation

The bill amends multiple sections throughout ch. 985, F.S., to remove reference to post commitment probation. Under the bill, a child must be placed on conditional release following commitment to a DJJ program, or may be directly released from such program.

Upon receiving notice of a violation of probation from the DJJ, the state attorney must file the violation within 5 days or provide in writing to the DJJ and the court a reason as to why he or she is not filing. Additionally, the DJJ may place a youth on electronic monitoring for a violation of probation if it determines doing so will preserve and protect public safety.

The bill provides that a probation program must include an alternative consequences component and such an alternative consequence component must be aligned with the DJJ's graduated response matrix as described in s. 985.438, F.S.

Section 985.438, F.S., is created and requires the DJJ to create and administer a statewide graduated response matrix to hold youths accountable to the term of their court ordered probation and the terms of their conditional release. The graduated response matrix shall outline sanctions for youth based on their risk to reoffend.

Conditional Release

The bill requires conditional release after commitment unless the youth is directly released. Specified conditions of conditional release must be placed on the minor. A youth who violates the terms of his or her conditional release shall be assessed using the graduated response matrix as described in s. 985.438, F.S. A youth who fails to move into compliance shall be recommitted to a residential facility.

Contraband

The bill adds currency or coin, and cigarettes or tobacco products to the list of contraband, and provides it is a second degree felony to introduce contraband into a DJJ facility. The DJJ staff may utilize canine units on the grounds of a juvenile detention facility or commitment program to locate and seize contraband and ensure security within such a facility or program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 84-25

Committee on Criminal Justice

CS/CS/HB 1235 — Sexual Predators and Sexual Offenders

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Baker and others
(CS/SB 1230 by Appropriations Committee on Criminal and Civil Justice and Senator Bradley)

The bill amends both s. 775.21, F.S., (sexual predators), and s. 943.0435, F.S., (sexual offenders), to:

- Remove references to "a sanction" in the definition of the terms conviction and convicted.
- Specify that certain sexual predators and sexual offenders must provide the registration number for a vessel, live-aboard vessel, or houseboat.
- Authorize sexual predators and sexual offenders to report to the Florida Department of Law Enforcement (FDLE) or through the FDLE's online system within a specified timeframe after changes to vehicle information.
- Require sexual predators and sexual offenders to register all changes in vehicles owned.
- Require that a sexual predator or sexual offender report in person to the sheriff's office in the county of current residence at least 48 hours before the date the person intends to leave this state to establish residence in another state or jurisdiction, or at least 21 days before the intended travel date for any travel outside the United States. Any travel not known at least 48 hours before the person intends to establish a residence in another state or jurisdiction or 21 days before departure for travel outside the United States must be reported to the sheriff's office as soon as possible before departure.
- Specify that the FDLE must notify the intended country of travel of such travel.
- Establish that transient check-in information shall be gathered by each sheriff's office in a manner set forth by the FDLE, rather than each sheriff's office determining how to conduct check-ins. The sheriff's office must electronically submit to the FDLE such information within 2 business days after the sexual predator or sexual offender provides it to the sheriff's office.
- Require sexual predators and sexual offenders to respond to any address verification correspondence from the FDLE or from county or local law enforcement agencies within three weeks after the date of the correspondence, rather than only from the FDLE.
- Specify that each instance of failure to register or report changes to the required information specified constitutes a separate offense.

Section 775.21, F.S., defines the types of residences of a sexual predator or sexual offender by the number of days that he or she is present at the location. However, s. 775.21, F.S., did not define how "a day" is calculated. The bill amends the terms "permanent residence," "temporary residence," and "transient residence" to specify that the first day a person lives, remains, or is located in a place is excluded from the calculation and each subsequent day is counted.

The bill further amends s. 775.21, F.S., to specify that certain sexual predators must meet criteria provided in s. 943.0435, F.S., to qualify for removal of certain registration requirements.

The bill amends s. 943.0435, F.S., to require the FDLE be notified of a petition by a sexual offender for relief of his or her registration requirements and permits the FDLE to present evidence at a hearing for such relief. Certain eligible offenders must show that they do not meet any other qualifying criteria that would require him or her to register as a sexual offender.

The bill amends s. 943.0435, F.S., to:

- Require the local jail to register sexual offenders in their custody within certain time frames; and
- Require jail custodians to take digital photographs of sexual offenders in their custody, provide those photographs to the FDLE, and notify the FDLE if the sexual offender escapes or dies.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 35-0; House 116-0

Committee on Criminal Justice

CS/CS/HB 1241 — Probation and Community Control Violations

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Snyder and others
(CS/SB 1154 by Criminal Justice Committee and Senator Simon)

The bill amends s. 948.06, F.S., to revise provisions related to probation and the alternative sanctioning program. The bill requires a court to modify or continue, rather than revoke probation, if a probationer meets specified criteria. The bill includes as part of that criteria that the probationer has not been found in violation on *two or more separate occasions*. A court may modify probation and include up to 90 days jail for a first violation and up to 120 days for a second violation, as a condition of probation.

If the violation is a low risk violation, the court must hold a hearing on a violation of probation within 30 days after arrest, and give the probationer an opportunity to be fully heard on his or her behalf in person or by counsel. If the hearing is not held within 30 days, the court must release the probationer without bail unless the court finds that the hearing was not held in the applicable time frame due to circumstances attributable to the probationer. If released, the court may impose nonmonetary conditions of release.

The bill amends s. 921.0024, F.S., to provide that if a community sanction violation is resolved through the alternative sanctioning program, no sentencing points are assessed. Sentencing points are assessed on the Criminal Punishment Code Worksheet for various factors including, but not limited to, a person's: primary offense; additional offenses; prior record; legal status; and community sanction violations. If a community sanction violation that has not been resolved through the alternative sanctioning program is before the court, no points are assessed for prior violations that were resolved through the alternative sanctioning program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 111-0

Committee on Criminal Justice

CS/HB 1281 — Interception and Disclosure of Oral Communications

by Criminal Justice Subcommittee and Reps. Persons-Mulicka, Joseph, and others (SB 1618 by Senator Martin)

The bill creates a new exception to the prohibition located in s. 934.03(1), F.S., against a person intentionally intercepting, endeavoring to intercept, or procuring any other person to intercept or endeavor to intercept any wire, oral, or electronic communication.

The exception allows a parent or legal guardian of a child who is younger than 18 years of age to intercept and record an oral communication if the child is a party to the communication and the parent or guardian has reasonable grounds to believe that recording the communication will capture a statement by another party to the communication that the other party intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against the child.

A recording authorized by the bill which captures a statement by a party that the party intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against a child:

- Must be provided to a law enforcement agency; and
- May be used for the purpose of evidencing the intent to commit or the commission of a crime specified in the bill against a child.

A parent or legal guardian who makes a recording authorized by the bill may not share or disseminate the recording with any person or entity other than a law enforcement agency.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 112-0

Committee on Criminal Justice

CS/SB 1286 — Return of Weapons and Arms Following an Arrest

by Criminal Justice Committee and Senator Collins

The bill amends s. 790.08, F.S., to require a law enforcement agency to return any weapons, electric weapons or devices, or firearms that are taken from a person following an arrest, but that are not seized as evidence or subject to forfeiture under the Florida Contraband Forfeiture Act, within 30 days after such request is made if he or she meets all of the following criteria:

- He or she has been released from detention;
- He or she provides a form of government-issued photographic identification; and
- If requesting the return of a firearm, a completed criminal history background check confirms that he or she is not prohibited from possessing a firearm under state or federal law, including not having any prohibition arising from an injunction, a risk protection order, or any other court order prohibiting the person from possessing a firearm.

The sheriff or chief of police may develop reasonable procedures to ensure the timely return of weapons, electric weapons or devises, or arms. The sheriff or chief of police may not require a court order to release such weapons, electric weapons or devices, or arms that are not seized as evidence in a criminal proceeding unless there are competing claims of ownership of such weapons, etc.

Additionally, the bill amends s. 933.14, F.S., to delete a provision requiring an order of a trial court judge to return a pistol or firearm to its owner if such pistol or firearm was taken by an officer upon a view by the officer of a breach of the peace.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-8; House 110-1

Committee on Criminal Justice

CS/CS/HB 1337 — Department of Corrections

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Stark, Jacques, and others (CS/SB 1278 by Appropriations Committee on Criminal and Civil Justice and Senator Martin)

The bill amends s. 944.31, F.S., to authorize the Office of the Inspector General law enforcement officers to conduct any criminal investigations involving matters over which the Department of Corrections (DOC) has jurisdiction at a contractor-operated correctional facility. Such law enforcement officers may arrest, with or without a warrant, any prisoner, visitor, or staff member, including a contract employee, subcontractor, or volunteer of any state correctional institution and private correctional facilities, for any violation of criminal laws of the state involving matters over which the DOC has jurisdiction.

The bill amends s. 957.04, F.S., to broaden methods of solicitation of contracts for the operation of contractor-operated correctional facilities to include competitive solicitation as provided in ch. 287, F.S. The bill specifies that contracts entered into under ch. 957, F.S., are not exempt from the requirements of ch. 287, F.S. However, if there is a conflict, the provisions of ch. 957, F.S., control.

Contracts entered into under this chapter for the operation of contractor-operated correctional facilities are not considered to be an "outsource" as defined in s. 287.012, F.S.

The bill makes additional changes relating to competitive solicitation by:

- Amending s. 957.07, F.S., to eliminate the Prison Per Diem Workgroup and allow for the DOC's procurement process to include competitive solicitation.
- Amending s. 957.12, F.S., to clarify that a bidder or potential bidder may have written contact with the procurement office. Additionally, language is removed that permits contact in a noticed meeting.
- Removing language in multiple sections of law relating to *request for proposals* and replaces it with *competitive solicitation.*

Additionally, the bill amends s. 957.15, F.S., to remove language prohibiting the DOC from having authority over funds appropriated for the operation, maintenance, and lease purchase of contractor-operated correctional facilities.

The term *private* correctional facility is replaced with *contractor-operated* correctional facility throughout the Florida Statutes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 110-0

Committee on Criminal Justice

CS/CS/HB 1389 — Digital Voyeurism

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Cassel, Cross, and others (CS/CS/SB 1604 by Fiscal Policy Committee; Criminal Justice Committee; and Senator Book)

The bill amends s. 810.145, F.S., renaming the offense of "video voyeurism" to "digital voyeurism."

The bill adds "exploiting," to the specified purposes a person must have to commit digital voyeurism. A person commits the offense of digital voyeurism if he or she, for the purpose of *exploiting* another person, intentionally uses or installs an imaging device to secretly view, broadcast, or record a person, without that person's knowledge and consent, who is dressing, undressing, or privately exposing the body, at a place and time when that person has a reasonable expectation of privacy.

The bill provides that a person who is under 19 years of age and who commits the offense of digital voyeurism commits a first degree misdemeanor.

A person who is 19 years of age or older who commits the offense of digital voyeurism commits a third degree felony.

In addition to disseminating an image, a person may commit the crime of digital voyeurism dissemination or commercial digital voyeurism dissemination if he or she disseminates, distributes, or transfers *a recording* to another person for specified purposes, if that recording was created by digital voyeurism.

A person of any age who commits the offense of digital voyeurism dissemination or commercial digital voyeurism dissemination commits a third degree felony.

The bill provides that if a person who is 19 years of age or older is convicted of committing any violation of s. 810.145, F.S., relating to digital voyeurism and is a family or household member of the victim, or holds a position of authority or trust with the victim, the court shall reclassify the felony to the next higher degree as follows:

- A felony of the third degree is reclassified as a felony of the second degree.
- A felony of the second degree is reclassified as a felony of the first degree.

Each instance of secretly viewing a person in violation of subsection (2), or broadcasting, recording, disseminating, distributing, or transferring of an image or recording made in violation of subsection (2) is a separate offense for which a separate penalty is authorized.

The bill defines "position of authority or trust," to mean a position occupied by a person 18 years of age or older who is a relative, caregiver, coach, employer, or other person who, by reason of his or her relationship with the victim, is able to exercise undue influence over him or her or exploit his or her trust.

Additionally, the bill revises the definition of the term "broadcast," to include a visual recording.

The term "family or household member," has the same meaning as in s. 741.28, F.S.

For purposes of sentencing under ch. 921, F.S., and incentive gain-time eligibility under ch. 944, F.S., a felony that is reclassified is ranked one level above the ranking in s. 921.0022, F.S. The bill ranks the offenses on the offense severity ranking chart as follows:

- Section 810.145(2)(c), F.S., Digital voyeurism; 19 years of age or older, is ranked as a Level 3.
- Section 810.145(3)(b), F.S., Digital voyeurism dissemination, is ranked as a Level 4.
- Section 810.145(4)(c), F.S., Commercial digital voyeurism dissemination, is ranked as a Level 5.
- Section 810.145(7)(a), F.S., Digital voyeurism; 2nd or subsequent offense, is ranked as a Level 5.
- Section 810.145(8)(a), F.S., Digital voyeurism; certain minor victims, is ranked as a Level 5.
- Section 810.145(8)(b), F.S., Digital voyeurism; certain minor victims; 2nd or subsequent offense, is ranked as a Level 6.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 35-0; House 116-0

Committee on Criminal Justice

CS/HB 1425 — Juvenile Justice

by Judiciary Committee and Rep. Yarkosky (CS/CS/SB 1352 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; and Senator Bradley)

The bill makes changes throughout the Florida Statutes, including throughout ch. 985, F.S., to revise provisions relating to juvenile justice. Specifically the bill:

- Amends s. 985.03, F.S., to remove "minimum-risk nonresidential" as a restrictiveness level for committed youth, and change the term "nonsecure residential" to "moderate-risk." References to juvenile correctional facilities and juvenile prisons are removed from the definition of "maximum-risk residential." The bill makes corresponding changes throughout multiple sections of law.
- Amends s. 381.887, F.S., to add personnel of the Department of Juvenile Justice (DJJ) and any contracted provider with direct contact with youth to the list of personnel that are offered immunity from civil and criminal liability as a result of administering an emergency opioid antagonist.
- Amends ss. 985.02, 985.03, 985.126, 985.17, and 985.601, F.S., to replace the terms gender and gender-specific, with sex and sex-specific, respectively.
- Amends s. 985.115, F.S., to provide that a juvenile assessment center may not be considered a facility that can receive a child who: is suffering from a serious physical condition that requires a medical diagnosis or treatment; is mentally ill as defined in s. 394.463(1), F.S.; or is intoxicated and has threatened or attempted physical harm to him or herself or another.
- Amends s. 985.26, F.S., to provide that transitions from secure detention care and supervised release detention care be initiated upon the court's own motion, or upon a motion of the child or of the state, and after considering any information provided by the department regarding the child's adjustment to detention supervision.

Education

Additionally, the bill makes changes necessary for the operation of the Florida Scholars Academy and the education of children within the DJJ. The bill amends s. 1003.01, F.S., to include the Florida Scholars Academy in the definition of "juvenile justice education programs or schools," and amends s. 985.619, F.S., to permit the Florida Scholars Academy board of trustees to review and approve an annual academic calendar to provide educational services to youth.

The bill amends s. 985.601, F.S., to authorize the department to use state or federal funds to purchase and distribute promotional and educational materials that are consistent with the dignity and integrity of the state for the following purposes:

- Educating children and families about the juvenile justice continuum, including local prevention programs or community services available for participation or enrollment.

- Staff recruitment at job fairs, career fairs, community events, the Institute for Commercialization of Florida Technology, community college campuses, or state university campuses.
- Educating children and families on children-specific public safety issues, including, but not limited to, safe storage of adult-owned firearms, consequences of child firearm offenses, human trafficking, or drug and alcohol abuse.

The bill amends s. 1003.51, F.S., to revise requirements for the State Board of Education rules. Such rules must articulate expectations for effective education programs for students in the DJJ, and must establish policies and standards for certain education programs. The bill revises the requirements for such rules by:

- Removing the requirement that the rules provide assessment procedures for prevention, day treatment, and residential programs.
- Requiring the rules to provide recommended instructional programs, using course delivery models aligned to the state academic standards.
- Requiring the rules provide accountability measures and school improvement requirements as public alternative schools for juvenile justice education programs.
- Removing the requirement that the rules provide a series of graduated sanctions for district school boards whose educational programs in the DJJ programs are considered to be unsatisfactory.

The Department of Education (DOE) in partnership with the DJJ, the district school boards, and providers must develop and implement requirements for contracts and cooperative agreements. The bill adds the following to the list of minimum contract requirements:

- Accountability requirements and corrective action plans, if needed; and
- Administration of the federal Strengthening Career and Technical Education for the 21st Century Act.

Additionally, the bill requires the DOE, in partnership with the DJJ and the district school board to maintain specified records, including a Section 504 plan, or behavioral plan, if applicable.

The bill removes accountability measures, and requires the DOE to issue an alternative school improvement rating for prevention and day treatment prevention juvenile justice education programs.

The bill amends s. 1003.52, F.S., to remove reference to residential programs, and provide that the section applies only to detention, prevention, or day treatment. Additionally, the bill removes the requirement that the Coordinators for Juvenile Justice Education Programs report on the departments' participation in implementing a joint accountability, program performance, and program improvement process.

The bill removes provisions relating to career and professional education (CAPE) and provisions related to requiring residential juvenile justice education programs to provide certain CAPE courses. The bill replaces references to CAPE with career and technical education. The bill

requires each district school board to select appropriate academic and career assessments to be administered at the time of program entry and exit for the purpose of developing goals for education transition plans, progress monitoring plans, individual education plans, and federal reporting.

The bill requires each district school board to negotiate a cooperative agreement with the department on the delivery of education services to students in such programs. The bill adds that such agreement must include:

- Strategies for correcting any deficiencies found through the alternative school improvement rating and student performance measures; and
- Career and academic assessments selected by the district.

The bill removes provisions requiring the DOE, in consultation with the DJJ, to adopt rules and collect data and report on certain programs. The bill removes a provision requiring that specified entities jointly develop a multiagency plan for CAPE.

The bill amends s. 1001.42, F.S., to make conforming changes by removing the requirement that the DJJ report on the elements specified in s. 1003.52(17), F.S.

Juvenile Justice Advisory Boards

The bill amends s. 985.664, F.S., to remove current language relating to juvenile justice circuit advisory boards' duties, responsibilities, reporting, and other requirements. The bill requires that each judicial circuit in this state have a juvenile justice circuit advisory board, that must work with the chief probation officer of the circuit, to use data to inform policy and practice which improves the juvenile justice continuum.

The minimum number of members that sit on the board is lowered from 16 to 14, and each member must be approved by the chief probation officer of the circuit, rather than the Secretary of the DJJ. The bill decreases the maximum number of board members who may be representatives from the community from 5 to 3.

Additionally, the chief probation officer in each circuit must serve as the chair of the board for that circuit.

The bill amends s. 790.22, F.S., to remove the provision permitting the juvenile justice circuit advisory board to establish certain community service programs and provides the DJJ must establish such programs.

The bill removes reference to the juvenile justice circuit advisory board in ss. 938.17, 948.51, and 985.668, F.S. The bill further amends s. 985.668, F.S., to provide that the chief probation officer must submit specified proposals to the secretary of the DJJ.

The bill amends s. 985.676, F.S., to revise the required contents of a grant proposal that applicants must submit to be considered for funding from an annual community juvenile justice partnership grant. The bill requires the department to consider the recommendations of community stakeholders, rather than the juvenile justice circuit advisor board, as to certain priorities. The bill removes the juvenile justice circuit advisory board from the entities to which each awarded grantee is required to submit an annual evaluation report.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 35-0; House 115-1

Committee on Criminal Justice

SB 1512 — Controlled Substances

by Senator Brodeur

The bill amends s. 893.13, F.S., to add tianeptine to the list of Schedule I controlled substances. Schedule I substances have a high potential for abuse and no currently accepted medical use in treatment in the United States.

"Tianeptine" is an antidepressant agent with a novel neurochemical profile. It increases serotonin (5-hydroxytryptamine; 5-HT) uptake in the brain (in contrast with most antidepressant agents) and reduces stress-induced atrophy of neuronal dendrites.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Criminal Justice

CS/HB 1545 — Child Exploitation Offenses

by Criminal Justice Subcommittee and Reps. Baker, Yarkosky, and others (CS/CS/SB 1656 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; and Senator Martin)

The bill creates s. 847.01385, F.S., creating the offense of Harmful Communication to a Minor. An adult who engages in a pattern of communication to a minor that includes explicit and detailed verbal descriptions or narrative accounts of sexual activity, sexual conduct, or sexual excitement and that is harmful to minors commits a third degree felony.

A person's ignorance of a minor's age, a minor's misrepresentation of his or her age, a bona fide belief of a minor's age, or a minor's consent may not be raised as a defense in a prosecution for a violation of this section.

The bill ranks the offense as a Level 3 in the offense severity ranking chart.

The bill amends s. 921.0022, F.S., increasing ranking levels of specified child exploitation offenses on the offense severity ranking chart of the Criminal Punishment Code. Specifically:

- The third degree felony of harmful communication to a minor is ranked as a Level 3 in the offense severity ranking chart.
- The second degree felony of possessing with intent to promote any photographic material, motion picture, etc., which includes child pornography is ranked as a Level 7 in the offense severity ranking chart (previously ranked as a Level 5).
- The third degree felony of possession, control, or intentionally viewing any photographic material, motion picture, etc., which includes child pornography is ranked as a Level 6 in the offense severity ranking chart (previously ranked as a Level 5).
- The second degree felony of using or inducing a child in a sexual performance, or promoting or directing such performance is ranked as a Level 7 in the offense severity ranking chart (previously ranked as a Level 6).

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 100-11

Committee on Criminal Justice

CS/HB 1653 — Duties and Prohibited Acts Associated with Death

by Criminal Justice Subcommittee and Rep. Giallombardo and others (CS/SB 768 by Health Policy Committee and Senator Stewart)

The bill amends s. 406.12, F.S., to specify that a person who becomes aware of the death of any person occurring under the circumstances described in s. 406.11, F.S., must immediately report such death and circumstances to the district medical examiner or a *law enforcement agency having jurisdiction over the location*.

Section 406.11, F.S., requires a medical examiner to make or perform an examination, investigation, and autopsy as he or she deems necessary or as requested by the state attorney in the following circumstances when any person dies in this state:

- Of criminal violence;
- By accident;
- By suicide;
- Suddenly, when in apparent good health;
- Unattended by a practicing physician or other recognized practitioner;
- In any prison or penal institution;
- In police custody;
- In any suspicious or unusual circumstance;
- By criminal abortion;
- By poison;
- By disease constituting a threat to public health; and
- By disease, injury, or toxic agent resulting from employment.

A person who knowingly fails or refuses to report such death and circumstances, or refuses to make available prior medical or other information pertinent to the death investigation, commits a first degree misdemeanor.

The bill increases the criminal penalty from a first degree misdemeanor to a third degree felony for any person who, with the intent to conceal such death or to alter the evidence or circumstances surrounding such death:

- Commits the crime described above; or
- Without an order from the office of the district medical examiner, willfully touches, removes, or disturbs the body, clothing, or any article upon or near the body.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-0

Committee on Education Postsecondary

CS/SB 62 — Resident Status for Tuition Purposes

by Education Postsecondary Committee and Senators Osgood and Book

The bill provides that an individual who has met the requirements to be classified as a resident for tuition purposes may not lose his or her resident status for tuition purposes solely because of incarceration in a state or federal correctional facility in Florida.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 109-5

Committee on Education Postsecondary

CS/CS/HB 217 — College Campus Facilities in Areas of Critical State Concern

by Appropriations Committee; Postsecondary Education & Workforce Subcommittee; and Rep. Mooney and others (CS/CS/SB 222 by Appropriations Committee on Education; Education Postsecondary Committee; and Senator Rodriguez)

The bill expands the categories of non-students that may be housed in dormitories on the campus of a Florida College System (FCS) institution to include healthcare workers. The bill also revises from 25 to 50 the number of dormitory beds that may be provided for such individuals.

The bill clarifies which revenues may be used for construction, debt service payments, maintenance, or operation of dormitories, to authorize FCS institutions to use grants and donations for capital outlay, as well as revenues from the capital improvement fee, for such purposes.

The bill also creates a requirement for the Division of Bond Finance to review financing prior to the issuance of any bonds by a nonpublic entity as part of a public-private partnership with the FCS institution, and for the institution to consider issues raised by such analysis.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 29-0; House 116-0

Committee on Education Postsecondary

CS/CS/SB 494 — Graduate Program Admissions

by Military and Veterans Affairs, Space, and Domestic Security Committee; Education Postsecondary Committee; and Senators Avila, Perry, and Collins

The bill requires an institution of higher education to waive the Graduate Record Examination (GRE) and the Grade Management Admission Test (GMAT) for servicemembers who apply for admission to a graduate program that requires the examination.

The bill also provides definitions, to include:

- A "graduate program" as an advanced academic degree program in a specialized field of study, including, but not limited to, a master's or doctoral degree program, which degree is pursued after one has obtained a bachelor's degree.
- An "institution of higher education" as a state university.
- A "servicemember" as any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 113-1

Committee on Education Postsecondary

SB 522 — Tallahassee Community College

by Senator Simon

The bill changes the name of "Tallahassee Community College" to "Tallahassee State College." As Tallahassee Community College (TCC) is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS) as a baccalaureate-degree-granting institution and the TCC Board of Trustees has approved the name change, TCC has met the statutory criteria to seek a name change from the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-0

Committee on Education Postsecondary

CS/HB 707 — State University Unexpended Funds

by Higher Education Appropriations Subcommittee and Rep. Silvers and others (CS/SB 1128 by Education Postsecondary Committee and Senator Martin)

The bill authorizes a state university to retain and report to the Board of Governors an annual reserve balance exceeding the required seven percent of its state operating budget. The bill also authorizes a university's carry forward spending plan to include a reserve fund for expenditures authorized in law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 35-0; House 115-1

Committee on Postsecondary Education

CS/HB 1291 — Educator Preparation Programs

by Education & Employment Committee and Reps. Snyder, Jacques, and others (CS/SB 1372 by Appropriations Committee on Education and Senators Ingoglia, Yarborough, and Perry)

The bill modifies requirements for courses and instruction in initial teacher preparation programs, educator preparation institutes, professional learning certification programs, and school leader preparation programs to specify that such programs:

- May not distort significant historical events, teach identity politics, violate Florida law regarding discrimination, or base coursework or instruction on specified theories regarding social, political, and economic inequities.
- Must afford teacher candidates the opportunity to think critically, achieve mastery of academic content, learn instructional strategies, and demonstrate competence; and afford school leader candidates the opportunity to demonstrate mastery of program content, including instructional leadership strategies, coaching development, and continuous improvement efforts.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-12; House 81-31

Committee on Education Postsecondary

HB 7007 — OGSR/Campus Emergency Response

by Ethics, Elections & Open Government Subcommittee and Rep. Griffitts (SB 7022 by Education Postsecondary Committee)

The bill saves from repeal the public records exemption making exempt from public inspection and copying requirements any portion of a campus emergency response held by a public postsecondary institution, a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management. Likewise, the bill saves from repeal the exemption to public meetings requirements for that portion of a public meeting which would reveal information related to the campus emergency response.

The bill also removes a superfluous provision of the exemption that authorizes such entities to disclose the exempt information in specified circumstances, as these entities are not prohibited under public records and meeting requirements from disclosing the information.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 38-0; House 115-0

Committee on Education Postsecondary

CS/SB 7032 — Education

by Appropriations Committee and Education Postsecondary Committee

The bill creates the Graduation Alternative to Traditional Education (GATE) Program, GATE Scholarship Program, GATE Startup Grant Program, and GATE Program Performance Fund. All four programs are aimed at re-engaging students who have withdrawn from high school by providing opportunities to earn career education credentials while also completing a standard high school diploma or equivalent credential. The bill adds information about the GATE Program to the required notifications to 16 and 17 year old students who withdraw from high school.

The bill waives tuition and specified fees and the costs of instructional materials for students that are enrolled in the GATE Program at a school district career center, charter technical career center, or a Florida College System (FCS) institution. After the student's first term, the waiver is provided after an award of state aid from the Open Door Grant Program is applied, as available. The bill provides eligibility criteria for students to enroll in the GATE Program to specify that a student must:

- Not have earned a standard high school diploma or a high school equivalency diploma.
- Have been withdrawn from high school. If age 16 or 17, have withdrawn according to requirements specified in law.
- Be a resident of this state for tuition purposes.
- Be 16 to 21 years of age at the time of initial enrollment.
- Select an adult secondary education program and career education program at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List. The student must remain in the pathway after enrollment, except that the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program.
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework.
- Complete the adult secondary education program and the career education program within three years unless the institution determines that an extension is warranted due to extenuating circumstances.

To assist FCS institutions, school districts, and charter technical career centers in administering the GATE Program, the GATE Scholarship and GATE Startup Grant Programs provide funds for starting programs in rural areas and reimbursing all participating institutions for the tuition and fees and instructional materials for students enrolled in the GATE program.

Additionally, the bill provides funding for institutions through the GATE Program Performance Fund. The performance funding is provided based on the number of students enrolled in the GATE program who earn a standard high school diploma or equivalent credential and a career certification that has been identified as having local, regional, or statewide value.
The bill requires the Department of Education to disseminate information about the GATE Program and administer the GATE Scholarship and GATE Startup Grant Programs.

The GATE Scholarship and Startup Grant programs and the GATE Program Performance Fund provided for in this bill are subject to legislative appropriation.

To support students in earning a standard high school diploma, the bill increases from 2 to 4 the number of courses that may be reported for funding for a student who is coenrolled in a K-12 education program and adult education program. The bill also removes the requirement that the courses funded be core curricula.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-0

Committee on Education Pre-K -12

SB 46 — Reading Achievement Initiative for Scholastic Excellence Program

by Senator Stewart

The bill authorizes school districts participating in the Reading Achievement Initiative for Scholastic Excellence (RAISE) tutoring program to offer the tutoring program after the school day and to provide a stipend to instructional personnel and high school students serving as tutors during after-school hours.

The bill limits to unpaid hours the tutoring hours that count towards meeting community service requirements for high school graduation, if locally required, and the Florida Bright Futures Scholarship Program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Education Pre-K -12

HB 523 — Florida Seal of Fine Arts Program

by Reps. Canady, Black, and others (SB 694 by Senators Perry, Rouson, Burgess, Stewart, and Torres)

The bill establishes the Florida Seal of Fine Arts Program (program) to recognize high school graduates who have met specified criteria in fine arts by having an appropriate Seal of Fine Arts (seal) affixed to the student's high school diploma.

The bill establishes the program beginning with the 2024-2025 school year, sets course and experiential criteria for earning the seal, and requires the State Board of Education to adopt rules to administer the program, which may include additional criteria for receipt of the seal.

The bill requires the Commissioner of Education (Commissioner) to prepare the seal and provide to school districts a rubric for implementation of the program. Each school district is required to maintain records to identify students earning the seal, report such data to the Commissioner, affix the seal to the student's diploma, and indicate on the student's transcript that the seal was earned by the student.

The bill prohibits fees associated with the seal.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 113-0

Committee on Education Pre-K -12

CS/CS/HB 537 — Student Achievement

by Education & Employment Committee; Education Quality Subcommittee; and Rep. Valdés and others (SB 590 by Senators Burgess and Perry)

The bill establishes the two-year Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program (pilot program) within the Department of Education (DOE). The pilot program is intended to assist districts in adopting music-based supplemental materials that support STEM courses for middle school students.

School districts in Alachua, Marion, and Miami-Dade counties will each receive $6 per student if the district is approved by the DOE for participation in the pilot program. Each school district must utilize the adopted music-based supplemental materials at least twice per week to supplement mathematics instruction by teachers who are certified to teach mathematics.

The bill requires the College of Education at the University of Florida to continuously evaluate the program's effectiveness and annually share the findings of its evaluations with the DOE and the Legislature. The University of Florida must submit a final report by October 1, 2026, to the DOE, the Legislature, and the Florida Center for Partnerships for Arts-Integrated Teaching.

The mSCALES Pilot Program is subject to legislative appropriation.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 111-0

Committee on Education Pre-K -12

SB 832 — Employment of Individuals with Disabilities

by Senator Calatayud

The bill adds to the roles, responsibilities, and objectives of the interagency cooperative agreement that implements the Employment First Act to achieve better employment outcomes for individuals with disabilities.

The bill requires that the interagency cooperative agreement ensure that collaborative efforts between the agencies include the collection and sharing of data. The bill also requires that the accountability measures in the interagency cooperative agreement include, minimally, systemwide measures to:

- Increase the number of individuals working in competitive integrated employment;
- Decrease the number of individuals working in subminimum wage employment; and
- Decrease the number of individuals working in nonintegrated employment settings.

The bill also requires the Office of Reimagining Education and Career Help to issue an annual statewide report by December 1 each year on the implementation of the Employment First Act and progress made on the accountability measures.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 113-0

Committee on Education Pre-K -12

CS/CS/HB 883 — Short-acting Bronchodilator Use in Public and Private Schools

by Health & Human Services Committee; Choice & Innovation Subcommittee; and Rep. Koster and others (CS/CS/SB 962 by Rules Committee; Health Policy Committee; and Senator Hooper)

The bill provides a framework for public and private schools to treat students with asthma or who are otherwise in respiratory distress. The bill authorizes:

- Trained staff to administer short-acting bronchodilators to students in respiratory distress and includes civil immunity for good-faith administration.
- Schools to acquire and safely maintain a supply of bronchodilators.
- Allopathic and osteopathic physicians, physician assistants, and advanced practice registered nurses to prescribe bronchodilators and components issued in the name of a public or private school.
- Licensed pharmacists to dispense bronchodilators and components pursuant to a prescription issued in the name of a public or private school, and includes civil and criminal immunity for a healthcare practitioner or pharmacist that dispenses short-acting bronchodilators or components in good faith and with reasonable care.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-0; House 115-0

Committee on Education Pre-K -12

CS/CS/HB 917 — Career and Technical Education

by Education & Employment Committee; Choice & Innovation Subcommittee; and Rep. Snyder and others (CS/CS/CS/SB 460 by Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K -12 Committee; and Senators Simon and Perry)

The bill authorizes minors aged 16 or 17 to work in residential construction if the minor:

- Has earned his or her Occupational Safety and Health Administration (OSHA) 10 certification;
- Is under the direct supervision of a person 21 years of age or older with at least two years of related experience and his or her OSHA 10 certification.
- Is not working on any scaffolding, roof, superstructure, or ladder above six feet.
- Is not in violation of any OSHA rule or federal law related to minors in the workplace.

The bill provides a uniform standard for counties and municipalities to issue a license to a journeyworker.

The bill authorizes district school boards, as an alternative to the required high school career fair, to consult with local workforce development boards, advisory committees, and business groups to determine free or cost-effective methods to provide other career and industry networking opportunities, during the school day, for secondary students and exposure for elementary and secondary students to a representative variety of industries, businesses, and careers.

The bill authorizes a student who earns credit for one year of related technical instruction for a registered apprenticeship or preapprenticeship program to use such credit to satisfy specified high school graduation credit requirements.

The bill authorizes an exemption from the career education basic skills assessment to certain students with a private school diploma or home education affidavit.

The bill adds to the duties of the Office of Reimagining Education and Career Help (REACH Office) to study the status of career and technical education (CTE) in each school district within the state, and report findings by March 1, 2025. The REACH Office must also coordinate an annual statewide report on the supply and demand of nursing occupations. The bill also repeals the Florida Talent Development Council.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-0; House 105-3

Committee on Education Pre-K -12

HB 931 — School Chaplains

by Reps. McClain, Daniels, and others (CS/SB 1044 by Education Pre-K -12 Committee and Senator Grall)

This bill authorizes each district school board or charter school governing board to adopt a policy to authorize volunteer school chaplains to provide supports, services, and programs to students. The bill requires the policy to:

- Describe the supports, services, or programs that volunteer school chaplains may be assigned;
- Require that principals of schools with a volunteer school chaplain inform all parents of the availability of such supports, services, and programs; and
- Require written parental consent before a student participates in or receives supports, services, and programs provided by a volunteer school chaplain. Parents must be permitted to select a volunteer school chaplain from the list provided by the school district, which must include the chaplain's religious affiliation, if any.

The bill requires any district school board or charter school governing board that adopts a volunteer school chaplain policy to publish the list of volunteer school chaplains, including any religious affiliation, on the school district's website.

The bill requires volunteer school chaplains to meet the background screening requirements for noninstructional school district employees or contractual personnel who are permitted access on school grounds when students are present or have direct contact with students.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-12; House 89-25

Committee on Education Pre-K -12

HB 1109 — Security for Jewish Day Schools and Preschools

by Rep. Fine and others (SB 1396 by Senators Gruters and Yarborough)

The bill establishes a program within the Department of Education, subject to legislative appropriation, to provide recurring funds to make full-time Jewish day schools and preschools in the state secure with professional security hardening, as needed.

The bill specifies allowable uses of funds based on a risk assessment by law enforcement or a private security company, which include equipment, personnel, transportation, and services.

The bill authorizes the State Board of Education to adopt rules to implement the program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 108-6

Committee on Education Pre-K -12

CS/CS/SB 1264 — History of Communism

by Appropriations Committee on Education; Education Pre-K -12 Committee; and Senators Collins, Rodriguez, Harrell, and Avila

The bill requires, beginning in the 2026-2027 school year, instruction in public schools on the history of communism that is age and developmentally appropriate. The bill specifies topics that must be included in such instruction.

The bill requires the Department of Education (DOE) to prepare and offer standards for the required instruction, and allows the DOE to seek input from victims of communism and organizations dedicated to the victims of communism.

The bill establishes the Institute for Freedom in the Americas (institute) within Miami Dade College (MDC) to preserve the ideals of a free society and promote democracy in the Americas. The institute must:

- Partner with the Adam Smith Center for Economic Freedom (center) to hold workshops, symposiums and conferences for leaders that promote democracy.
- Enter into an agreement with the center to provide coursework and programs that advance democratic practices and economic and legal reforms.
- Provide educational and experiential opportunities for regional leaders.

The bill requires MDC to establish a direct support organization (DSO) to support the institute and specifies the composition of the five-member DSO board to be appointed by the Governor, President of the Senate, and Speaker of the House of Representatives.

The bill renames the Adam Smith Center for the Study of Economic Freedom to the Adam Smith Center for Economic Freedom, authorizes the center to offer degrees, and requires the center to partner with the institute to support its mission.

The bill requires the Department of State, in collaboration with the DOE, to consult with state and national stakeholders to provide a recommendation to the Legislature by December 1, 2024, on the creation of a museum focusing on the history of communism.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 25-7; House 106-7

Committee on Education Pre-K -12

CS/CS/HB 1285 — Education

by Education & Employment Committee; Choice & Innovation Subcommittee; and Rep. Canady and others (CS/CS/CS/SB 996 by Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K -12 Committee; and Senator Burgess)

The bill makes a number of changes to Florida's K-12 public schools and postsecondary institutions.

For Florida's K-12 public schools, the bill:

- Clarifies the process for students enrolled in an approved virtual instruction program provider or virtual charter school to participate in statewide, standardized assessments and assessments in the coordinated screening and progress monitoring system.
- Clarifies that it not necessary to make an annual application for a tax exemption on property used to house a charter school.
- Defines a classical school and authorizes an enrollment preference at classical charter schools for students who were previously enrolled in a public school that implemented a classical school model.
- Requires the State Board of Education (SBE) to establish a specialized teaching certificate for educators who teach in a classical school.
- Provides additional student populations a charter school can target in its enrollment process relating to the employment location of the parent or guardian.
- Specifies the responsibilities of a school district and charter school in implementing a turnaround plan for a public school reopening as a charter school.
- Creates the Purple Star School District program for a district with a specified number of schools designated as Purple Star Campuses.
- Authorizes school districts to assign disruptive students to a disciplinary program or alternative-to-expulsion program.
- Authorizes alternate methods of communicating to parents regarding placement into a dropout prevention and academic intervention program.
- Prohibits school districts from identifying students as eligible to receive services through the dropout prevention and academic intervention program based solely on a student having a disability, and requires an academic intervention plan for each student enrolled in a dropout prevention and academic intervention program.
- Provides that, beginning in the 2024-2025 school year, any changes made by the SBE to components in the school grades model or to the school grading scale go into effect, at the earliest, in the following school year.
- Authorizes the Commissioner of Education to appoint and remove the executive director of the Education Practices Commission.
- Provides students in grades 11 and 12 an opportunity to take the Armed Services Vocational Aptitude Battery (ASVAB) and consult with a military recruiter during the school day.

- Provides that a private school may use or purchase certain facilities under the facility's preexisting zoning and land use designations, and without having to implement any mitigation requirements or conditions, subject to specified limitations.
- Specifies that a resident in the county who is not the parent or guardian of a student with access to school district materials may object to no more than one material per month.
- Requires the Department of Education to provide a bonus of $50 to compensate International Baccalaureate teachers for each student they teach who received a score of "C" or higher on an International Baccalaureate Theory of Knowledge subject examination.

For postsecondary institutions, the bill:

- Allows documentation of the homestead exemption as a single piece of evidence proving residency for tuition purposes.
- Requires that publishers make electronic versions of student editions of instructional materials available to teacher preparation programs and educator preparation institutes at a discount below publisher cost.
- Repeals the Florida College System's (FCS's) employment equity and accountability program.
- Requires that the development of dual enrollment articulation agreements include consideration of online courses.
- Specifies that a public postsecondary institution may not prohibit an applicant or student from being employed, subject to specified exceptions.
- Transitions the effective period for the amount paid by the Florida Prepaid College Board to state universities on behalf of qualified beneficiaries of advance payment contracts within the Prepaid Florida Program from 2009-2010 to 2022-2023.
- Creates a new associate in arts specialized transfer degree for students who need additional credit above the 60 hours in preparation for transfer to a baccalaureate degree program.
- Authorizes Miami Dade College, Polk State College, and Tallahassee Community College to charge an amount not to exceed $290 per credit hour for nonresident tuition and fees for distance learning.
- Clarifies that members of an FCS institution or state university board of trustees are subject to Florida ethics laws for public officers with respect to business dealings with any institution under their purview while they are a member of the board of trustees.
- Creates the Office of the Ocean Economy within the State University System to be housed at Florida Atlantic University. The Office of the Ocean Economy is created to connect the state's ocean and coastal resources to economic development strategies that grow, enhance, or contribute to the ocean economy.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-11; House 84-29

Committee on Education Pre-K -12

CS/HB 1317 Patriotic Organizations

by Choice & Innovation Subcommittee and Rep. Duggan and others (CS/SB 1016 by Education Pre-K -12 Committee and Senators Wright and Collins)

The bill defines the term "patriotic organization" as a youth membership organization serving young people under the age of 21 that is listed in specified sections of Title 36, U.S.C., with an educational purpose that promotes patriotism and civic involvement. The organizations defined in the bill are:

- Big Brothers Big Sisters of America;
- Boy Scouts of America;
- Boys & Girls Clubs of America;
- Civil Air Patrol;
- Future Farmers of America;
- Girl Scouts of the United States of America;
- Naval Sea Cadets;
- Little League Incorporated; and
- Marine League Corp.

The bill authorizes a school district to:

- Allow a representative of a patriotic organization the opportunity to speak with and distribute informational materials in a classroom setting to students to encourage participation in the patriotic organization and inform students of benefits to the student and the community.
- Provide opportunities for a patriotic organization to have displays at schools within the district to provide opportunities for student recruitment.

The bill requires that if a school district authorizes a representative of a patriotic organization to speak with students the school district must:

- Provide a specific date and time for the patriotic organization to speak to students.
- Notify parents or guardians of each patriotic organization's expected presentation and the option to withhold consent for their child participating in such presentation.

The bill requires that a school district may not discriminate against a patriotic organization in the use of any school building or property for activities that occur outside of the school day.

Additionally, the bill specifies that a school district that allows a patriotic organization to speak with and distribute informational materials to students or use school buildings or property is not required to provide equal access to an organization that is not designated as a patriotic organization.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 111-0

Committee on Education Pre-K -12

CS/HB 1361 — Education

by Education & Employment Committee and Rep. Temple and others (CS/SB 7038 by Appropriations Committee; Education Pre-K -12 Committee; and Senator Yarborough)

The bill enhances supports for students in the Voluntary Prekindergarten Education Program (VPK) through grade 12 by:

- Designating the University of Florida Lastinger Center for Learning (Lastinger Center) as the administrator of the New Worlds Reading Initiative and New Worlds Scholarship programs.
- Codifying the Lastinger Center in law and establishing duties for the center.
- Establishing the New Worlds Tutoring Program to be administered by the Lastinger Center to support school districts and schools in improving student achievement in reading and mathematics, including grants for automated tutoring for students in kindergarten through grade 5 and for in-person tutoring for, at a minimum, students in grades kindergarten through 5.
- Expanding the eligibility for the New Worlds Scholarship Accounts to include VPK students.
- Expands the minimum qualifications to offer tutoring under the NewWorlds Scholarship Accounts to include a person with a specified microcredential or specified VPK credential.
- Clarifying student eligibility for supports under the New Worlds Reading Initiative as identified by student progress monitoring.
- Providing for a mechanism for parents to use the New Worlds Scholarship Account to make direct purchases of qualifying expenditures.
- Establishing a grant program for artificial intelligence learning platforms in order to improve outcomes and reduce teacher workload. The bill provides a recurring appropriation of $2 million for the Lastinger Center to administer the grants for subscription fees and professional learning to support and accelerate learning for students in grades 6 through 12 during the school day.

The provisions of the bill implementing the New Worlds Reading Initiative are subject to legislative appropriation.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 113-0

Committee on Education Pre-K -12

CS/CS/HB 1403 — School Choice

by Education & Employment Committee; Choice & Innovation Subcommittee; and Rep. Tomkow and others (SB 7048 by Education Pre-K -12 Committee)

The bill makes several changes to Florida's school choice program consisting primarily of the Florida Tax Credit Scholarship (FTC), which includes students in a personalized education program (PEP), the Family Empowerment Scholarship for students attending a private school (FES-EO), and the Family Empowerment Scholarship for students with disabilities (FES-UA).

Eligibility and Enrollment

The bill expands eligibility for scholarship programs to the dependent children of an active duty member of the United States Armed Forces who has received permanent change of station orders to Florida or whose home of record or state of residence, at the time of renewal, is Florida. Additionally, the bill establishes for the 2024-25 school year the maximum number of FES-UA Scholarships at 72,615. Beginning in the 2025-2026 school year, the FES-UA scholarship program cap will increase by 5 percent of the state's total exceptional student education enrollment, annually, with an additional 1 percent growth available based on FES-UA participation. The bill also authorizes FES-UA scholarship funds to be used at a private school that offers a prekindergarten program.

The bill authorizes a PEP student to also enroll in a private school if the student attends classes in person for at least two days a week, with the remaining days following the PEP learning plan.

The bill establishes firm deadlines for Scholarship Funding Organizations (SFO) and parents related to the application for and renewal of scholarships under the FTC, PEP, FES-UA, and FES-EO programs. The bill establishes deadlines, which include requirements for renewal families to accept a scholarship by May 31, and new scholarship families by December 15. The deadlines prioritize disbursing scholarship funds to renewal students over new students, but authorize SFOs to establish application deadlines for new scholarships under the FTC scholarship program.

Scholarship Payments

The bill codifies deadlines and responsibilities for Scholarship Funding Organizations (SFOs) and the Department of Education (DOE) regarding the disbursement of funds for the FES scholarship program. The specified payments include specified quarterly payments into a student's scholarship account, and a requirement that tuition and fee payments be made within seven business days after parent and school approval.

Purchasing Handbook

The bill requires the SFO to develop a purchasing handbook that includes policies for the authorized use of funds. The handbook must maintain and routinely update a list of prohibited

items and services, and items or services that require preauthorization or additional documentation. The bill mandates that the purchasing handbook be submitted to the DOE by August 1, 2024, and by each July 1 thereafter. The bill authorizes the DOE to assess a penalty of up to $10,000 if the purchasing handbook is not submitted by the required dates. Finally, the bill requires the Florida Center for Students with Unique Abilities to develop and update appropriate purchasing guidelines for recipients of the FES-UA scholarship.

Reporting

The bill updates the quarterly reporting requirements for SFOs to include information on applications received, application review timeframes, reimbursements received, and reimbursement processing timeframes. Additionally, the bill requires a SFO to establish a process to collect input and feedback from parents, private schools, and providers before implementing substantial modifications or enhancements to the reimbursement process.

Hope Scholarship Program

The bill shifts to the FTC scholarship program the scholarship funding portion of the Hope Scholarship Program (HSP), but maintains HSP requirements, with an additional requirement for the school to notify parents of the opportunity to attend an eligible private school under the FES and FTC scholarship programs.

Additional School Choice Provisions

The bill clarifies that public school students receiving a scholarship under a New Worlds Scholarship Account remain eligible for transportation scholarships under the FES and FTC scholarship programs.

The bill removes the requirement that a virtual instruction program provider be nonsectarian in its admissions and operations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise expressly provided.
Vote: Senate 40-0; House 89-18

Committee on Education Pre-K -12

CS/CS/HB 1473 — School Safety

by Education & Employment Committee; Judiciary Committee; and Reps. Trabulsy, Hunschofsky, and others (CS/SB 1356 by Criminal Justice Committee and Senator Calatayud)

The bill modifies provisions related to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program, which:

- Clarify that private schools seeking to participate in the guardian program are responsible for costs associated with background screening in addition to costs associated with training, but authorizes the sheriff providing the training to waive the costs.
- Provide that an individual certified and in good standing with the Criminal Justice Standards and Training Commission is exempt from the required school guardian training.
- Change the 12-hour diversity training to training on de-escalating incidents.
- Implement new reporting requirements related to individuals certified as school guardians and serving as school guardians in school districts, charter schools, and private schools, with penalties for noncompliance.
- Require the Florida Department of Law Enforcement (FDLE) to serve as the central repository of information regarding certified and appointed guardians.

The bill establishes new perimeter and door safety requirements with which school districts and charter school governing boards must comply by August 1, 2024. These include:

- Keeping routes of ingress and egress securely closed and locked when students are on campus, or actively staffed when open or unlocked.
- Requiring that violations of such perimeter and safety requirements be reported to the applicable school official or governing board.
- Requiring classrooms to be locked, or actively staffed, during class time, and for classrooms to have the safest part of the room marked.
- Requiring each school district to develop a progressive discipline policy for instructional and administrative personnel who knowingly violate school safety requirements.

The bill requires the Office of Safe Schools (OSS) to, by August 1, 2024, develop and adopt a Florida school safety compliance inspection report to document compliance with Florida school safety requirements. The OSS must also:

- Triennially conduct unannounced inspections of all public schools using the safety compliance inspection report, with associated reporting and acknowledgement requirements. The bill provides for a bonus program for school principals and charter school administrators whose schools are found to be in full compliance with school safety requirements.
- By December 1, 2024, evaluate the distribution methodology for the Safe Schools Allocation and, if necessary, make recommendations for an alternate methodology to distribute the remaining balance of the Safe Schools Allocation.

The bill provides for criminal penalties against a person who knowingly or willfully operates a drone over a Pre-K -12 public or private school or allows a drone to make contact with a school, with specified exceptions.

The bill requires public schools, including charter schools, within the first five days of school to provide age and developmentally appropriate instruction on the use or misuse of FortifyFL, the state mobile suspicious activity reporting tool.

Lastly, the bill creates, subject to appropriation, a grant program to be administered by the FDLE to support private schools' school safety efforts.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Education Pre-K-12

CS/CS/HB 1509 — Pub. Rec./School Guardians

by State Affairs Committee; Judiciary Committee; and Rep. Trabulsy and others (CS/SB 7056 by Rules Committee; Education Pre-K-12 Committee; and Senator Calatayud)

The bill creates an exemption from public records requirements for any information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school and reported to the FDLE that would identify whether an individual has been certified to serve as a school guardian.

The bill provides that the public record exemption is a public necessity because disclosure of the identity of a school guardian could affect his or her ability to adequately respond to an active assailant situation.

The public records exemption established in the bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that CS/CS/HB 1509 or similar legislation takes effect, if such legislation is adopted in this legislative session and becomes law.
Vote: Senate 40-0; House 111-0

Committee on Education Pre-K -12

SB 1688 — Career-themed Courses

by Senators Osgood, Yarborough, Hutson, Simon, Book, Garcia, and Davis

The bill adds requirements to improve student awareness of career and technical education (CTE) opportunities.

The bill adds to the information required to inform the strategic 3-year plan developed jointly by the local school district, local workforce development boards, economic development agencies, and state-approved postsecondary institutions. The bill adds that the plan must be constructed and based, in part, on strategies to inform and promote the CTE opportunities available in the district to students, parents, the community, and stakeholders.

The bill aligns the collection by the Department of Education of student achievement and performance data in industry-certified career education programs and career-themed courses with the annual review conducted by the Commissioner of Education regarding K-12 and postsecondary CTE offerings.

The bill requires each district school board to inform students and parents during course selection for middle school of the career and professional academy or career-themed courses available within the district.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Education Pre-K -12

CS/SB 7002 — Deregulation of Public Schools

by Fiscal Policy Committee; Education Pre-K -12 Committee; and Senators Hutson, Osgood, and Calatayud

The bill enables increased efficiency and higher productivity for district school boards by providing flexibility from redundant requirements related to operations, reporting, personnel, facilities, and finances.

School District Operations

The bill authorizes the district school board to delegate to the superintendent the authority to establish a process for the review and approval of district-wide policies and procedures to improve efficiency.

The bill provides flexibility to district school boards in satisfying their statutory duties to provide public notices related to meetings, levying millage, and the adoption of budgets by authorizing the publication of such notices on their websites. The bill maintains the requirement for public notice to be provided at least two days prior to the noticed meeting.

The bill authorizes a district school board to adopt a policy that allows a parent to agree to a method of notification regarding a student's placement in a dropout prevention program or a suspension that is an alternative to U.S. or certified mail.

The bill clarifies district school board authority in setting policies regarding the transfer of electronic records.

School District Reports

The bill repeals several obsolete reporting requirements including the school district guidance report, school district report of the reduction of relocatable use, economic security report, school district educational plant survey, and the Florida College System employment equity accountability report.

The bill also reduces financial reporting requirements by specifying that only school districts identified in State Board of Education (SBE) rule as having a financial concern would be subject to monthly reporting, and all others may be subject to less frequent reporting.

School District Personnel

The bill supports school district efforts to recruit and retain personnel. The bill:

- Requires the SBE to develop strategies to address critical teacher shortages areas;
- Requires the SBE to waive initial subject area examination and certification fees for specified exceptional student education teachers and requires the Commissioner of

Education to make recommendations for the retention of exceptional student education teachers;
- Authorizes district school boards to develop and adopt their own policies relating to mentors and support for first-time teachers;
- Authorizes a newly-hired Voluntary Prekindergarten Education Program instructor to complete required emergent literacy training within 45 days of employment.
- Authorizes a district school board to use advanced degrees for salary adjustments when setting salary schedules for instructional personnel or school administrators if the advanced degree is in the individual's area of certification;
- Authorizes certified educators to request that their certification be placed in inactive status;
- Authorizes the use of a passing score on the SAT, ACT, or Classical Learning Test to satisfy the mastery of general knowledge requirement for professional educator certification;
- Provides flexibility in the assignment of teachers by clarifying that regulations related the percentage of experienced teachers assigned in low-performing schools or schools with a high percentage of low-income families is based on a teacher having no less than 3 years of experience; and
- Authorizes the civil penalties collected pursuant to enforcement by a school bus infraction detection system to be used to provide financial awards to recruit or retain school bus drivers in the school district in which the civil penalties are assessed and collected, and removes a requirement that the signage on the buses be posted with high-visibility reflective signage.

The bill provides additional clarity for district school boards and teachers' unions regarding district school board duties that may not be precluded by collective bargaining, including but not limited to, the provision of incentives to effective and highly effective teachers, incentives to teachers assigned to low-performing schools, implementation of student intervention and support strategies, and the implementation of school safety plans and requirements. The bill also requires the president of a bargaining unit to appear with a district superintendent if called by the SBE to explain an impasse.

The bill expands the role of the Florida Institute for Charter School Innovation (Institute) by authorizing the Institute to develop a professional learning system and design an alternative teacher preparation program to enable certified teachers at charter schools to add coverages and endorsements to their certificates.

The bill also clarifies that a teacher candidate enrolled in a postsecondary educator preparation institute must meet basic screening and teacher eligibility requirements prior to participating in field experiences.

School District Facilities and Finances

The bill provides flexibility for district school boards in planning related to school facilities. The bill:

- Clarifies the authority of a district school board to adopt exceptions to the State Requirements for Educational Facilities.
- Adds discretion for local emergency management plans to determine requirements related to staffing emergency shelter facilities instead of requiring the district school board to staff the facilities.
- Broadens the scope of properties a district school board can lease or lease-purchase to include educational plants, ancillary plants, and auxiliary facilities instead of only educational facilities.
- Extends the exemption from cost per student station limitations for new construction projects until July 1, 2028.
- Increases from $280,000 to $600,000 the limit on day-labor contracts that a district school board may employ for the construction, renovation, remodeling, or maintenance of existing facilities.
- Removes the requirement to monitor and report the impact of change orders on the district school board educational facilities plan.

The bill also increases from $175 to $200 per unweighted full-time equivalent student the amount from a district's capital outlay millage levy that the district may expend on specified vehicles and the payment of the cost of insurance premiums for educational and ancillary plants.

The bill provides for school districts an exception to the prohibition on using funds to purchase transportation equipment and supplies at prices which exceed those determined by the Department of Education (DOE) to be the lowest which can be obtained. The bill specifies that a school district that is unable to purchase transportation equipment and supplies at the lowest determined price may request from the DOE assistance with purchasing at such prices and may exceed such prices if the DOE is unable to assist the school district with its purchase.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 115-0

Committee on Education Pre-K -12

CS/SB 7004 — Education

by Fiscal Policy Committee; Education Pre-K -12 Committee; and Senators Osgood and Simon

Instructional Materials

The bill provides school districts with additional time to review state-adopted instructional materials by requiring the Department of Education (DOE) to publish the initial state adoption list prior to the start of the local school district adoption process. The bill requires the state-adoption list to be published as follows: by December 1, 2025, for the 2025-2026 adoption cycle; by July 31, 2026, for the 2026-2027 adoption cycle; and by July 31 in the year preceding an adoption for all subsequent adoption cycles.

The bill provides flexibility for district school boards to determine the adequate number of instructional materials in each classroom. The bill removes specific dates for superintendents to report instructional materials to be used, and that such notification include a district school board plan regarding the requisition of adequate instructional materials. Finally, the bill authorizes principal discretion in the collection of funds for lost or damaged instructional materials.

Early Learning

The bill allows a school district to meet the requirement to offer a summer Voluntary Prekindergarten (VPK) program by contracting with private VPK providers. The bill revises from 3 to 2 the number of administrations of the coordinated screening and progress monitoring (CSPM) system in a summer VPK program. The bill also revises from every 2 years to every 3 years the requirement that each early learning coalition submit a school readiness program plan to the DOE.

The bill requires the referral of VPK students who demonstrate a substantial deficiency in early literacy or mathematics skills based on the midyear or final administration of the CSPM to the local school district to receive additional instruction prior to entering kindergarten.

School Improvement

The bill allows the State Board of Education (SBE) to provide a school implementing a turnaround plan additional time to implement a community school model if the school has received a community school planning grant.

Student Progression

The bill provides that a student who has filed a formal declaration of intent to terminate school enrollment may take the GED assessment, without an extraordinary exemption, after reaching the age of 16.

The bill removes the requirement for administration of the common assessment for students in Department of Juvenile Justice (DJJ) prevention, residential, or day treatment programs, as well as the requirement that district school boards take action on a provider contract for DJJ educational programs that continue to underperform within 6 months after a monitoring plan.

The bill provides a school principal with the discretion to require a performance contract if a parent requests a student participate in an Academically Challenging Curriculum to Enhance Learning (ACCEL) option.

Virtual Education

The bill removes the requirement for a school district to offer a virtual instruction option. The bill also authorizes a school district virtual program to provide the equipment and access necessary for participation to any full-time student enrolled in the program, regardless of income status. Finally, the bill removes the requirement that a virtual provider be nonsectarian in its admissions and operations.

Required Reporting

The bill repeals reporting relating to participation in fine arts courses, a comparison of charter technical career centers to public technical centers, student achievement for middle grades students in career and professional academies and in career courses, student performance in academically high-performing school districts, single-gender programs, the Competency-based Education Pilot Program, the committee of practitioners under the No Child Left Behind Act, and duplicative community assessment and accountability feedback reports.

The bill also makes optional district participation in and submissions to the Art in the Capitol Competition.

Postsecondary

The bill removes the requirement for the SBE to establish the tuition and out-of-state fees for developmental education and associate degree credit. The bill removes the requirement for the SBE to identify performance metrics for the Florida College System (FCS) and develop a plan that specifies goals and objectives for each FCS institution. The bill removes obsolete language regarding baccalaureate degree approval at St. Petersburg College. Finally, the bill removes an obsolete requirement that automotive service technology education programs be industry certified by a certain date.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 117-0

Committee on Environment and Natural Resources

CS/HB 87 — Taking of Bears

by Infrastructure Strategies Committee and Rep. Shoaf and others (CS/CS/SB 632 by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; and Senators Simon and Collins)

The bill may be cited as the "Self Defense Act." It provides that a person is not subject to any administrative, civil, or criminal penalty for taking a bear with lethal force if the person:

- Reasonably believed that his or her action was necessary to avoid an imminent threat of death or serious bodily injury to himself or herself or to another, an imminent threat of death or serious bodily injury to a pet, or substantial damage to a dwelling;
- Did not lure the bear with food or attractants for an illegal purpose, including, but not limited to, training dogs to hunt bears;
- Did not intentionally or recklessly place himself or herself or a pet in a situation in which he or she would be likely to need to use lethal force; and
- Notified the Florida Fish and Wildlife Conservation Commission (FWC) within 24 hours after using lethal force to take the bear.

The bill requires a bear taken under this section to be disposed of by FWC. In addition, a person who takes a bear under this section may not possess, sell, or dispose of the bear or its parts. The bill directs FWC to adopt rules to implement this section.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 24-12; House 83-28

Committee on Environment and Natural Resources

CS/HB 321 — Release of Balloons

by Agriculture, Conservation & Resiliency Subcommittee and Reps. Chaney, Mooney, and others (CS/CS/SB 602 by Fiscal Policy Committee; Environment and Natural Resources Committee; and Senator DiCeglie)

The bill prohibits the intentional release of balloons inflated with a gas that is lighter than air. To effect this change, the bill removes language allowing the intentional release of fewer than 10 balloons within a 24-hour period. The bill also removes an exemption for the intentional release of biodegradable or photodegradable balloons.

The bill provides that the intentional release of balloons is punishable under the Florida Litter Law by revising the Florida Litter Law's definition of "dump" to include, with respect to balloons, to intentionally release, organize the release of, or intentionally cause to be released. It also revises the Florida Litter Law's definition of "litter" to include balloons.

The bill provides that laws regulating the intentional release of balloons do not apply to a child six years of age or younger.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-2; House 102-9

Committee on Environment and Natural Resources

CS/CS/HB 437 — Anchoring Limitation Areas

by Infrastructure Strategies Committee; Agriculture, Conservation & Resiliency Subcommittee; and Rep. Porras and others (CS/CS/SB 192 by Rules Committee; Environment and Natural Resources Committee; and Senator Garcia)

The bill expands the sections of Biscayne Bay that are designated as anchoring limitation areas. It adds anchoring limitation areas in the sections of Biscayne Bay within Miami-Dade County lying between Palm Island and State Road A1A and between San Marino Island and Di Lido Island.

The bill specifies that documentation used to prove that a vessel has not exceeded the limits of county-established anchoring limitation areas must show the vessel at least one *nautical* mile away within a certain period. The bill allows navigational or tracking devices to be used for electronic evidence of a vessel's location if the devices are permanently affixed to the vessel.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 105-2

Committee on Environment and Natural Resources

CS/HB 487 — Lost and Abandoned Property

by Judiciary Committee and Rep. Chaney and others (SB 682 by Senator Martin)

The bill revises the timeframe during which a law enforcement officer must mail a copy of the notice posted on an article of lost or abandoned property, a derelict vessel, or a public nuisance vessel, so that the notice may be mailed to the owner on the date of posting or as soon thereafter as is practical.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 115-0

Committee on Environment and Natural Resources

CS/CS/SB 1136 — Regulation of Water Resources

by Rules Committee; Community Affairs Committee; and Senator Trumbull

The bill revises the qualification requirements a person must meet to take the water well contractor licensure examination. It requires an applicant to have at least two years of experience in constructing, repairing, or abandoning water wells specifically permitted in Florida.

The bill authorizes an authority to whom a water management district has delegated enforcement powers to consistently apply disciplinary guideline rules relating to wells.

The bill includes business entities as possible violators of certain unlawful acts relating to wells. It adds that it is an unlawful act to advertise water well drilling or construction services if the business entity is not owned by a licensed water well contactor or does not employ a full-time water well contractor.

The bill provides that the onsite sewage treatment and disposal system (OSTDS) variance review and advisory committee is not responsible for water well permitting. However, the committee shall consider all requirements of law related to OSTDSs when making recommendations on variance requests for OSTDS permits.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 114-0

Committee on Environment and Natural Resources

CS/CS/CS/SB 1532 — Mitigation

by Rules Committee; Community Affairs Committee; Environment and Natural Resources Committee; and Senator Brodeur

The bill expands the water quality enhancement credit program to allow private entities to purchase credits. Currently, only governmental entities may purchase water quality enhancement credits under the program. Specifically, the bill provides that water quality enhancement credits may be sold to governmental entities seeking to meet an assigned basin management action plan allocation or reasonable assurance plan or to private or governmental applicants for the purpose of achieving net improvement or meeting environmental resource permit performance standards.

Regarding mitigation banking, the bill allows limited use of local government land for private mitigation banks, provided that the private mitigation banks are located in credit-deficient basins and would produce certain habitat type credits that are unavailable or insufficient in such basins.

Current law directs the Department of Environmental Protection (DEP) and water management districts (WMDs) to *participate in and encourage* the establishment of *private and public* mitigation banks and offsite regional mitigation. The bill amends this provision by directing DEP and WMDs to *encourage* the establishment of *private* mitigation banks and offsite regional mitigation on lands owned by a local government, when such lands are located in a credit-deficient basin and the proposed mitigation bank or offsite regional mitigation would provide one or more of the deficient habitat type credits described in this bill.

A local government with land in a credit-deficient basin may, through the public procurement process identified in chapter 287 or other established competitive procurement processes, consider a proposal from a private entity for the right to establish a mitigation bank on the local government land, including such lands purchased for conservation purposes, provided acquisition encumbrances do not exist to the contrary. The bill outlines the meaning of "credit-deficient basin." The bill provides that if such a mitigation bank is to be established and operated on local government land, the local government and private applicant must enter into a use agreement that meets certain requirements. This provision does not apply to lands owned by the state or a water management district.

The bill provides that, in determining the number of mitigation bank credits to be awarded to a mitigation bank established pursuant to this section, the proposed mitigation bank's location in or adjacent to the local government conservation lands may not increase the uniform mitigation assessment method location factor assessment and scoring value, even if the conservation status of the mitigation bank land is improved due to such location.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Environment and Natural Resources

CS/CS/HB 1557 — Department of Environmental Protection

by Infrastructure Strategies Committee; Water Quality, Supply & Treatment Subcommittee; and Rep. Chaney and others (CS/CS/SB 1386 by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; and Senator Calatayud)

The bill amends provisions relating to aquatic preserves, resilience, onsite sewage treatment and disposal systems (OSTDSs, otherwise known as septic systems), and wastewater treatment facilities.

The bill requires all applicants for permits to construct and operate a domestic wastewater treatment facility to prepare a reuse feasibility study. Domestic treatment facilities that dispose of effluent by certain means must implement reuse to the extent feasible and must consider the ecological or public water supply benefits afforded by any disposal.

The bill makes revisions to facilitate the ongoing transfer of the OSTDS program from the Department of Health to the Department of Environmental Protection (DEP) including:

- Creating new procedures for DEP regarding the processing and enforcement of septic tank requirements.
- Directing DEP to adopt rules for a general permit for projects which have, individually or cumulatively, a minimal adverse impact on public health or the environment.
- Directing DEP to establish an enhanced nutrient-reducing OSTDS approval program.

Regarding domestic wastewater treatment facilities and wastewater treatment plans, the bill:

- Requires certain public and private facilities to participate in developing the domestic wastewater treatment plan including providing certain information to the applicable local government.
- Requires certain wastewater treatment facilities that provide reclaimed water within a basin management action plan or reasonable assurance plan area to meet advanced waste treatment standards.

Regarding reclaimed water, the bill:

- Directs the water management districts and DEP to develop rules to promote reclaimed water and encourage potable water offsets that produce significant water savings.
- Authorizes extended permits for those applicants or permittees that propose a development or water resource development project using reclaimed water.

Regarding the Resilient Florida Grant Program, the bill:

- Authorizes DEP to provide grants to counties or municipalities to fund:
  - An update of their inventory of critical assets, including those that are currently or reasonably expected to be impacted by flooding and sea level rise;
  - Development of strategies to enhance community preparations for threats from flooding and sea level rise, including adaptation plans; and

    - Permitting for projects designed to achieve reductions in the risks or impacts of flooding and sea level rise using nature-based solutions.
- Requires vulnerability assessments to use data from the Florida Flood Hub that is certified by the Chief Resilience Officer.
- Requires certain data and planning horizons to be used in the assessment.

The bill requires the Comprehensive Statewide Flood Vulnerability and Sea Level Rise Data Set and Assessment to include the 20- and 50-year projected sea level rise at each active National Oceanic and Atmospheric Administration tidal gauge off the Florida coast as derived from statewide sea level rise projections.

Regarding the Statewide Flooding and Sea Level Rise Resilience Plan, the bill:
- Authorizes the plan to include projects not yet identified in the comprehensive statewide flood vulnerability and sea level rise assessment at the discretion of DEP and the Chief Resilience Officer.
- Expands the types of projects that can be submitted by local or regional entities.

The bill requires DEP to include the projects funded under the water quality grant program on a user-friendly website or dashboard.

The bill requires the Office of Economic and Demographic Research to provide a publicly-accessible data visualization tool on its website related to its statewide wastewater and stormwater needs analysis.

Regarding aquatic preserves, the bill:
- Provides that it is a noncriminal infraction to operate a vessel outside a lawfully marked channel in a careless manner that causes seagrass scarring within the Nature Coast Aquatic Preserve.
- Declares the Kristin Jacobs Coral Reef Ecosystem Conservation Area to be an aquatic preserve.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 119-0

Committee on Environment and Natural Resources

CS/CS/HB 1565 — Florida Red Tide Mitigation and Technology Development Initiative

by Infrastructure Strategies Committee; Agriculture & Natural Resources Appropriations Subcommittee; and Rep. Grant and others (CS/SB 1360 by Appropriations Committee on Agriculture, Environment, and General Government and Senator Gruters)

The bill amends s. 379.2273, F.S., to:

- Remove the expiration date for the Florida Red Tide Mitigation and Technology Development Initiative of June 30, 2025.
- Direct the initiative to develop field trials for red tide mitigation approaches and technologies.

Specifically, the bill provides that upon successful completion of science-based laboratory testing of prevention, control, and mitigation technologies and approaches, the initiative must develop recommendations for field trial deployment technologies of the technologies and approaches in state waters. The initiative must submit a report with its findings and recommendations to the Department of Environmental Protection (DEP), the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, and other state agencies with regulatory oversight of field trial deployment of the technologies and approaches in state waters. DEP must evaluate the technologies and approaches and identify all existing state permits the Mote Marine Laboratory (Mote) may use to deploy and test the technologies and approaches in state waters. DEP must submit its evaluation to Mote within 60 days after receipt of the report. If DEP determines existing state permits may not be used, DEP must amend its regulatory or permitting processes to ensure the timely deployment if any red tide or similar harmful algal bloom mitigation and control technologies and approaches recommended by the initiative. Upon successful testing of the technologies and approaches, DEP must expedite regulatory reviews for the recurring use of the technologies and approaches in state waters to control and mitigate the impacts of red tide or similar harmful algal blooms.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-0

Committee on Environment and Natural Resources

CS/SB 7040 — Ratification of the Department of Environmental Protection's Rules Relating to Stormwater

by Appropriations Committee on Agriculture, Environment, and General Government; Environment and Natural Resources Committee; and Senators Harrell and Mayfield

As required by the Clean Waterways Act, the Department of Environmental Protection (DEP) initiated rulemaking to update the stormwater design and operation regulations for environmental resource permitting, including updates to the Environmental Resource Permit Applicant's Handbook. The proposed rules were developed to increase the removal of nutrients from stormwater to protect the state's waterways. The Statement of Estimated Regulatory Costs developed by DEP concluded that the revised rules will likely increase stormwater treatment costs by $1.21 billion (or $2,600 per acre developed) in the aggregate within five years after the rules' implementation. This amount triggered the statutory requirement for the rule to be ratified by the Legislature before becoming effective.

This bill ratifies DEP's revisions to the stormwater rules within Chapter 62-330 of the Florida Administrative Code with several changes, including:

- Extending the timeframe for a permit application to be deemed complete to qualify for an exemption from revised rules from 12 months to 18 months after the effective date of the revised rules;
- Providing that entities implementing stormwater best management practices also regulated under different provisions of law are not subject to duplicate inspections for the same practices;
- Allowing alternative treatment standards for redevelopment projects in areas with impaired waters;
- Providing that a stormwater management system is presumed to not violate state water quality standards if an applicant demonstrates its designs and plans meet performance standards and has met other requirements under the revised rules; and
- Allowing an applicant to demonstrate compliance with the rule's performance standards by providing reasonable assurance through modeling, calculations, and supporting documentation that satisfy the provisions of the revised rules.

In addition, the bill clarifies that nothing in the revised rules eliminate any grandfather provisions in existence prior to the effective date of the ratified rules and exempts additional projects, including:

- Regional stormwater systems and projects submitted as a part of a local building permit or as part of an application for a site plan or subdivision plat approval where stormwater management and design plans were submitted to a government agency before January 1, 2024;
- Stormwater management systems constructed in accordance with a binding ecosystem management agreement executed by DEP before January 1, 2024;

- Until October 1, 2044, stormwater management and design plans for a valid development of regional impact with a development order issued before January 1, 2024, except where the development of regional impact is essentially built out after the effective date of the revised rules; and
- Until October 1, 2034, stormwater management and design plans for a planned unit development approved before January 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 37-0; House 114-0

Committee on Ethics and Elections

CS/HB 135 — Voter Registration Applications

by State Affairs Committee and Reps. Gossett-Seidman, Caruso, and others (CS/SB 1256 by Fiscal Policy Committee and Senator Martin)

The bill prohibits changing the party affiliation of a voter registration applicant who is updating his or her voter registration record unless the applicant designates and consents in writing to the change.

The bill revises voter-registration duties of the Florida Department of Highway Safety and Motor Vehicles (DHSMV) by:

- Prohibiting the DHSMV from changing the party affiliation of an applicant who is updating his or her voter registration record unless the applicant designates and consents in writing to change his or her party affiliation.
- Requiring the DHSMV to, after verifying voter registration information and receiving the applicant's electronic signature, provide the applicant with a printed receipt that includes the submitted voter registration information and documents any changes in party affiliation.
- Requiring the DHSMV to ensure that technology processes and updates do not alter an applicant's party affiliation without the written consent of the applicant.

The bill requires the DHSMV to be in full compliance with the bill's requirements within 3 months after the bill becomes law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 40-0; House 113-0

Committee on Ethics and Elections

CS/HB 919 — Artificial Intelligence Use in Political Advertising

by State Affairs Committee and Rep. Rizo and others (CS/CS/SB 850 by Rules Committee; Ethics and Elections Committee; and Senator DiCeglie)

The bill creates a definition for "generative artificial intelligence" and requires a disclaimer be included on specified forms of political advertisements created with generative artificial intelligence (AI).

Specifically, the bill defines "generative AI" to mean a machine-based system that can, for a given set of human-defined objectives, emulate the structure and characteristics of input data in order to generate derived synthetic content including images, videos, audio, text, and other digital content. The bill requires a political advertisement, electioneering communication, or other miscellaneous advertisement of a political nature created in whole or in part with the use of generative AI to bear a disclaimer stating such if the generated content:

- Appears to depict a real person performing an action that did not actually occur; and
- Was created with intent to injure a candidate or to deceive regarding a ballot issue.

The bill prescribes additional disclaimer requirements for specified types of content.

The bill specifies that in addition to any penalties provided by law, a person identified pursuant to another disclaimer required by campaign finance laws as paying for, sponsoring, or approving a form of political advertisement which is required to include the AI disclaimer but fails to include it commits a first-degree misdemeanor. In addition, the bill prescribes an expedited process for resolution of a civil complaint to the Florida Elections Commission of a violation of the AI disclaimer requirement.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-0; House 104-8

Committee on Ethics and Elections

SJR 1114 — Public Financing for Campaigns of Candidates for Elective Statewide Office

by Senator Hutson

The bill proposes the repeal of Art. VI, s. 7, State Constitution, which requires public financing for campaigns of candidates for elective statewide offices who agree to campaign spending limits. As implemented by law, the campaigns that may currently receive funding are limited to campaigns for the Office of the Governor and Cabinet offices.

The proposal will be presented to the electors of Florida at the 2024 general election or at an earlier special election specifically authorized by law for that purpose. Approval requires a favorable vote from at least 60 percent of the electors voting on the matter.

These provisions become law without the Governor's signature and take effect upon a favorable vote from at least 60 percent of the electors voting on the matter at the 2024 general election or at an earlier special election specifically authorized by law for that purpose.
Vote: Senate 28-11; House 82-29

Committee on Ethics and Elections

SB 1116 — Campaign Finance

by Senator Hutson

This bill is linked to SJR 1114, which proposes the repeal of Art. VI, s. 7, State Constitution, a provision that requires public financing for campaigns of candidates for elective statewide offices who agree to campaign spending limits.

This bill repeals the statutory provisions governing Florida's public financing program, if SJR 1114 is approved by voters.

The bill takes effect on the effective date of the amendment to the State Constitution proposed by SJR 1114 or a similar joint resolution having substantially the same specific intent and purpose, if such an amendment to the State Constitution is approved by the electors at the next general election or at an earlier special election specifically authorized by law for that purpose.
Vote: Senate 28-12; House 83-29

Committee on Ethics and Elections

CS/HB 7003 — OGSR/Preregistered Voters

by State Affairs Committee; Ethics, Elections & Open Government Subcommittee; and Rep. Holcomb and others (CS/SB 7010 by Rules Committee and Ethics and Elections Committee)

The bill (Chapter 2024-39, L.O.F.) saves from repeal the current public records exemption making information concerning preregistered voter registration applicants who are 16 or 17 years old confidential and exempt from public inspection and copying requirements.

The exemption is subject to the Open Government Sunset Review Act and will repeal on October 2, 2024, unless saved from repeal by the Legislature. The bill removes the scheduled repeal, thereby continuing the confidential and exempt status of information concerning preregistered voter registration applicants.

The bill also authorizes disclosure of certain information related to voter registration that is otherwise confidential and exempt, including the protected information related to preregistered voters, to another governmental entity if disclosure is necessary for the receiving entity to perform any required duties directly related to election administration.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Ethics and Elections

HB 7005 — OGSR/Financial Disclosure

by Ethics, Elections & Open Government Subcommittee and Rep. Holcomb (SB 7012 by Ethics and Elections Committee)

The bill saves from repeal current public records exemptions for:

- All secure login credentials held by the Commission on Ethics for the purpose of allowing access to the electronic financial disclosure filing system; and
- Information entered into the system for purposes of making the disclosure.

The exemptions are subject to the Open Government Sunset Review Act and stand repealed on October 2, 2024, unless reenacted by the Legislature. The bill saves the exemptions from repeal by deleting the scheduled repeal date, thereby maintaining the current exempt status of the information.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Ethics and Elections

CS/SB 7014 — Ethics

by Rules Committee and Ethics and Elections Committee

The bill creates a number of timeframes for completion of specific steps of the process conducted by the Commission on Ethics (commission) when investigating alleged ethics violations, including:

- The commission's pre-investigation review of complaints and referrals for technical and legal sufficiency.
- The deadline for the complainant to file an amended complaint.
- The completion of a report containing the results of an investigation, its transmission to the alleged violator and counsel for the commission, the alleged violator's response, and the counsel for the commission's written recommendation relating to probable cause.
- The hearings held by the commission, including informal hearings and those held for the purpose of determining probable cause or taking final action on a case relinquished from the Division of Administrative Hearings (DOAH) back to the commission without a recommended order.

Related to the new timeframes, the bill:

- Requires the commission to complete its investigation, which concludes with the probable cause determination, within 1 year, and provides limited extension allowed under certain circumstances.
- Creates a harmless error standard for failure to meet the timeframes.
- Tolls the timeframes until resolution of any related criminal cases.
- Specifies that the timeframes apply to complaints or referrals submitted to the commission on or after October 1, 2024.

The bill makes the following additional changes related to investigations conducted by the commission:

- Clarifies that the counsel representing the commission in enforcement actions is an assistant attorney general, unless there is a conflict, in which case the commission must designate an attorney not otherwise employed by the commission.
- Removes the commission's ability to conduct a formal hearing to determine disputed material facts. Provides that the alleged violator may elect to have a formal administrative hearing conducted by an administrative law judge in the DOAH or an informal hearing conducted before the commission.
- Requires that at least two-thirds of commission members present at a meeting must vote to reject or deviate from a stipulation or settlement that is recommended by the counsel representing the commission.

The bill's provisions related to investigations conducted by the commission take effect October 1, 2024.

The bill also, effective upon becoming a law:

- Requires complaints be based upon personal knowledge or information other than hearsay.
- Conforms the maximum civil penalty for a violation of the constitutional prohibition against lobbying by a public officer to those for other violations of ethics laws.
- Provides that terms of commission members are limited to two total, rather than two successive.
- Adds candidates for public office to the categories of persons authorized to recover costs and attorney fees for defending against a maliciously filed ethics complaint.
- Provides a Form 1 and Form 6 reporting exception for attorneys who have a conflict with Florida Bar requirements by allowing an attorney filer to remove identifying information regarding a client when reporting sources of income if disclosure of the information will violate confidentiality requirements.
- Requires all local political subdivisions or agencies that adopt or have adopted local ethics laws and enforcement procedures to:
  - Require a complaint to be written and signed under oath or affirmation;
  - Require a complaint to be based upon personal knowledge other than hearsay;
  - Prohibit self-initiation of complaints by a local government entity that is directly in charge of regulating and enforcing local ethics laws; and
  - Authorize recovery of costs and attorney fees incurred in defending against a maliciously filed complaint.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law, except as otherwise expressly provided.
Vote: Senate 26-4; House 79-34

Committee on Finance and Tax

CS/HB 7073 — Taxation

by Appropriations Committee; Ways & Means Committee; and Rep. McClain and others (CS/SB 7074 by Appropriations Committee and Finance and Tax Committee)

The bill contains provisions for tax relief and changes to tax policy.

Property Tax

The bill:

- Provides an assessment limitation for eligible biogas equipment.
- Delays the date on which tangible personal property of an electric utility is placed on the tax roll.
- Extends the time from 3 years to 5 years for an owner to begin rebuilding his or her homestead property after a disaster and continue to retain homestead tax benefits.
- Requires property appraisers to include additional information in a notice of tax lien sent to a delinquent taxpayer.
- Makes administrative changes to the property tax exemptions created in the Live Local Act. For Monroe County, it reduces the number of units that must be set aside as affordable. It also clarifies what is considered a part of a unit's value that relates to the property tax benefits created by the Live Local Act.
- Provides to taxing authorities an option to "opt-out" of the Live Local Act's property tax exemption for affordable housing units where the income of the person renting is between 80 and 120 percent adjusted gross income, when certain data shows a surplus of such units and the taxing authority takes certain actions.
- Provides for relief from back taxes imposed on homestead property when a clerical mistake or omission results in an error in the assessment of the property, if the property owner voluntarily discloses that she or he is not entitled to the benefit. Otherwise, back taxes may be due for up to 5 years (instead of 10 years).
- Provides for a new property tax exemption for developments that dedicate at least 70 units for affordable housing. The project must be subject to an agreement with the Florida Housing Finance Corporation and agree to a land use restriction for 99 years and to be subject to penalty if the property no longer serves the income limited people as originally agreed to.
- Updates obsolete terminology by replacing the term "property assessor" with "property appraiser."

Sales Tax

The bill:

- Provides for a 14-day back-to-school sales tax holiday from July 29, 2024, through August 11, 2024.
- Provides for two 14-day disaster preparedness sales tax holidays from June 1, 2024, through June 14, 2024, and from August 24, 2024, through September 6, 2024.

- Provides for a 7-day skilled-worker sales tax holiday for certain tools from September 1, 2024, through September 7, 2024.
- Provides for a 1-month sales tax holiday for recreational items and certain admissions purchased from July 1, 2024, through July 31, 2024, known as Freedom Month.
- Makes permanent the annual distribution of $27.5 million per year from sales tax revenue to the Department of Agriculture and Consumer Services for the purpose of thoroughbred breeding and racing in the state.
- Allows motor vehicle lessors the option to pay sales tax when the vehicle is purchased rather than collect sales tax on each lease payment.
- Increases from 75 percent to 100 percent the amount of sales tax revenue that the Tax Collection Diversion program deposits into the special reserve account of the Florida Association of Centers for Independent Living when the program successfully collects delinquent taxes.

Documentary Stamp Tax

The bill:

- Reduces the amount of a reverse mortgage's value that is subject to tax.
- Provides a documentary stamp tax exemption for 3 years on notes and obligations used to purchase an alarm system. The note or obligation may be no greater than $3,500 in value.

Corporate Income Tax

The bill:

- Adopts the Internal Revenue Code as it existed on January 1, 2024.
- Creates a time-limited tax credit for corporations who employ persons with unique abilities.
- Makes administrative changes to the credit provided for certain expenditures made by operators of short line railroads.

Local Taxes

The bill:

- Authorizes Jacksonville-Duval to levy the Indigent Trauma Care surtax.
- Requires the Indigent Trauma Care surtax to be levied by referendum only.
- Provides a procedure to follow that allows for the temporary suspension of surtaxes in a county where a levied surtax is found to be unconstitutional by the Florida Supreme Court.
- Provides that an ordinance to levy the Local Option Food and Beverage tax in Miami-Dade County requires approval from a majority of the voters voting on the referendum.

Various Taxes

The bill:

- Provides $5 million in annual child care tax credits for 3 years for certain child care expenses incurred on behalf of employees.
- Amends provisions in the Strong Families Tax Credit program, which includes increasing the program cap from $20 million per year to $40 million per year. It also establishes the date and time at which a taxpayer may first submit an application to the Department of Revenue.
- Provides for a 1-year reduction in the tax rates that will be imposed on natural gas fuel which are set to be levied beginning on January 1, 2026. The first-year rates are reduced by 50 percent.
- Provides for an automatic due date extension for corporate income tax and sales tax during a federally declared disaster or a state of emergency.
- Allows the Department of Revenue to reopen assessments if the taxpayer failed to respond to a request as result of certain circumstances.
- Allows the Department of Revenue to include in a garnishment notice and levy additional costs and fees, which are authorized today but may not be included in such notice or levy.
- Provides that the sale of a boat and trailer count as a single item when purchased together and it clarifies which county's surtax must be collected.
- Deletes the requirement that a nonresident purchaser of a boat or aircraft who will remove the vehicle from Florida read the entire statute.
- Removes obsolete language regarding the registration fee for importers of pollutants.
- Creates a distribution for certain cancer centers and a neurological center in the amount of $30 million per year for 30 years.
- Provides an appropriation in the amount of $408,604 in nonrecurring general revenue funds to the Department of Revenue to implement the bill.
- Provides an appropriation in the amount of $200,000 in nonrecurring general revenue funds to fiscally constrained counties to assist with reductions in property tax revenue resulting from Hurricane Idalia.

Insurance Premium Tax and Assessments

The bill provides to policyholders a 1-year deduction on residential policies with effective dates between October 1, 2024, through September 30, 2024, equal to the amount of the Insurance Premium tax and State Fire Marshal assessment. Policyholders of flood insurance will receive a deduction in their insurance premium tax for policies effective October 1, 2024, through September 30, 2024. Insurance providers will be able to take a credit against their insurance premium tax liability in an amount equal to the deduction. Any unused credits will be refunded by the Department of Revenue from the General Revenue Fund.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise provided.
Vote: Senate 38-0; House 110-0

Committee on Fiscal Policy

SB 322 — Public Records and Meetings

by Senator Burton

The bill creates public records and public meeting exemptions for the Interstate Medical Licensure Compact, the Audiology and Speech-Language Pathology Interstate Compact, and the Physical Therapy Licensure Compact.

The bill protects from public disclosure the personal identifying information of a physician, audiologist, speech-language pathologist, physical therapist, and physical therapist assistant, other than the individual's name, licensure status, or license number, obtained from the coordinated licensure system or database (coordinated system) under the applicable compact and held by the Department of Health or applicable board, unless the state that originally reported the information to the coordinated system authorizes the disclosure by law.

The bill exempts a meeting or a portion of a meeting of the compact commissions if the commission discusses specified topics or items that are exempt from disclosure under federal or state law. Recordings, minutes, and records generated during an exempt commission meeting are exempted under the bill from the public records provisions in s. 119.07(1), F.S., and Art. I, s. 24(a), State Constitution.

The exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless reviewed and reenacted by the Legislature. The bill provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that SB 7016 takes effect.
Vote: Senate 39-0; House 118-0

Committee on Fiscal Policy

HCR 7055 — Equal Application of the Law

by State Affairs Committee and Rep. Alvarez and others (SCR 7066 by Fiscal Policy Committee)

Congress has exempted itself from certain laws that are applicable to the other branches of government or the citizenry at large, such as the Federal Freedom of Information Act and certain provisions of the Whistleblower Act of 1989. In 1995, Congress passed the Congressional Accountability Act to apply certain laws to Congress to which they had previously exempted themselves. However, there remain federal laws from which Congress has exempted the federal legislative branch, either through not applying the laws to itself or not fully complying with their requirements.

Article V of the United States Constitution provides the specific process for amending the document. Congress may directly propose amendments to the Constitution, which is the method that has been used for each of the 27 amendments ratified since the Constitution went into effect. Alternatively, upon application by the legislatures of two-thirds of the states, Congress must call a convention for the purpose of proposing amendments. A proposed amendment goes into effect once ratified by the legislatures or state conventions of three-fourths of the states; the method of ratification being solely the choice of Congress.

The concurrent resolution constitutes the state's application to Congress under Article V of the U.S. Constitution to call a convention for the sole purpose of considering and proposing a constitutional amendment prohibiting Congress from making any law applying to the citizens of the U.S. that does not also equally apply to all U.S. Representatives and U.S. Senators, and all members of the federal legislative branch.

Upon signature of the Legislature's presiding officers, the concurrent resolution requires copies of the application to be dispatched to the U.S. President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Florida delegation to the U.S. Congress, and the presiding officer of each house of the legislature of each state.
Vote: Senate Adopted; House Adopted

Committee on Fiscal Policy

HCR 7057 — Line-item Veto

by State Affairs Committee and Rep. Alvarez and others (SCR 7064 by Fiscal Policy Committee)

Line-item vetoes allow the head of an executive branch of government to reject certain provisions of bills, while allowing other provisions to become law. Congress passed the Line Item Veto Act (LIVA) of 1996 to give the President of the United States the ability to veto certain appropriations by line item. The U.S. Supreme Court found LIVA unconstitutional, noting that a change that gives the President this authority must come through an amendment to the U.S. Constitution.

Article V of the U.S. Constitution provides the specific process for amending the document. Congress may directly propose amendments to the Constitution, which is the method that has been used for each of the 27 amendments ratified since the Constitution went into effect. Alternatively, upon application by the legislatures of two-thirds of the states, Congress must call a convention for the purpose of proposing amendments. A proposed amendment goes into effect once ratified by the legislatures or state conventions of three-fourths of the states; the method of ratification being solely the choice of Congress.

The concurrent resolution constitutes the state's application to Congress under Article V of the U.S. Constitution to call a convention for the sole purpose of considering and proposing a constitutional amendment giving the President authority to eliminate one or more items of appropriations while approving other portions of a bill.

The concurrent resolution requires copies of the application to be dispatched to the U.S. President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Florida delegation to the U.S. Congress, and the presiding officer of each house of the legislature of each state.
Vote: Senate Adopted; House Adopted

Committee on Fiscal Policy

SB 7078 — Public Records and Meetings/Cancer Research Grant Applications

by Fiscal Policy Committee and Senator Harrell

The bill, which is linked to SB 7072, creates a public records exemption for proprietary business information related to the receipt and review of research grant applications that is held by the Department of Health or the Cancer Connect Collaborative (collaborative). Proprietary business information is defined as information that:

- Is owned by or controlled by the applicant;
- Is intended to be private and is treated as private by the applicant as private;
- Has not been disclosed except as required by law or a private agreement that provides that the information will not be released to the public;
- Is not readily available or ascertainable through proper means from another source in the same configuration as received by the collaborative;
- Affects competitive interests, and the disclosure of such information would impair the competitive advantage of the applicant; and
- Is explicitly identified or clearly marked as proprietary business information.

Proprietary business information is designated confidential and exempt, but may be disclosed under certain circumstances. The bill also exempts from the public meetings requirements, those portions of the collaborative's meetings during which proprietary business information is discussed. The bill requires that closed meetings be recorded and disclosed under specific circumstances.

The exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, and unless reviewed and saved from repeal by the Legislature. The bill contains a statement of public necessity, as required by the Florida Constitution.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that SB 7072 or similar legislation takes effect, if such legislation is adopted in this legislative session and becomes a law.
Vote: Senate 38-0; House 114-0

Committee on Governmental Oversight and Accountability

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 116-0

Committee on Governmental Oversight and Accountability

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

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date as CS/HB 21 or similar legislation takes effect.
Vote: Senate 36-0; House 117-0

Committee on Governmental Oversight and Accountability

CS/CS/CS/HB 149 — Continuing Contracts

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 112-0

Committee on Governmental Oversight and Accountability

CS/HB 151 — Florida Retirement System

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 109-0

Committee on Governmental Oversight and Accountability

CS/CS/SB 592 — Historical Preservation Programs

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-5; House 112-0

Committee on Governmental Oversight and Accountability

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

by Senator Boyd

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

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-1; House 103-9

Committee on Governmental Oversight and Accountability

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-2; House 114-0

Committee on Governmental Oversight and Accountability

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Governmental Oversight and Accountability

CS/HB 1415 — Peer Support for First Responders

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 35-0; House 115-0

Committee on Governmental Oversight and Accountability

CS/HB 1551 — Florida State Guard

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 106-7

Committee on Governmental Oversight and Accountability

CS/CS/CS/HB 1555 — Cybersecurity

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Governmental Oversight and Accountability

CS/SB 1746 — Public Employees

by Rules Committee and Senator Ingoglia

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 21-14; House 77-36

Committee on Governmental Oversight and Accountability

HB 7043 — OGSR/Agency Personnel Information

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 38-1; House 114-0

Committee on Governmental Oversight and Accountability

HB 7063 — Anti-human Trafficking

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

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

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 35-3; House 104-3

Committee on Governmental Oversight and Accountability

HB 7071 — Foreign Investments by the State Board of Administration

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

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 111-0

Committee on Health Policy

CS/CS/SB 66 — Revive Awareness Day

by Rules Committee; Governmental Oversight and Accountability Committee; and Senators Brodeur and Hooper

The bill creates "Victoria's Law" and designates June 6 of each year as "Revive Awareness Day." The bill allows the Governor to issue an annual proclamation for the designation of June 6 as "Revive Awareness Day." The bill encourages the Department of Health to hold events to raise awareness of the dangers of opioid overdose and the availability and safe use of opioid antagonists.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect upon becoming law.
Vote: Senate 39-0; House 110-1

Committee on Health Policy

CS/CS/HB 159 — HIV Infection Prevention Drugs

by Health & Human Services Committee; Healthcare Regulation Subcommittee; and Reps. Franklin, Trabulsy, and others (CS/CS/SB 1320 by Appropriations Committee on Health and Human Services; Health Policy Committee; and Senator Calatayud)

The bill authorizes licensed pharmacists, after meeting specified requirements, to screen adults for HIV exposure and provide the results of the screening to the adult, with the advice that the patient should seek further medical consultation or treatment from a physician.

The bill defines related terms as follows:

- "HIV infection prevention drug" means preexposure prophylaxis, postexposure prophylaxis, and any other drug approved by the U.S. Food and Drug Administration for the prevention of HIV infection.
- "Preexposure prophylaxis" means a drug or drug combination that meets the clinical eligibility recommendations of the U.S. Centers for Disease Control and Prevention (CDC) guidelines for antiretroviral treatment for the prevention of HIV transmission.
- "Postexposure prophylaxis" means a drug or drug combination that meets the clinical eligibility recommendations of CDC guidelines for antiretroviral treatment following potential exposure to HIV.

The bill establishes a process whereby a pharmacist may become certified by the Board of Pharmacy (BOP) to order and dispense postexposure prophylaxis (PEP) drugs under a written collaborative practice agreement (CPA) with an allopathic or osteopathic physician. The bill does not authorize a pharmacist to order and dispense preexposure prophylaxis drugs under such a CPA.

The bill requires that for a pharmacist to be certified, he or she must:

- Hold an active and unencumbered license to practice pharmacy;
- Be engaged in the active practice of pharmacy;
- Have earned a doctorate of pharmacy degree or have completed at least three years of experience as a licensed pharmacist;
- Maintain at least $250,000 of liability coverage; and
- Have completed a course approved by the BOP, in consultation with the Board of Medicine (BOM) and the Board of Osteopathic Medicine (BOOM), which includes specified criteria required by statute, plus any other criteria established by the BOP with the approval of the BOM and the BOOM.

The bill requires the written CPA to include:

- Terms and conditions relating to the pharmacist's screening for HIV and the ordering and dispensing of HIV PEP drugs;
- Specific categories of patients the pharmacist is authorized to screen and may order and dispense HIV PEP drugs;

- A requirement that the pharmacist maintain records for any HIV PEP drugs ordered and dispensed under the CPA;
- The physician's instructions for obtaining relevant patient medical history for the purpose of identifying disqualifying health conditions, adverse reactions, and contraindications to the use of HIV PEP drugs;
- A process and schedule for the physician to review the pharmacist's records and actions under the CPA;
- Evidence of the pharmacist's current certification by the BOP; and
- Any other requirements established by the BOP with the approval of the BOM and the BOOM.

The bill requires a pharmacist participating in a CPA to submit a copy of the CPA to the BOP.

The bill requires a pharmacist who orders and dispenses HIV PEP drugs under a CPA to provide the patient with written information to advise the patient to seek follow-up care from the patient's primary care physician. If the patient indicates that he or she lacks regular access to primary care, the bill requires the pharmacist to comply with the procedures of the pharmacy's access-to-care plan (ACP).

The bill requires that a pharmacy wherein a pharmacist is providing services under a CPA to submit an ACP to the BOP and the Department of Health (DOH) annually. The ACP must assist patients in gaining access to appropriate care settings when they otherwise lack such access. The bill requires that the ACP must include, but need not be limited to:

- Procedures to educate such patients about care that would be best provided in a primary care setting and the importance of receiving regular primary care; and
- The pharmacy's plan for collaborative partnership with one or more nearby federally qualified health centers, county health departments, or other primary care settings. The goals of such partnership must include, but need not be limited to, protocols for identifying and appropriately referring a patient who has presented to the pharmacist for HIV screening or access to HIV infection prevention drugs and indicates that he or she lacks regular access to primary care.

The bill requires that if the BOP or the DOH determines that a pharmacy has failed to submit an ACP required under the bill or if a pharmacy's ACP does not comply with the bill or applicable BOP rules, the BOP must notify the pharmacy of its noncompliance and the pharmacy must submit an ACP that brings the pharmacy into compliance according to parameters provided in BOP rule. The BOP may fine a pharmacy that fails to comply with this requirement or may prohibit such pharmacy from allowing its pharmacists to screen adults for HIV exposure or order and dispense HIV PEP drugs under a CPA until the pharmacy complies.

The bill requires the BOP to adopt rules to implement the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 39-0; House 113-0

Committee on Health Policy

CS/CS/HB 165 — Sampling of Beach Waters and Public Bathing Spaces

by Health & Human Services Committee; Water Quality, Supply & Treatment Subcommittee; and Reps. Gossett-Seidman, Cross, and others (CS/SB 338 by Health Policy Committee and Senators Berman and Rodriguez)

The bill requires the Department of Health (DOH) to adopt and enforce rules to protect the health, safety, and welfare of persons using beach waters and public bathing places. The DOH is required by the bill, rather than allowed, to issue a health advisory, within 24 hours or the next business day, if water quality does not meet certain standards and must require the closure of beach waters and public bathing places if necessary to protect public health, safety, and welfare. The closure must remain in effect until the water quality is restored.

The bill also provides a number of notification requirements for instances when beach waters or public bathing places fail water quality testing including notices:

- From owners of public beach waters and bathing places to the DOH within 24 hours of the waters failing such testing;
- From the DOH to local affiliates of national television networks when the DOH issues a health advisory against swimming in such waters; and
- From municipalities and counties to the DOH when incidents occur that make the water quality unsafe. Additionally, the owners of public docks, marinas, and piers must notify their jurisdictional municipality or county if such an incident occurs in the waters where such structures are located.

Additionally, the DOH must adopt by rule a sign that must be used when it issues a health advisory due to elevated fecal coliform, Escherichia Coli (E. coli), or enterococci bacteria, in tested waters which must be a specific size and be maintained by municipalities and counties around waters they own and by the Department of Environmental Protection around state waters.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Health Policy

CS/SB 168 — Congenital Cytomegalovirus Screenings

by Health Policy Committee and Senator Polsky

The bill amends newborn health screening requirements in s. 383.145, F.S., to require that all newborns who are born in a hospital that provides neonatal intensive care services and who are born before 35 weeks gestation, require cardiac care, or require medical or postsurgical treatment for at least three weeks, be tested for the cytomegalovirus (CMV).

Additionally, the bill requires that if the newborn is transferred to another hospital for higher-level care, the receiving hospital must administer the CMV test if the test was not already performed at the transferring hospital or birth facility. The bill clarifies that a CMV test is required if the newborn will be transferred or admitted for intensive and prolonged care, regardless of whether the newborn failed his or her hearing screening.

The bill creates a new requirement that CMV screening, and medically necessary follow-up reevaluations leading to diagnosis, are covered benefits for Medicaid patients and that private health insurance policies and health maintenance organizations that provide comprehensive coverage must compensate providers for the covered benefit at the contracted rate. The bill provides that a child who is diagnosed with CMV must be referred to a primary care physician and the Children's Medical Services Early Intervention Program for the management of his or her condition.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 34-0; House 114-0

Committee on Health Policy

CS/SB 186 — Progressive Supranuclear Palsy and Other Neurodegenerative Diseases Policy Committee

by Health Policy Committee and Senators Brodeur, Pizzo, Wright, Boyd, Burgess, Rouson, Hutson, Davis, Ingoglia, Garcia, Book, and Stewart

The bill provides that the act may be cited as the "Justo R. Cortes Progressive Supranuclear Palsy Act" and creates a non-statutory section of the L.O.F, to require the State Surgeon General to establish a Progressive Supranuclear Palsy and Other Neurodegenerative Diseases Policy Committee (committee).

The bill requires the Department of Health (DOH) to provide staff and administrative support to the committee for the purposes of carrying out the duties and responsibilities established in the bill.

The bill requires that the committee be composed of 20 members, including the State Surgeon General, health care providers, family members or caretakers of patients who have been diagnosed with progressive supranuclear palsy (PSP) and other neurodegenerative diseases, advocates, and other interested parties and associations.

The bill requires the President of the Senate and the Speaker of the House of Representatives to each appoint two members and the State Surgeon General to appoint the chair and all other members of the Committee. Members of the Committee must be appointed by September 1, 2024, and will serve without compensation for the entirety of the committee's existence.

The bill authorizes the Chair to create subcommittees to help with research, scheduling speakers, and drafting committee reports and policy recommendations. Meetings of the committee must be held through teleconference or other electronic means. The committee must meet for its initial meeting by October 1, 2024. Thereafter, the committee must meet upon the call of the chair or at the request of a majority of the members. Notices for any scheduled meetings of the committee must be published in advance on the DOH website.

The bill requires the State Surgeon General to submit a progress report detailing committee activities, as well as findings and recommendations, to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 4, 2025. The bill also requires the State Surgeon General to submit a final report to the Governor and the Legislature by January 4, 2026. Both reports must be made available on the DOH website.

The bill provides that the committee will sunset July 1, 2026, and repeals this section of law on that date.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Health Policy

CS/CS/HB 197 — Health Care Practitioners and Massage Therapy

by Health Care Appropriations Subcommittee; Healthcare Regulation Subcommittee; and Rep. Lopez, V. and others (CS/SB 896 by Fiscal Policy Committee and Senator Martin)

The bill expands the Department of Health's (DOH) authority to suspend the license of a massage therapist or massage establishment when an employee of the establishment is arrested for committing or attempting, soliciting, or conspiring to commit certain offenses, such as prostitution, kidnapping, or human trafficking. The bill authorizes the State Surgeon General to suspend the license of any licensee upon probable cause that the licensee has committed sexual misconduct.

The bill expressly prohibits sexual activity in a massage establishment and authorizes the DOH and law enforcement to investigate massage establishments for new required and prohibited acts to assist in identifying persons who may be engaging in human trafficking. The bill prohibits the use of a massage establishment, unless zoned residential under a local ordinance, as a principle or temporary domicile, a shelter or a harbor, or sleeping or napping quarters.

The bill requires DOH investigators to request valid government identifications from all employees, in addition to massage therapists, in a massage establishment at the time of inspection. If an employee is unable to provide a valid form of government identification, the bill requires the DOH to notify a federal immigration office.

The bill appropriates eight full-time equivalent positions and the sums of $925,080 in recurring and $108,952 in nonrecurring funds from the Medical Quality Assurance Trust Fund to the DOH for the purpose of implementing the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 38-0; House 118-0

Committee on Health Policy

CS/HB 201 — Emergency Refills of Insulin and Insulin-related Supplies or Equipment

by Healthcare Regulation Subcommittee and Rep. Bell and others (CS/SB 516 by Health Policy Committee and Senator Rodriguez)

The bill relates to emergency prescription refills and eliminates the current one-time, one-vial limit on emergency insulin refills and expands current law on emergency insulin refills to include related supplies and equipment.

The bill authorizes a pharmacist who is unable to readily obtain refill authorization from a prescriber, to dispense an emergency refill of insulin and insulin-related supplies or equipment to treat diabetes, not to exceed three nonconsecutive times per calendar year, as opposed to a "one-time emergency refill of one vial of insulin" as provided under current law.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Health Policy

CS/HB 415 — Pregnancy and Parenting Resources Website

by Health Care Appropriations Subcommittee and Rep. Jacques and others (SB 436 by Senator Grall)

The bill requires the Department of Health (DOH), in consultation with the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA), to maintain a website, distinct from their own websites, to provide information and links for public and private resources for expectant families and new parents.

The DOH must contract for the creation of the website and it must be operational by January 1, 2025. The bill specifies the following categories of resources that must be available on the website but does not limit the website to these categories:

- Educational materials on pregnancy and parenting.
- Maternal health services.
- Prenatal and postnatal services.
- Educational and mentorship programs for fathers.
- Social services.
- Financial assistance.
- Adoption services.

Additionally, the bill requires the DOH, the DCF, and the AHCA to include clear and conspicuous links to the website on their websites.

The bill provides an appropriation of $466,200 in nonrecurring funds for the 2024-2025 fiscal year from the Administrative Trust Fund to the DOH to implement the provisions of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 27-12; House 83-33

Committee on Health Policy

CS/SB 544 — Swimming Lesson Voucher Program

by Health Policy Committee and Senators Hutson, Berman, and Book

The bill establishes the Swimming Lesson Voucher Program within the Department of Health (DOH) to increase water safety by offering vouchers for swimming lessons to families with an income of up to 200 percent of the federal poverty level that have one or more children four years of age or younger.

The bill requires the DOH to establish eligibility criteria for the vouchers; contract with a network of swimming lesson vendors, either directly or through specified non-profit entities, to ensure availability; and to establish methods for members of the public to apply for vouchers.

The bill appropriates $500,000 in nonrecurring general revenue to the DOH to fund the program.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Health Policy

CS/SB 644 — Rural Emergency Hospitals

by Appropriations Committee on Health and Human Services and Senator Simon

The bill creates a new hospital designation type, "rural emergency hospital" (REH), and defines requirements for a rural or critical access hospital to make application to the Agency for Health Care Administration for that designation.

The bill clarifies that an REH is subject to the requirements to provide emergency services and care for any emergency medical condition in accordance with current law and that an REH is not required to offer acute inpatient care or care beyond 24 hours or to make available other types of care that are required in a standard hospital.

Additionally, the bill extends the licensure expiration date for rural hospitals that were licensed in Fiscal Years 2010-2011 or 2011-2012, from June 30, 2025, to June 30, 2031.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 37-0; House 113-0

Committee on Health Policy

CS/HB 775 — Surrendered Infants

by Health & Human Services Committee and Reps. Canady, Beltran, and others (SB 790 by Senators Yarborough, Osgood, and Perry)

The bill modifies statutory provisions relating to surrendered newborn infants, changing the term "newborn infant" to "infant." The bill increases the age of an infant who may be lawfully surrendered from up to approximately seven days old to approximately 30 days old.

The bill provides an additional method of lawful surrender by allowing the parent of an infant to dial 911 to request that an emergency medical service (EMS) provider meet at a specified location for surrender of the infant. The bill requires that a surrendering parent who uses this new method must stay with the infant until the EMS provider arrives to take custody.

The bill provides that after the delivery of an infant in a hospital, a parent may relinquish the infant to medical staff or a licensed health care professional at the hospital upon notifying such individual that he or she is voluntarily surrendering the infant and does not intend to return.

The bill also extends immunity from criminal investigation solely because an infant is left with eligible EMS station personnel or at an EMS station or a fire station. The bill also extends immunity from criminal or civil liability to medical staff of a hospital for acting in good faith when accepting a surrendered infant at a hospital in accordance with statutory provisions.

Lastly, the bill makes a number of conforming changes in multiple sections of the statute to change instances of "newborn infant" to "infant" when referencing the surrendering of an infant as provided in the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 35-0; House 117-0

Committee on Health Policy

CS/HB 855 — Dental Services

by Health & Human Services Committee and Reps. McClure and Berfield (SB 302 by Senator Boyd)

The bill requires dentists to provide each of his or her patients with the dentist's name, contact telephone number, after-hours contact information for emergencies, and the dentist's license information.

The bill defines:

- "In-person examination" to mean an examination conducted by a dentist while the dentist is physically present in the same room as the patient.
- "Advertisement" to mean a representation disseminated in any manner or by any means to solicit patients, including, but not limited to, business cards, circulars, pamphlets, newspapers, websites, and social media.
- "Digital scanning" to mean the use of digital technology that creates a computer-generated replica of the hard and soft tissue of the oral cavity using enhanced digital photography, lasers, or other optical scanning devices.

The bill requires a partnership, corporation, or other business entity that advertises dental services to designate a dentist of record with the Board of Dentistry. Such partnership, corporation, or business entity must provide each patient with the name, contact phone number, after-hours emergency contact information, and upon request, the license information of the dentist of record. The bill requires the designated dentist of record to have a full, active, and unencumbered license to practice dentistry or be an out-of-state telehealth dentist registered with the Department of Health.

The bill creates s. 466.0281, F.S., to require that a dentist, before the initial diagnosis and correction of a malposition of human teeth or initial use of an orthodontic appliance, must:

- Perform an in-person examination of the patient; or
- Obtain records from an in-person examination within the previous 12 months and perform a review of the patient's most recent diagnostic digital or conventional radiographs or other equivalent bone imaging suitable for orthodontia.

The bill requires that an advertisement of dental services provided through telehealth must include a disclaimer that reads, in a clearly legible font and size, "An in-person examination with a dentist licensed under chapter 466, Florida Statues, is recommended before beginning telehealth treatment in order to prevent injury or harm" for each of the following services, if advertised:

- The taking of an impression or the digital scanning of the human tooth, teeth, or jaws, directly or indirectly and by any means or method.
- Furnishing, supplying, constructing, reproducing, or repairing any prosthetic denture, bridge, or appliance or any other structure designed to be worn in the human mouth.
- Placing an appliance or a structure in the human mouth or adjusting or attempting to adjust the appliance or structure.
- Correcting or attempting to correct malformations of teeth or jaws.

The bill creates two new grounds for the Board of Dentistry to impose regulatory discipline against a dentist's license:

- Failure by the dentist of record, before the initial diagnosis and correction of a malposition of human teeth or initial use of an orthodontic appliance, to perform an in-person examination of the patient or obtain records from an in-person examination within the last 12 months and to perform a review of the patient's most recent diagnostic digital or conventional radiographs or other equivalent bone imaging suitable for orthodontia; and
- Failing to provide each patient with the name, contact telephone number, after-hours contact information for emergencies, and the license information of each dentist who is providing dental services to the patient.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Health Policy

CS/HB 865 — Youth Athletic Activities

by Healthcare Regulation Subcommittee and Rep. Yeager and others (CS/CS/SB 830 by Fiscal Policy Committee; Health Policy Committee; and Senators Collins and Simon)

The bill requires that a Florida public school athletic coach must hold and maintain a certification in cardiopulmonary resuscitation, first aid, and the use of an automated external defibrillator. The certification must be consistent with national, evidence-based emergency cardiovascular care guidelines.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Health Policy

CS/CS/HB 935 — Home Health Care Services

by Health & Human Services Committee; Select Committee on Health Innovation; and Rep. Franklin and others (CS/SB 1798 by Health Policy Committee and Senator Trumbull)

The bill authorizes an advanced practice registered nurse (APRN) or a physician assistant (PA), to order or write prescriptions for Medicaid home health services. An APRN or PA ordering the services may not be employed, under contract with, or otherwise affiliated with the home health agency (HHA) rendering the services.

In order for the Agency for Health Care Administration to reimburse when an APRN or a PA orders or writes prescriptions for Medicaid HHA services, the bill requires that:

- The examination of the recipient by the APRN or the PA must happen within the 30 days preceding the initial request for the services and biannually thereafter, which are the same current-law requirements for physicians.
- The national provider identifier, Medicaid identification number, or medical practitioner license number of the APRN or the PA must be listed on the written prescription, the claim for reimbursement, and the prior authorization request, which is also required of physicians under current law.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 40-0; House 117-0

Committee on Health Policy

SB 938 — Dentistry

by Senator Yarborough

The bill removes the Board of Dentistry and the Department of Health from the dental examination administration process and deletes obsolete language relating to the process.

The bill revises dental licensure requirements by:

- Deleting language requiring dental students who have completed the coursework necessary to prepare to pass the American Dental License Examination (ADEX) to wait until their final year of dental school to apply for licensure;
- Deleting the National Board of Dental Examiners dental examination as obsolete, replacing it with the examination administered by the Joint Commission on National Dental Examinations, or its successor organization;
- Deleting an alternate pathway to dental licensure by having an active Florida health access dental license and meeting specific additional practice requirements;
- Deleting language relating to ADEX scores being valid for only 365 days after the date the official examination results are published; and
- Requiring that an out-of-state licensed dentist applying for licensure in Florida must disclose to the board during the application process, rather than submit proof to the Board of Dentistry, whether he or she has been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse.

The bill deletes the requirement that out-of-state licensed dentists applying for Florida licensure who apply for and receive a Florida license, must engage in the full-time practice of dentistry inside the geographic boundaries of the state for one year after licensure, and deletes the provisions related to compliance and enforcement of this requirement.

The bill allows any person who fails the examination for licensure as a dentist or dental hygienist to retake the examination.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Health Policy

CS/CS/HB 975 — Background Screenings and Certifications

by Health & Human Services Committee; Health Care Appropriations Subcommittee; and Reps. Trabulsy, Bell, Campbell, and others (SB 558 by Senator Rouson)

Background Screening in General

Related to background screening, the bill:

- Effective July 1, 2024, adds eight offenses to the statutory list of 52 offenses that can disqualify a person from employment in certain regulated professions if he or she has been the subject of certain legal actions regarding such offenses;
- Effective July 1, 2024, revises the provisions under which an agency head may provide an exemption from a disqualification of employment in certain regulated professions;
- Delays the effective date for the requirement that current and prospective athletic coaches must undergo a Level 2 background screening, from July 1, 2024, to January 1, 2025; and
- Requires that, effective July 1, 2025, background checks conducted for 24 types of health care practitioners must include fingerprint screening by the Florida Department of Law Enforcement, for both prospective licensure applicants and practitioners licensed prior to July 1, 2025, when they renew their licenses after that date. Under prior law, these practitioner types were not required to undergo fingerprint screening prior to licensure.

Background Screening of Persons with Lived Experience

Effective July 1, 2024, the bill creates a process for former homeless individuals to become certified as a "person with lived experience" to provide support services to individuals who are currently experiencing homelessness. The bill requires an individual seeking certification to complete a background screening. The bill requires a Continuum of Care lead agency (CoC) serving the homeless to provide documentation of the homeless services an individual received from the CoC to the Department of Children and Families (DCF) when requesting a background check of the applicant. The bill further requires the DCF to ensure an adequate background screening of an applicant. The bill makes an applicant ineligible for certification under certain circumstances.

Appropriation

Effective July 1, 2024, the bill appropriates $250,000 in nonrecurring funds from the Medical Quality Assurance Trust Fund to the Department of Health to implement the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, and unless otherwise specified in the bill, these provisions take effect July 1, 2025.
Vote: Senate 40-0; House 109-0

Committee on Health Policy

CS/CS/HB 1063 — Practice of Chiropractic Medicine

by Health & Human Services Committee; Healthcare Regulation Subcommittee; and Rep. Hunschofsky and others (CS/CS/SB 1474 by Rules Committee; Health Policy Committee; and Senator Trumbull)

The bill expands the scope of practice for chiropractic medicine to include treating the human body through the use of monofilament intramuscular stimulation, also known as dry needling, for trigger points or myofascial pain.

The bill requires the Board of Chiropractic Medicine to establish minimum practice standards, specific education and training requirements, and restrictions on such practice. The bill authorizes the board to take specified actions at the request of a chiropractic physician, creating exceptions to the dry needling practice standards and education requirements by authorizing the board to waive some or all of the educational requirements if a chiropractor presents satisfactory proof of having completed coursework that constitutes adequate training for dry needling.

The bill also gives the board the authority to recognize chiropractic physician applicants for licensure if they provide a credential evaluation report from a board-approved organization that deems the applicant's education equivalent to a bachelor's degree from a college or university accredited by an institutional accrediting agency recognized and approved by the U.S. Department of Education. The effect of this change is to create a licensure pathway for chiropractic physicians to practice in Florida when they obtained their bachelor's degree at a non-U.S. educational institution of higher education.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect upon becoming law.
Vote: Senate 40-0; House 114-1

Committee on Health Policy

CS/HB 1259 — Providers of Cardiovascular Services

by Select Committee on Health Innovation and Rep. Andrade and others (CS/SB 1612 by Health Policy Committee and Senator Brodeur)

The bill amends requirements in s. 395.1055, F.S., related to the Agency for Health Care Administration's rules governing adult cardiovascular services (ACS) provided in hospitals to specify that Level I ACS include rotational or other atherectomy devices, electrophysiology, and treatment of chronic total occlusions.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Health Policy

CS/HB 1561 — Office Surgeries

by Health & Human Services Committee and Rep. Busatta Cabrera and others (CS/CS/SB 1188 by Fiscal Policy Committee; Health Policy Committee; and Senator Garcia)

The bill requires a physician who performs liposuction procedures in which more than 1,000 cc of supernatant fat is removed, temporarily or permanently, to register his or her office with the Department of Health.

The bill prohibits a physician from performing a liposuction procedure where more than 1,000 cc of supernatant fat is temporarily or permanently removed, a Level II office surgery, or Level III office surgery procedure in any setting other than a registered office surgery setting or a facility licensed under chs. 390 or 395, F.S. The bill revises the fine for violating this prohibition from $5,000 a day to $5,000 per incident.

The bill requires physician offices in which one or more physicians perform gluteal fat grafting procedures to establish financial responsibility through one of the following methods:

- Obtaining and maintaining professional liability coverage of at least $250,000 per claim, with a minimum annual aggregate of at least $750,000, from an authorized insurer, surplus lines insurer, risk retention group, joint underwriting association, or through a plan of self-insurance which may not be used for costs or attorney fees from the defense of any medical malpractice litigation; or
- Obtaining and maintaining an unexpired, irrevocable letter of credit of at least $250,000 per claim, with a maximum aggregate credit availability of at least $750,000, which may not be used for costs or attorney fees from the defense of any medical malpractice litigation.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect upon becoming law.
Vote: Senate 39-0; House 111-0

Committee on Health Policy

CS/CS/CS/SB 1582 — Department of Health

by Fiscal Policy Committee; Appropriations Committee on Health and Human Services; Health Policy Committee; and Senator Rodriguez

The bill amends numerous statutory provisions relating to the Department of Health (DOH) and creates a new profession and new program within the DOH. The bill:

- Creates a new profession, the environmental health technician, and allows the technician to perform septic tank inspections without having a four-year degree;
- Creates the Andrew John Anderson Pediatric Rare Disease Grant Program to advance research and cures for rare pediatric diseases by awarding grants through a competitive, peer-reviewed process;
- Clarifies the responsibility for conducting newborn screenings and submission of newborn screening specimen cards, and adds genetic counselors to the list of health care practitioners who may receive state lab results;
- Standardizes the requirements for newborn, infant, and toddler hearing screenings at hospitals, licensed birth facilities, and birth centers to ensure timely congenital cytomegalovirus screening;
- Allows parents or guardians of newborns who have been identified as having sickle cell disease or carrying the sickle cell trait to opt-out of having the child's test results submitted to the state's sickle cell registry;
- Standardizes requirements for, and clarifies the purpose of, prenatal high-risk pregnancy and postnatal infant mortality and morbidity screenings for environmental risk factors;
- Increases the number of members on the Florida Cancer Control and Research Advisory Council from 15 to 16 and requires the additional member to be a representative of the Mayo Clinic in Jacksonville;
- Allows certain applicants for licensure as a medical marijuana treatment center (MMTC) reserved for a class member of *Pigford v. Glickman* or *In re Black Farmers Litig,* who did not receive a license from the original application process or from the cure period established by s. 2, ch. 2023-292, L.O.F., to have a new 90-day period to cure deficiencies in their applications and requires the DOH to issue a license if those deficiencies are cured. Additionally, the bill:
    - Specifies that the DOH must consider an MMTC licensure application to be free from deficiencies if the sole remaining deficiency in the application is either that the applicant did not meet the five-year business requirement established in s. 381.986, F.S., or that the applicant died on or after March 25, 2022;
    - Specifies that if an applicant who was alive as of February 1, 2024, dies before the completion of the cure process or any resulting legal challenges, the DOH may not consider that as a reason to deny the application; and
    - For any case of such a deceased applicant, requires the DOH to award the license to the applicant's heirs or estate.

If approved by the Governor, or allowed to become law without the Governor's signature, and unless otherwise specified in the bill, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-0

Committee on Health Policy

CS/SB 1600 — Interstate Mobility

by Fiscal Policy Committee and Senator Collins

The bill seeks to streamline the Florida licensure process for persons licensed in similar professions by other U.S. states or territories, under specified criteria and processes provided in the bill.

Professions Regulated by the Department of Business and Professional Regulation

The bill requires that before a regulatory board within the Department of Business and Professional Regulation (DBPR), or the DBPR if there is no board, may deny an application for licensure by reciprocity or by endorsement, the board, or the DBPR if there is no board, must make a finding that the basis license in another jurisdiction is or is not substantially equivalent to or is otherwise insufficient for a license in this state. The bill defines "basis license" to mean the license or the licensure requirements of another jurisdiction which are used to meet the requirements for a license in this state.

The bill requires that if a board, or DBPR if there is no board, finds that the basis license of an applicant from another jurisdiction is not substantially equivalent to, or is otherwise insufficient for a license in Florida, and there are no other grounds for denial, the applicant may request the finding be reviewed by the DBPR secretary, whose review is final under the bill.

The bill requires the regulatory boards in the DBPR, or the DBPR itself if there is no board, when endorsement based upon years of licensure or endorsement based upon satisfaction or completion of multiple criteria is not otherwise provided by law in the practice act for a profession, the board, or the DBPR if there is no board, must allow licensure by endorsement for any applicant who meets specified criteria, except that these provisions do not apply to harbor pilots.

The bill provides that, if the practice act for a profession requires the submission of fingerprints, the applicant must submit a complete set of fingerprints to the Florida Department of Law Enforcement (FDLE) for a statewide criminal history check. The FDLE must forward the fingerprints to the Federal Bureau of Investigation for a national criminal history check. The DBPR must, and the applicable board may, review the results of the criminal history checks according to Level 2 screening standards and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing must be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor must collect the required processing fees and remit the fees to the FDLE.

Professions Regulated by the Department of Health

The bill also creates the "Mobile Opportunity by Interstate Licensure Endorsement Act," or "MOBILE Act," which requires the Department of Health (DOH) to issue a license by endorsement to a qualified applicant within seven days of receipt of all required documents for

specified health care professions regulated by the DOH when the applicant meets all of the following specific criteria:

- Submits a complete application;
- Holds an active, unencumbered license issued by another state, the District of Columbia, or a territory of the U.S. in a profession with a similar scope of practice, as determined by the board or the DOH, as applicable;
- Has obtained a passing score on a national licensure examination or holds a national certification recognized by the board, or the DOH if there is no board, as applicable to the profession for which the applicant is seeking licensure, except that this criterion is waived if the profession applied for does not require a national examination or national certification and the applicable board, or the DOH if there is no board, determines that the jurisdiction in which the applicant currently holds an active, unencumbered license meets established minimum education requirements and the work experience and clinical supervision requirements are substantially similar to the requirements for licensure in that profession in Florida;
- Has actively practiced the profession for at least three years during the four-year period immediately preceding the application submission;
- Attests that he or she is not, at the time of application, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the U.S. Department of Defense for reasons related to the practice of the profession for which he or she is applying;
- Has not had disciplinary action taken against him or her in the five years preceding the application submission application;
- Meets applicable financial responsibility requirements; and
- Submits a set of fingerprints for a background screening if required for the profession for which he or she is applying.

The bill requires the DOH to verify the information above submitted by the applicant using the National Practitioner Data Bank.

The bill defines a person as ineligible for a license under the MOBILE Act if he or she:

- Has a complaint, an allegation, or an investigation pending before a licensing entity in another state, the District of Columbia, or a territory of the U.S.;
- Has been convicted of or pled *nolo contendere* to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;
- Has had a health care provider license revoked or suspended by another state, the District of Columbia, or a possession or territory of the U.S., or has voluntarily surrendered any license in lieu of having disciplinary action taken against the license; or
- Has been reported to the National Practitioner Data Bank, unless the applicant has successfully appealed to have his or her name removed.

The bill authorizes the board, or the DOH if there is no board, to revoke a license upon finding that the licensee provided false or misleading material information or intentionally omitted material information in an application. The bill authorizes the board, or the DOH if there is no

board, to require an applicant to successfully complete a state jurisprudential examination on Florida laws and rules that regulate the applicable profession, if the applicable practice act requires such examination.

The bill requires the DOH to submit an annual report by December 31 to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides all of the following information for the previous fiscal year, distinguished by profession:

- The number of applications for licensure received under the MOBILE Act;
- The number of licenses issued under the MOBILE Act;
- The number of applications submitted under the MOBILE Act which were denied and the reason for such denials; and
- The number of complaints, investigations, or other disciplinary actions taken against health care practitioners who are licensed under the MOBILE Act.

The bill requires each applicable board, or the DOH if there is no board, to adopt rules to implement the MOBILE Act within six months after its effective date, including rules relating to legislative intent provided under s. 456.025(1), F.S., and the requirements of s. 456.025(3), F.S., both of which contain provisions for the assessment of fees from applicants and licensees in health care professions.

The bill amends current law for licensure by endorsement in various practice acts to conform to provisions found in the MOBILE Act and to retain statutory guidance for the maximum amounts of related fees. The bill does not alter current law relating to licensure by endorsement for radiologist assistants, radiologic technologists, or respiratory therapists.

The bill provides that, notwithstanding the changes made to the Florida Statutes by the MOBILE Act, a board or the DOH, as applicable, may continue processing applications for licensure by endorsement as authorized under the Florida Statutes (2023) until the rules adopted by such board or the DOH to implement the changes made by the MOBILE Act take effect or until six months after the bill's effective date, whichever occurs first.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.
Vote: Senate 32-0; House 114-0

Committee on Health Policy

CS/SB 7016 — Health Care

by Fiscal Policy Committee and Health Policy Committee

The bill is the flagship of the 2024 "Live Healthy" initiative. The bill revises preexisting health care programs, creates new programs, revises licensure and regulatory requirements for health care practitioners and facilities, creates new provisions within programs relating to health care practitioner education, amends the state Medicaid program, and appropriates both general revenue and trust fund dollars for the purpose of growing Florida's health care workforce and increasing access to health care services.

The bill contains numerous provisions, which are summarized below under various generalized subject headings.

The Creation of New Health Care Programs and Revisions to Existing Programs

The DSLR and FRAME Programs

The bill expands the Dental Student Loan Repayment (DSLR) and the Florida Reimbursement Assistance for Medical Education (FRAME) programs, which offer student loan repayment dollars to practitioners who agree to provide services in underserved areas where there are shortages of such personnel, to include dental hygienists (at $7,500 per year for up to five years) and mental health practitioners (at $75,000 total over a four-year period), respectively, and to require all participants in each program to provide 25 volunteer hours annually through specified volunteer or pro bono programs in order to qualify for loan repayment.

Specific to the FRAME program, the bill also increases the four-year award amounts for all practitioners participating in the program as follows:

- $150,000 for allopathic and osteopathic physicians;
- $90,000 for advanced practice registered nurses (APRNs) engaged in autonomous practice;
- $75,000 for non-autonomous APRNs and mental health professionals; and
- $45,000 for licensed practical nurses (LPNs) and registered nurses (RNs).

The bill also specifies that certain practice settings qualify for the FRAME program and that the awards for both the DSLR and FRAME programs are not required to be awarded in consecutive years. The bill requires the Agency for Health Care Administration to seek federal authority to use Title XIX matching funds for the DSLR and FRAME programs and the bill establishes a sunset date for both programs of July 1, 2034.

For both the DSLR and the FRAME programs, the bill establishes new reporting requirements with details that the Department of Health (DOH) must provide to the Governor and the Legislature beginning July 1, 2024. The bill requires the DOH to contract with an independent third party to evaluate the impact of each program and to develop a report which must be

presented to the Governor and the Legislature by January 1, 2030. These provisions also sunset on July 1, 2034.

The Telehealth Minority Maternity Care Pilot Program

The bill revises the Telehealth Minority Maternity Care Pilot Program, which was created in 2021 to increase positive maternal health outcomes in racial and ethnic minority populations in several Florida counties through the use of telehealth, to remove the "pilot" status and expand the program statewide. The bill also clarifies that the program is not required to be run through county health departments, that program providers can provide both telehealth and in-home services, and that the Healthy Start program may refer prospective clients to the program as well as receive referrals from the program.

Mobile Response Teams

The bill revises definitions and standards for mobile response teams (MRTs), which are behavioral health crisis response mechanisms that can be beneficial to individuals, their families, and any involved first responder when an individual is experiencing a behavioral health crisis.

The bill clarifies that the terms "mobile crisis response service" and "mobile response teams" have the same meaning. The bill also requires that the minimum standards for mobile crisis response services include the standards of MRTs established under ch. 394, part III, F.S., for children, adolescents, and young adults and creates a structure for general MRTs with a focus on crisis diversion and the reduction of involuntary commitment that requires, but is not limited to:

- Triage and rapid crisis intervention within 60 minutes;
- Provision of and referral to evidence-based services that are responsive to the needs of the individual and family;
- Screening, assessment, early identification, care-coordination; and
- Confirmation that the individual who received mobile crisis response was connected to a service provider and prescribed medications, if needed.

The bill also requires the Agency for Health Care Administration (AHCA) to seek federal Medicaid coverage and reimbursement authority for crisis response services. Under the bill, the Department of Children and Families (DCF) must coordinate with the AHCA to educate contracted providers of child, adolescent, and young adult MRT services on the enrollment process as a Medicaid provider, encourage and incentivize enrollment as a Medicaid provider, and reduce barriers to maximize federal reimbursement for community-based mobile crisis response services.

Florida Center for Nursing

The bill removes the sunset date from the Florida Center for Nursing's duty to submit a report each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives containing its analysis of LPN, RN, and APRN education programs and to assess Florida's nurse supply, including the numbers of nurses, demographics, education,

employment status, and specialization. Under preexisting law, the requirement to submit the annual report would expire after the January 1, 2025 report.

Charitable Care at Free Clinics

The bill amends the "Access to Health Care Act" to increase the maximum income a patient can have in order to be considered low-income, from 200 percent to 300 percent of the federal poverty level. In order for a charitable free clinic to qualify as a health care provider and be eligible for sovereign immunity, the free clinic must serve exclusively low-income patients. This change will increase the number of people a free clinic can serve while still maintaining its eligibility for sovereign immunity under Florida law.

The Dr. and Mrs. Alfonse and Kathleen Cinotti Health Care Screening and Services Grant Program

The bill requires the Department of Health (DOH) to implement the Dr. and Mrs. Alfonse and Kathleen Cinotti Health Care Screening and Services Grant Program (Cinotti Program). The purpose of the Cinotti Program is to fund the provision of no-cost health care screenings or services for the general public by nonprofit entities. The bill requires the DOH to:

- Publicize the availability of funds and enlist the aid of county health departments for outreach to potential applicants at the local level.
- Establish an application process for submitting a grant proposal and criteria an applicant must meet to be eligible.
- Develop guidelines a grant recipient must follow for expenditure of grant funds and uniform data reporting requirements for the purpose of evaluating the performance of grant recipients. The guidelines must require grant funds to be spent on screenings, including referrals for treatment, if appropriate, or related services for one or more of a specified list of health care conditions.

A nonprofit entity may apply under the bill for Cinotti Program grant funding to implement new health care screening or services programs or to provide the same or similar screenings that it is currently providing in new locations or through a mobile health clinic or mobile unit in order to expand the program's delivery capabilities. Entities that receive funding under the Cinotti Program are required to:

- Follow DOH guidelines for reporting on expenditure of grant funds and measures to evaluate the effectiveness of the entity's health care screening or services program; and
- Publicize to the general public and encourage the use of the health care screening and services portal that is also created under the bill.

Statewide Health Care Screenings and Services Portal

The bill requires the DOH to create and maintain an Internet-based portal to direct the general public to events, organizations, and venues from which health screenings or services may be obtained at no cost or at a reduced cost and for the purpose of directing licensed health care

practitioners to opportunities for volunteering their services to conduct, administer, or facilitate such health screenings or services. The DOH may contract with a third-party vendor for the creation or maintenance of the portal.

Health Care Practitioner Licensure and Regulation

Physician Licensure

The bill amends physician licensure statutes relating to the licensure of foreign-trained allopathic physicians or applicants for licensure who have not met all of the requirements normally needed for licensure by examination.

The bill amends s. 458.311(8), F.S., to authorize the Board of Medicine (BOM) to:

- Certify for licensure a person desiring to be licensed as an allopathic physician who has held an active medical faculty certificate under s. 458.3145, F.S., for at least three years and has held a full-time faculty appointment for at least three consecutive years to teach in a program of medicine at a medical school located in Florida; and
- Certify an application for licensure submitted by a graduate of a foreign medical school that has not been excluded from the BOM's consideration as a medical school that offers education and training comparable to U.S. medical schools, if the graduate has not completed an approved residency, which is normally required for unrestricted licensure, but meets the following criteria:
    - Has an active, unencumbered license to practice medicine in a foreign country;
    - Has actively practiced medicine during the entire four-year period preceding the date of the licensure application submission;
    - Has completed a residency or substantially similar postgraduate medical training in a country recognized by his or her licensing jurisdiction which is substantially similar to a residency program accredited by the Accreditation Council for Graduate Medical Education, as determined by the BOM;
    - Has had his or her medical credentials evaluated by the Educational Commission for Foreign Medical Graduates, holds an active, valid certificate issued by that commission, and has passed the examination used by that commission; and
    - Has an offer for full-time employment as a physician from a health care provider that operates in this state.

The bill requires that a physician licensed under this latter pathway must maintain his or her employment with his or her original employer, or with another health care provider that also operates at a location within the state, for at least two consecutive years. In this context, the term "health care provider" means a health care professional, health care facility, or entity licensed or certified to provide health services in this state as recognized by the BOM. Such licensed physicians must notify the BOM within five business days after any change of employer.

Limited Licenses for Graduate Assistant Physicians

The bill creates limited licenses for both allopathic and osteopathic graduate assistant physicians (GAPs). The BOM and the Board of Osteopathic Medicine (BOOM), respectively, must issue a limited license for a duration of two years to an applicant seeking GAP licensure who meets certain requirements, among which are that the applicant:

- Is a graduate of an allopathic or osteopathic medical school or college, as applicable, approved by an accrediting agency recognized by the U.S. Department of Education;
- Has successfully passed all parts of the USMLE for allopathic physicians or the examination conducted by the National Board of Osteopathic Medical Examiners or other examination approved by the BOOM;
- Has not received a residency match from the National Resident Match Program (NRMP) within the first year following graduation from medical school;
- Has submitted documentation that the applicant has agreed to enter into a written protocol, with specific provisions required by applicable boards rules, drafted by a Florida physician with a full, active, and unencumbered license;
- Has submitted a copy of the protocol to the appropriate board; and
- Has submitted to the DOH a set of fingerprints as specified by the DOH.

The bill authorizes a GAP to apply for a one-time renewal for one additional year of his or her limited license. The bill specifies that a practitioner is only eligible for one GAP licensure period of up to two years, plus the optional one-year renewal.

The bill authorizes a GAP to only provide health care services under the direct supervision of a board-approved Florida physician who has a full, active, and unencumbered license. The supervising physician:

- May supervise no more than two GAPS;
- Must be physically present at the location where the GAP's services are rendered; and
- Must draft the protocol to specify the duties and GAP's responsibilities as specified by board rule, and must ensure that:
    - The delegation of any medical task or procedure is within the supervising physician's scope of practice and appropriate for the GAP's level of competency;
    - The limited licensed GAP's prescriptive authority is governed by the physician-drafted protocol and may not exceed that of his or her supervising physician; and
    - Any prescriptions and orders issued by the GAP must identify both the GAP and the supervising physician.

The bill requires the supervising physician to be liable for any acts or omissions of the GAP acting under the physician's supervision and control; and authorizes third-party payers to reimburse employers of GAPs for covered services rendered by GAPs.

The bill authorizes the BOM and the BOOM to adopt rules to implement the bill's GAP provisions.

Certification of Foreign Medical Education Institutions

The bill amends s. 458.314(8), F.S., to authorize the BOM, at its own discretion, to exclude any foreign medical school that fails to apply for certification under that section, from being considered as an institution that provides medical education that is reasonably comparable to similar accredited institutions in the U.S.

Medical Faculty Certificates for Allopathic Physicians

The bill amends s. 458.3145, F.S., to revise the criteria for issuing medical faculty certificates for medical doctors to delete the cap on the maximum number of certificates that may be issued at specified Florida medical schools.

APRN and Physician Assistant Licensure

The bill authorizes the BOM and the BOOM to issue temporary certificates to allopathic and osteopathic physician assistants (PAs), who have a current valid license in any U.S. jurisdiction, to practice in areas of critical need, under physician supervision, under the same general criteria as physicians are statutorily authorized to practice in those areas.

The bill also authorizes the Board of Nursing (BON) to issue temporary certificates to APRNs, who have a current valid license in any U.S. jurisdiction and who meet the educational and training requirements established by the BON, to practice in areas of critical need.

The bill provides that an APRN's temporary certificate to practice in areas of critical need is valid only so long as the State Surgeon General maintains the determination that the critical need that supported the issuance of the temporary certificate remains a critical need.

The bill requires the BON to review each temporary certificate-holder at least annually to ascertain that the certificate-holder is complying with the minimum requirements of the Nurse Practice Act and its adopted rules. If the BON determines that the certificate-holder is not meeting the minimum requirements, the BON must revoke the temporary certificate or impose restrictions or conditions, or both, as a condition of continued practice.

The bill waives all licensure fees for APRNs obtaining a temporary certificate to practice in areas of critical need for the purpose of providing volunteer, uncompensated care for low-income residents. The applicant must submit an affidavit from the employing agency or institution stating that the APRN will not receive any compensation for any health care services that he or she provides.

Out-of-Hospital Intrapartum Care Provided by Autonomous APRN Midwives

The bill amends s. 464.0123, F.S., to require an autonomous APRN certified nurse midwife, as a condition precedent to providing out-of-hospital intrapartum care, to have a written transfer policy for patients needing a higher acuity of care or emergency services, including an

emergency plan-of-care form signed by the patient before admission which contains the following:

- The name and address of the closest hospital that provides maternity and newborn services;
- Reasons for which transfer of care would be necessary, including the transfer-of-care conditions prescribed by BON rule; and
- Ambulances or other emergency medical services that would be used to transport the patient in the event of an emergency.

The bill requires autonomous APRN certified nurse midwives to document the following information on the patients emergency plan-of-care form if a transfer of care is determined to be necessary:

- The name, date of birth, and condition of the patient;
- The gravidity and parity of the patient and the gestational age and condition of the fetus or newborn infant;
- The reasons that necessitated the transfer of care;
- A description of the situation, relevant clinical background, assessment, and recommendations;
- The planned mode of transporting the patient to the receiving facility; and
- The expected time of arrival at the receiving facility.

The bill requires autonomous APRN certified nurse midwives to provide the receiving provider with the patient's emergency plan-of-care form, and the patient's prenatal records including patient history, prenatal laboratory results, sonograms, prenatal care flow sheets, maternal fetal medical reports, and labor flow charting and current notations. The bill requires autonomous APRN certified nurse midwives to provide the receiving provider with a verbal summary of the information on the patient's emergency plan-of-care form, and make himself or herself immediately available for consultation.

The bill eliminates the requirement that an autonomous APRN certified nurse midwife must have a written patient transfer agreement with a hospital and a written referral agreement with a physician to engage in autonomous nurse midwifery.

Clinical Psychologists

The bill revises the definition of "clinical psychologist" to remove the three years of experience required under preexisting law and authorizes a licensed clinical psychologist of any experience:

- To perform an involuntary examination under the Baker Act;
- If a psychiatrist or clinical psychologist with three years' experience is unavailable, to provide a second opinion to support a recommendation that a patient receive involuntary inpatient or outpatient services; and
- To determine if the treatment plan for a patient is clinically appropriate.

Psychiatric Nurses

The bill revises the definition of "psychiatric nurse" to reduce the experience requirement from two years to one year and authorizes a psychiatric nurse with one year of experience:

- To prohibit a patient from accessing clinical records if the psychiatric nurse determines such access would be harmful to the patient;
- Determine if the treatment plan for a patient is clinically appropriate;
- Authorize a person who is 14 years of age or older to be admitted to a bed in a room or ward in a mental health unit with an adult if the psychiatric nurse documents that such placement is medically indicated or for safety reasons; and
- Authorize the substitution of medications upon discharge of certain indigent patients if the psychiatric nurse determines such substitution is clinically indicated.

Multistate Practitioner Licensure Compacts

The bill provides that Florida will enter into the Interstate Medical Licensure Compact (for medical doctors and osteopathic physicians), the Audiology and Speech-Language Pathology Interstate Compact, and the Physical Therapy Licensure Compact.

Health Care Facility Licensure and Regulation

Advanced Birth Centers

The bill creates a new designation for an advanced birth center (ABC) and defines an ABC as a licensed birth center which may perform trial of labor after cesarean deliveries for screened patients who qualify; planned low-risk cesarean deliveries; and anticipated vaginal deliveries for laboring patients from the beginning of the 37th week of gestation through the end of the 41st week of gestation. The bill establishes minimum requirements for ABC designation, including, but not limited to:

- Employing two medical directors to oversee the activities of the center, one of whom must be a board-certified obstetrician and one of whom must be a board-certified anesthesiologist.
- Entering into a written agreement with a blood bank for emergency blood bank services and have written protocols for the management of obstetrical hemorrhage which include provisions for emergency blood transfusions.
- Requiring AHCA rules for ABCs be, at a minimum, equivalent to the rules for ambulatory surgical centers.

The bill directs the AHCA to develop any additional ABC standards it deems necessary for patient safety.

Hospital Licensure and Regulations

The bill establishes several new requirements for hospitals, including requiring a hospital to give priority to students from a medical school located in Florida if the hospital accepts payment from

any medical school which is directly, or indirectly, related to allowing students from the medical school to obtain clinical hours or instruction at the hospital.

The bill addresses the issue of persons who tend to utilize hospital emergency departments for nonemergent care or emergency care that could have been avoided with the regular provision of primary care. The bill requires all hospitals with emergency departments to develop and present to the AHCA for approval a nonemergent care access plan (NCAP) for assisting a patient gain access to appropriate care settings when the patient presents at a hospital emergency department with nonemergent health care needs or indicates when receiving a medical screening examination, triage, or treatment at the hospital that he or she lacks regular access to primary care.

Effective July 1, 2025, a hospital's NCAP must be approved by the AHCA before the hospital may receive initial licensure or licensure renewal occurring after that date. A hospital with an approved NCAP must submit data to the AHCA demonstrating the implementation and results of its NCAP as part of the licensure renewal process and must update the plan as necessary, or as directed by the AHCA, before each licensure renewal.

An NCAP must include one or both of the following:

- A collaborative partnership with one or more nearby federally qualified health centers (FQHCs) or other primary care settings. The goals of such partnership must include, but need not be limited to, identifying patients who have presented at the emergency department for nonemergent care, care that would best be provided in a primary care setting, or emergency care that could potentially have been avoided through the regular provision of primary care, and, if such a patient indicates that he or she lacks regular access to primary care, proactively seeking to establish a relationship between the patient and the FQHC or other primary care setting so that the patient develops a medical home at such setting for nonemergent and preventive health care services.
- The establishment, construction, and operation of a hospital-owned urgent care center co-located within or adjacent to the hospital emergency department location. After the hospital conducts a medical screening examination, and if appropriate for the patient's needs, the hospital may seek to divert to the urgent care center a patient who presents at the emergency department needing nonemergent health care services. An NCAP with procedures for diverting a patient from the emergency department in this manner must include procedures for assisting such patient in identifying appropriate primary care settings, providing a current list, with contact information, of such settings within 20 miles of the hospital location, and subsequently assisting the patient in arranging for a follow-up examination in a primary care setting, as appropriate for the patient.

For such patients who are enrolled in the Medicaid program and are members of a Medicaid managed care plan, the hospital's NCAP must include outreach to the patient's Medicaid managed care plan and coordination with the managed care plan for establishing a relationship between the patient and a primary care setting as appropriate for the patient, which may include an FQHC or other primary care setting with which the hospital has a collaborative partnership.

For such a Medicaid enrollee, the AHCA is directed to establish a process for the hospital to share with the plan updated contact information for the patient, if such information is in the hospital's possession.

The bill provides that its provisions relating to a hospital NCAP may not be construed to preclude a hospital from complying with state or federal law relating to treating and/or stabilizing all patients who present at the emergency department for care.

The bill also requires each hospital that maintains a certified electronic health record technology to make available its admit, transfer, and discharge data to the Florida Health Information Exchange program for the purpose of supporting public health data registries and patient care coordination.

The Medicaid Program

Potentially Preventable Health Care Events Report

The bill requires the AHCA to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2024, and each October 1 thereafter. The report is to be entitled "Analysis of Potentially Preventable Health Care Events of Florida Medicaid Enrollees" and must include, at a minimum, an analysis of potentially preventable hospital emergency department visits, admissions, and readmissions from the previous state fiscal year, reported by age, eligibility group, managed care plan, and region, detailing conditions contributing to each PPE or category of PPEs. The report must demonstrate trends, and the AHCA may contract with a third-party vendor for its production.

Medicaid Primary Care Initiative for Managed Care Plans

The bill amends the Primary Care Initiative within Statewide Medicaid Managed Care (SMMC) to require that managed care plans contracted under the managed medical assistance (MMA) component of SMMC must assist new enrollees with initial primary care provider appointments until scheduled, report delays and the reasons for delays to the AHCA, and seek to ensure that such an enrollee has at least one primary care appointment annually.

The bill also requires a Medicaid managed care plan to coordinate with a hospital that contacts the plan under the requirements of the hospital's NCAP for the purpose of establishing the appropriate delivery of primary care services for the plan's members who present at the hospital's emergency department for nonemergent care or emergency care that could potentially have been avoided through the regular provision of primary care. The bill requires a managed care plan to also coordinate with the enrollee and his or her primary care provider for that purpose.

Acute Hospital Care at Home Program

The bill requires the AHCA to seek federal approval to implement a Florida Medicaid acute hospital care at home program, consistent with the parameters of federal law that allow such programs for Medicare patients.

Health Care Education Programs and Initiatives

Graduate Medical Education

The bill makes multiple changes to the Statewide Medicaid Residency Program, which funds physician residency slots for hospitals and other health care institutions that qualify for such funding. The bill:

- Allows funding for up to 200 residency slots within the "Slots for Doctors" program to be directed to slots that were already in existence (rather than newly-created slots), under certain conditions;
- Adds a number of reporting requirements for hospitals and qualifying institutions that receive state funds from the SMRP, including financial reporting requirements that take effect July 1, 2025;
- Requires each hospital and qualifying institution to request that a resident who is exiting a residency program complete a residency exit survey and specifies minimum questions that must be asked; and
- Creates the Graduate Medical Education Committee within the AHCA to review SMRP data and create a report, beginning July 1, 2025, to the Governor and the Legislature providing specific details about the SMRP.

Training, Education, and Clinicals in Health (TEACH) Funding Program

The bill:

- Creates the TEACH program to reimburse qualified facilities (FQHCs, community mental health centers, rural health clinics, and certified community behavioral health clinics) for the expenses and loss of revenue they incur for providing clinical training to specified health care students and residents;
- Establishes standards for receiving the funds and an hourly rate of reimbursement based on the type of health care student or resident being trained;
- Sets a maximum award for each facility of $75,000, or $100,000 if the facility operates a residency program;
- Provides reporting requirements for facilities receiving funding from the program and requires the AHCA to contract with an independent third party to study and evaluate the impact of the TEACH program and provide a report to the Governor and the Legislature by January 1, 2030; and
- Provides a sunset for the program of July 1, 2034.

Lab Schools

The bill requires each lab school, which is a public developmental research laboratory school affiliated with a college of education at the state university of closet geographic proximity, to develop programs to accelerate the entry of enrolled students into articulated health care programs at its affiliated university or at any public or private postsecondary institution, with the approval of the university president. The bill also requires a lab school to offer technical assistance to any Florida school district seeking to replicate the lab school's programs and must annually report, starting December 1, 2025, to the Legislature on the development of such programs and their results.

Linking Industry to Nursing Education (LINE)

The bill amends the LINE Fund in s. 1009.8962, F.S., in order to include independent schools, colleges, or universities with an accredited nursing program that is located in Florida and is licensed by the Commission for Independent Education. Additionally, the bill increases the passage rate for the Nursing License Examination, from 70 percent to 75 percent, that is required for LPN, associate of science in nursing, and bachelor of science in nursing programs to participate in the LINE Fund.

Appropriations

For Fiscal Year 2024-2025, the bill appropriates $327.4 million in recurring general revenue, $3 million in nonrecurring general revenue, and $386.7 million from trust funds to provide funding for the various programs and initiatives contained in the bill, including:

- $245.8 million for Medicaid provider rate increases, prioritizing services for individuals with disabilities, maternal care, and dental care;
- $10 million for the Dr. and Mrs. Alfonse and Kathleen Cinotti Health Care Screening and Services Grant Program;
- $11.5 million for mobile response teams;
- $23.4 million for the Telehealth Minority Maternity Care Program;
- $30 million for the FRAME program;
- $8 million for the DSLR program;
- $25 million for the TEACH program;
- $2 million for lab schools;
- $5 million for LINE Fund expansion;
- $50 million for the "Slots for Doctors" within the SMRP, thereby funding 500 new physician residency slots;
- $5.5 million to the AHCA and $4.9 million to the DOH for workload needed to implement their respective portions of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect upon becoming law, except as otherwise provided.
Vote: Senate 39-0; House 117-1

Committee on Health Policy

SB 7018 — Health Care Innovation

by Health Policy Committee and Senator Harrell

The bill (Chapter 2024-16, L.O.F.) sets forth legislative intent related to health care innovation in this state and creates a framework to implement that intent. The intent is to harness the innovation and creativity of entrepreneurs and businesses, in collaboration with the state's health care system and stakeholders, to lead the discussion on innovations that will address challenges in the health care system and to transform the delivery and strengthen the quality of health care in Florida.

The bill creates the Health Care Innovation Council, a 15-member council within the Department of Health (DOH), to facilitate public meetings across the state to lead discussions with innovators, developers, and implementers of technologies, workforce pathways, service delivery models, or other solutions. Based on the public input and information gathered at public meetings, the bill requires the council to create best practice recommendations and focus areas for the advancement of the delivery of health care in Florida, with an emphasis on:

- Increasing efficiency in the delivery of health care;
- Reducing strain on the health care workforce;
- Increasing public access to health care;
- Improving patient outcomes;
- Reducing unnecessary hospital emergency department visits; and
- Reducing costs for patients and the state without reducing the quality of patient care.

The bill creates a revolving loan program within the DOH to provide low-interest loans to applicants to implement one or more innovative technologies, workforce pathways, or service delivery models in order to:

- Fill a demonstrated need;
- Obtain or upgrade necessary equipment, hardware, and materials;
- Adopt new technologies or systems; or
- A combination thereof to improve the quality and delivery of health care in measureable and sustainable ways that will lower costs and allow that value to be passed-on to health care consumer.

The bill directs the council to review loan applications and submit to the DOH a prioritized list of proposals recommended for funding. Under the bill, loan recipients will enter into agreements with the DOH for loans of up to 10-year terms for up to 50 percent of the proposal costs, or up to 80 percent of the costs for an applicant that is located in a rural or medically underserved area and is either a rural hospital or a nonprofit entity that accepts Medicaid patients.

The bill requires both the council and the DOH to publicly report certain information related to the activities required under the bill and requires the Office of Economic and Demographic Research (beginning October 1, 2029) and the Office of Program Policy Analysis and Government Accountability (beginning October 1, 2030) to evaluate specified aspects of the

revolving loan program every five years. The bill requires both offices to include recommendations for consideration by the Legislature and that both offices must be given access to all data necessary to complete their evaluations, including any confidential data. The offices may collaborate on data collection and analysis under the bill.

The bill makes the following appropriations:

- For Fiscal Year 2023-2024, appropriates $250,000 in nonrecurring General Revenue funds for the DOH to support the council.
- For Fiscal Year 2024-2025, appropriates $1 million in recurring General Revenue funds for the DOH to support the council.
- For Fiscal Years 2024-2025 through 2034-2035:
  - Requires the Chief Financial Officer by August 1 each year to transfer $50 million from the General Revenue Fund to the Grants and Donations Trust Fund in the DOH.
  - Appropriates $50 million in nonrecurring funds from the Grants and Donations Trust Fund each year for the DOH to make loans under the revolving loan program. The DOH may use up to three percent of the funds for administrative costs to implement the revolving loan program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect March 21, 2024.
Vote: Senate 39-0; House 117-1

Committee on Judiciary

CS/HB 1 — Online Protections for Minors

by Judiciary Committee and Reps. Sirois, McFarland, Rayner, and others (CS/SB 1788 by Judiciary Committee and Senators Grall and Garcia)

The bill requires regulated social media platforms to prohibit minors younger than 16 years of age from having accounts with them. Regulated social media platforms include those using algorithms to select content for or using addictive features on persons younger than 16 years of age. With respect to existing accounts belonging to minors younger than 16, the bill requires social media platforms to terminate them, and also allows the account holders or their parents or guardians to terminate them. Social media platforms must permanently delete all personal information held by them relating to terminated accounts unless otherwise required by law to maintain the personal information.

The bill also requires commercial entities that knowingly and intentionally publish or distribute material harmful to minors on a website or application to prohibit access to such material by any person younger than 18 years of age, if their website or application contains a substantial portion of material that is harmful to minors. Material harmful to minors are materials that appeal to the prurient interest, depict or describe sexual conduct in a patently offensive manner, and lack serious literary, political, or scientific value for minors.

Regulated social media platforms and commercial entities must use reasonable age verification methods to verify that the age of a person attempting to access the regulated social media platform or material harmful to minors satisfies the bill's age requirements. The reasonable age verification method must be conducted by a nongovernmental, independent third party organized under the laws of a state of the U.S., and any information used to verify age must be deleted once the age is verified.

These provisions were vetoed by the Governor on March 1, 2024.
Vote: Senate 23-14; House 108-7

Committee on Judiciary

CS/CS/HB 3 — Online Protections for Minors

by Judiciary Committee; Regulatory Reform & Economic Development Subcommittee; and Reps. Tramont, Overdorf, Sirois, McFarland, Rayner, and others (CS/SB 1792 by Judiciary Committee and Senators Grall and Garcia)

The bill requires regulated social media platforms to prohibit minors younger than 14 years of age from entering into contracts with social media platforms to become account holders. It allows minors who are 14 or 15 years of age to become account holders, but only with the consent of a parent or guardian. Social media platforms are regulated under the bill if they:

- Allow users to upload content or view the content or activity of other users.
- Satisfy certain daily active user metrics identified in the bill.
- Employ algorithms that analyze user data or information on users to select content for users.
- Have certain addictive features.

With respect to all accounts belonging to minors younger than 14, and to those accounts belonging to minors who are 14 or 15 years of age but for whom parents or guardians have not provided consent, the bill requires regulated social media platforms to terminate them and also allows the account holders or their parents or guardians to terminate them. Social media platforms must permanently delete all personal information held by them relating to terminated accounts unless otherwise required by law to maintain the personal information.

The bill also requires regulated commercial entities that knowingly and intentionally publish or distribute material harmful to minors on a website or application to prohibit access to such material by any person younger than 18 years of age, if their website or application contains a substantial portion of material that is harmful to minors. Such commercial entities must verify, using either an anonymous or standard age verification method, that the age of a person attempting to access the material harmful to minors satisfies the bill's age requirements. If an anonymous age verification method is used, the verification must be conducted by a nongovernmental, independent third party organized under the laws of a state of the U.S. Any information used to verify age must be deleted once the age is verified.

Regulated social media platforms, commercial entities, and third parties performing age verification for commercial entities that knowingly and recklessly violate the bill's requirements are subject to enforcement under the Florida Deceptive and Unfair Trade Practices Act. The Department of Legal Affairs may collect civil penalties of up to $50,000 per violation, reasonable attorney fees and court costs, and (under certain conditions) punitive damages. Account holders who are minors may also pursue up to $10,000 in damages.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 30-5; House 109-4

Committee on Judiciary

HB 73 — Supported Decisionmaking Authority

by Reps. Tant, Koster, and others (SB 446 by Senators Simon and Harrell)

The bill explicitly incorporates the concepts of supported decision-making (SDM) and SDM agreements into state law. SDM is a tool that allows people with disabilities to retain their decision-making capacity by choosing supporters to help them make choices, instead of relying upon court-appointed guardians or guardian advocates to make choices for them.

In summary, the bill:

- Amends the statute governing the appointment of guardian advocates for persons with developmental disabilities to require:
  - Courts to consider the specific needs and abilities of individuals when delegating decision-making tasks.
  - Petitions and court orders to identify and assess the sufficiency of guardian advocacy alternatives like SDM.
- Amends the powers of attorney statute to authorize the granting of SDM agreements as a form of a power of attorney.
- Creates a statute defining, authorizing, and regulating SDM agreements.
- Amends statutes governing adjudications of incapacity and the appointment of guardians to:
  - Require petitions to state whether alleged incapacitated persons use assistance, including SDM, and if so, why it is insufficient for them to exercise their rights.
  - Authorize examining committee members to facilitate, when requested by appointed counsel, communication between supporters and allegedly incapacitated persons.
  - Clarify that suggestions of capacity must address whether the ward has the ability to exercise removed rights on his or her own or with appropriate assistance.
- Amends the statute regulating the development of an IEP (i.e., an individual education plan) for the purpose of accommodating students with disabilities in public schools, to include SDM agreements as one method by which students may provide informed consent to allow his or her parents to continue to participate in educational decisions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 117-0

Committee on Judiciary

CS/CS/CS/SB 86 — Hope Cards for Persons Issued Orders of Protection

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Judiciary Committee; and Senators Book, Polsky, and Yarborough

The bill requires the clerks of the court to create the Hope Card program for persons issued an injunction for protection against domestic violence; repeat violence, dating violence, and sexual violence; stalking and cyberstalking; or exploitation of a vulnerable adult. Under the program, the Clerks will issue Hope Cards, which identify and describe the person who is restrained by an order of protection, identify those protected by the order, and provide the telephone number for the statewide domestic violence hotline. These cards must be issued on a credit-card sized laminated card or in digital form, without cost to the protected person. Displaying the card is expected to facilitate the law enforcement response to a violation of the order.

The bill also prohibits a person from misusing a Hope Card to wrongfully claim that he or she is protected by an order of protection. A person who misuses a Hope Card in this manner commits a second degree misdemeanor.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 35-0; House 113-0

Committee on Judiciary

CS/HB 117 — Disclosure of Grand Jury Testimony

by Criminal Justice Subcommittee and Rep. Gossett-Seidman and others (CS/CS/SB 234 by Rules Committee; Judiciary Committee; and Senators Polsky and Martin)

The bill (Chapter 2024-7, L.O.F.) amends the statute that generally prohibits the disclosure of testimony or evidence received by a grand jury. Currently, there are three exceptions to the general prohibition: ascertaining whether the testimony is consistent with the testimony given by a witness before the court, determining whether a witness is guilty of perjury, or furthering justice.

The bill amends the third exception of "furthering justice" by expanding that concept to include furthering a public interest when the disclosure of testimony is requested by the media or an interested person. The testimony may be disclosed if:

- The subject of the grand jury inquiry is deceased.
- The grand jury inquiry related to criminal or sexual activity between the subject of the grand jury investigation and a person who was a minor at the time of the alleged criminal or sexual activity.
- The testimony was previously disclosed by a court order.
- The state attorney is provided notice of the request.

Even if these four conditions are met, the court may limit the disclosure of testimony, which may include redacting parts of the testimony.

The bill also adds the custodian of a grand jury record to the list of persons in statute who may not disclose the testimony of a witness examined before the grand jury or other evidence received by the grand jury.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 119-0

Committee on Judiciary

SB 158 — Value of Motor Vehicles Exempt from Legal Process

by Senator Polsky

The bill increases from $1,000 to $5,000, the maximum value of a debtor's motor vehicle that is exempt from attachment, garnishment, or other legal process. The $1,000 amount was established in 1993 and has not been increased since then.

According to the U.S. Bureau of Labor Statistics Consumer Price Index Inflation Calculator, $1,000 in October 1993 is the equivalent of $2,107.42 in November 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 112-0

Committee on Judiciary

HB 187 — Antisemitism

by Reps. Gottlieb, Fine, and others (CS/SB 148 by Judiciary Committee and Senators Berman, Pizzo, Book, Calatayud, Yarborough, Polsky, and Rodriguez)

The bill creates s. 1.015, F.S., which defines "antisemitism" based on the working definition developed and adopted by the International Holocaust Remembrance Alliance (IHRA). Under the bill, antisemitism means:

> [A] certain perception of Jewish individuals which may be expressed as hatred toward such individuals. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and their property and toward Jewish community institutions and religious facilities.

The bill includes contemporary examples of antisemitism, and states that the purpose of the definition is to "assist in the monitoring and reporting of anti-Semitic hate crimes and discrimination and to make residents aware of and to combat such incidents in this state."

The bill also provides that the term "antisemitism" does not include criticism of Israel that is similar to criticism of any other country, and that its provisions may not be construed to diminish or infringe upon any right protected under the First Amendment to the U.S. Constitution or to conflict with federal or state antidiscrimination laws.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 115-0

Committee on Judiciary

CS/CS/HB 271 — Motor Vehicle Parking on Private Property

by State Affairs Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; and Reps. Lopez, V., Busatta Cabrera, and others (CS/CS/SB 388 by Rules Committee; Judiciary Committee; and Senator Garcia)

The bill amends s. 715.075, F.S., which authorizes the owners and operators of privately-owned parking facilities to establish rules and rates in connection with their use by consumers, in order to incorporate several consumer protection measures.

Under the bill, such owners and operators must place signage that is legible and clearly visible to persons entering the area used for motor vehicle parking. The signage must state that the property is not operated by a governmental entity, list the rates for parking charges for violating the rules of the property owner or operator, provide a working phone number and an e-mail address to receive inquiries and complaints, and provide notice of the grace period and appeal process provided by the bill.

Invoices for parking violations must be placed on the motor vehicle in a prominent location or be mailed within 5 business days after any violation. Owners or operators may not assess late fees until expiration of the 15-day period following the denial of any appeal filed or for at least 30 days after the invoice is placed on the vehicle or the postmarked date of any mailed invoice, whichever is later. Invoices must include a method to dispute and appeal the invoice. The dispute must be filed within 15 days after the invoice is placed on the vehicle or the postmarked date of any mailed invoice. The parking lot owner or operator then has 5 business days to render a decision on the dispute. The consumer can then appeal the decision to a neutral third-party adjudicator within 10 days after receipt.

The bill exempts the owners and operators of theme parks and entertainment complexes, as defined under state law, from most of the invoicing requirements in the bill. It also provides that owners or operators must allow a grace period of at least 15 minutes upon entrance before any parking charges may be incurred, provided the vehicle does not park during that time.

The bill does not apply to owners or operators of lodging parks, mobile home parks, or recreational vehicle parks as those terms are defined under state law, provided certain criteria in the bill are met. It also prohibits the owner or operator of a private property used for motor vehicle parking from selling, offering to sell, or transferring to another person for sale, any personal information obtained from a party using the property's parking services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Judiciary

CS/CS/HB 285 — Pub. Rec./Recording Notification Service

by Ethics, Elections & Open Government Subcommittee; Civil Justice Subcommittee; and Reps. Hunschofsky, Daniels, and others (CS/SB 1000 by Governmental Oversight and Accountability Committee and Senators DiCeglie and Book)

A recording notification service is a program operated by a clerk of court or a property appraiser that allows an individual to receive prompt electronic notification when a document is recorded in the official records that may affect the individual. A property owner receiving an unexpected notice is thereby made aware of possible fraudulent activities that may affect that owner.

The bill makes confidential and exempt from public records inspection and copying requirements the electronic mail addresses, telephone numbers, personal and business names, and parcel identification numbers submitted to the clerk or property appraiser for the purpose of registering for a recording notification service or a related service pursuant to s. 28.47, F.S. The bill applies to currently held information and to information acquired in the future.

This exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless saved from repeal.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 113-0

Committee on Judiciary

HB 353 — Alternative Headquarters for District Court Judges

by Rep. Maney and others (SB 570 by Senators Burgess and Grall)

The bill permits an eligible district court of appeal judge to designate an alternate official headquarters in a county that is adjacent to his or her county of residence that is within the judicial district. Current law only permits an official headquarters designation within the judge's county of residence.

The bill also establishes limits for travel reimbursements for court business. Although a judge who establishes an official headquarters in a county that is adjacent to his or her county of residence may need to travel further to the district court, the bill does not allow the judge to recover more travel expenses than if the judge established a headquarters in his or her home county.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 117-0

CS/CS/HB 385 — Safe Exchange of Minor Children

by Judiciary Committee; Civil Justice Subcommittee; and Reps. Rudman, Cassel, and others (CS/SB 580 by Judiciary Committee and Senators Yarborough, Broxson, Garcia, and Osgood)

In family law cases, the term "timesharing" refers to the court-ordered schedule of when minor children are with each parent. Inherent in establishing timesharing is the setting of the time and place to exchange physical custody of the child. Under the bill, a court must specify the locations for the exchange of a child pursuant to a timesharing schedule. If the court finds that there is a risk or imminent threat of harm to one party or a child at the exchange, the location of the exchange may be at a sheriff's parking lot, which is designated by a sheriff as a safe exchange location, or the location of a supervised visitation program.

The bill requires each sheriff to designate at least one parking lot at the sheriff's office or a substation as an available safe exchange location. The purpose is to provide a place where parents may bring their minor child for purposes of exchanging the child to comply with court-ordered timesharing. The location must be marked and have at least one surveillance camera with recordings maintained for at least 45 days. The bill does not require the sheriff to actively monitor the location. Moreover, the bill provides that a sheriff and the sheriff's employees are not civilly liable for an incident that may occur as the result of the exchange of a child at a safe exchange location.

The bill is named the "Cassie Carli Law." Cassie Carli is believed to have been kidnapped and murdered by the father of their daughter after meeting him for the purpose of timesharing.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-1; House 115-0

Committee on Judiciary

CS/HB 461 — Excusal from Jury Service

by Judiciary Committee and Rep. Amesty and others (CS/CS/SB 462 by Health Policy Committee; Judiciary Committee; and Senators Grall, Book, and Davis)

The bill creates a new basis for someone to be excused from jury duty. The bill provides that a woman who has given birth within the last 6 months before the reporting date on a jury summons shall be excused upon request. The excusal applies only to the specific summons for which she requests an excusal.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Judiciary

CS/CS/HB 473 — Cybersecurity Incident Liability

by Judiciary Committee; Commerce Committee; and Reps. Giallombardo, Steele, and others
(CS/SB 658 by Governmental Oversight and Accountability Committee and Senator DiCeglie)

The bill provides that a county or municipality that has substantially complied with cybersecurity protocols established by the Department of Management Services and that has timely notified the state and the local sheriff of a serious incident related to cybersecurity is not liable for civil damages related to the incident.

The bill also provides that a sole proprietorship, partnership, corporation, trust, estate, cooperative, association, or other commercial entity or third-party agent that acquires, maintains, stores, processes, or uses personal information is not liable in connection with a cybersecurity incident if the entity substantially complies with the Florida Information Protection Act (FIPA), adopts standards and guidelines in substantial alignment with the current version of any of ten national standards listed, adopts standards and guidelines that substantially align with all of the five federal laws that may apply to the entity (including HIPAA and Gramm-Leach-Bliley, and other similar requirements), and updates its standards and guidelines within 1 year after an update to the prevailing standard.

The protection afforded by the bill is an affirmative defense where the defendant entity has the burden of proof on applicability.

The bill further provides that its provisions apply to any suit filed on or after the effective date of the bill and to any putative class action not certified on or before the effective date of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 32-8; House 81-28

Committee on Judiciary

HB 521 — Equitable Distribution of Marital Assets and Liabilities

by Rep. Koster and others (SB 534 by Senator Grall)

The bill amends s. 61.075, F.S., which governs the equitable distribution of marital assets and liabilities in dissolution of marriage actions, to establish consistency regarding what qualifies as good cause for an interim partial distribution and to clarify and expand upon existing lists of marital and non-marital assets and liabilities identified in the statute.

Specifically, the bill provides that when determining whether extraordinary circumstances, and therefore good cause, exist for an interim partial distribution, the court must consider the need to:

- Prevent the loss of important assets or defaults on marital debts.
- Pay for dependent child-related expenses.
- Pay for dissolution of marriage proceeding-related expenses, including attorney fees.
- Address any other circumstances justifying entry of an order for interim partial distribution.

With respect to the statutory list of marital assets and liabilities, the bill:

- Clarifies that interspousal gifts of real property must be made consistent with statutory real estate conveyance requirements.
- Provides that joinder of a spouse in the execution of a deed conveying homestead real property to a third party does not change the property's character, or proceeds from its sale, to marital property.
- Includes marital interests in a closely held business as marital assets, and prescribes a method for establishing the value of those interests.

With respect to the statutory list of non-marital assets and liabilities, the bill includes real property acquired separately by either spouse by non-interspousal gift, bequest, devise, or descent, for which legal title has not been transferred to the parties as tenants by the entireties.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 117-0

Committee on Judiciary

CS/CS/HB 619 — Sovereign Immunity for Professional Firms

by Transportation & Modals Subcommittee; Civil Justice Subcommittee; and Rep. Tuck (CS/SB 1534 by Judiciary Committee and Senator Bradley)

The bill revises a statute that treats contractors providing monitoring and inspection services for state road and related infrastructure projects as agents of the state for purposes of sovereign immunity protections. As revised, the liability protections are expressly extended to consultants to a contractor performing monitoring and inspection services for the Florida Department of Transportation which are required for a state road or related infrastructure project.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-1; House 113-1

Committee on Judiciary

CS/CS/HB 621 — Property Rights

by Judiciary Committee; Civil Justice Subcommittee; and Rep. Steele and others (CS/CS/SB 888 by Rules Committee; Criminal Justice Committee; and Senators Perry and Yarborough)

Property owners have noted increased incidences of squatters taking over homes, and staying after discovery due to inadequate legal remedies. The bill creates an optional new procedure for a property owner to request that a sheriff's officer remove an unauthorized person from residential real property. The property owner must contact the sheriff and file a complaint under penalty of perjury listing the relevant facts that show eligibility for relief. The complaint form is in the bill. If the complaint shows that the owner is eligible for relief and the sheriff can verify ownership of the property, the sheriff must remove the unauthorized person. The property owner must pay the sheriff the civil eviction fee plus an hourly rate if a deputy must stand by and keep the peace while the unauthorized person is removed.

A person wrongfully removed pursuant to this procedure has a cause of action against the owner for three times the fair market rent, damages, costs, and attorney fees. The bill also creates three new crimes relating to unlawfully occupying a dwelling or fraudulently advertising property for sale or lease.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 108-0

Committee on Judiciary

HCR 693 — Congressional Term Limits

by Reps. Borrero, Gregory, and others (SCR 326 by Senators Ingoglia and Mayfield)

The concurrent resolution is an application to the United States Congress calling upon Congress to convene an Article V constitutional amendments convention. The convention would be limited solely to proposing an amendment to the Constitution to set a limit on the number of terms a person may be elected to serve as a member of the United States House of Representatives and as a member of the United States Senate. The concurrent resolution does not specify the length of the terms that a member would be limited to serving.

The concurrent resolution is to be considered as covering the same subject matter as the presently outstanding applications to Congress from other named states on this same subject. It is to be added, or aggregated, to those applications for the purpose of attaining the two-thirds number of states, or 34 applications, needed to call a constitutional convention.

The concurrent resolution is a continuing application until the legislatures of at least two-thirds of the states have made applications on the term-limit subject. If the application is used to call a convention or used to support a convention on a subject other than this topic, the resolution is revoked and withdrawn, nullified, and superseded as if it had never been passed.

Vote: Senate Adopted; House Adopted

Committee on Judiciary

SB 702 — Attorney Fees and Costs

by Senator Martin

The bill requires courts to award reasonable attorney fees and costs to prevailing defendants in civil litigation concerning property rights, if the improvements made by the defendant property owner were made in substantial compliance with, or in reliance on, environmental or regulatory approvals or permits issued by a political subdivision of the state or a state agency.

For purposes of the bill, the term "property rights" includes, but is not limited to, use rights, ingress and egress rights, and those rights incident to land bordering upon navigable waters as described in the riparian rights statute.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 115-0

Committee on Judiciary

HCR 703 — Balanced Federal Budget

by Reps. Sirois, Gregory, and others (SCR 324 by Senators Ingoglia and Mayfield)

The concurrent resolution is an application to the United States Congress calling upon Congress to convene an Article V constitutional amendments convention to propose a balanced budget amendment.

The convention would be limited to proposing an amendment to the Constitution requiring that, except in a national emergency, the total of all federal appropriations for any fiscal year not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

The concurrent resolution provides that it is to be considered as covering the same subject matter as the presently outstanding balanced budget applications to Congress from other named states. It is to be added, or aggregated, to those applications for the purpose of attaining the two-thirds number of states, or 34 applications, needed to call a constitutional convention.

The concurrent resolution states that it may not be added to other application totals on any other subject calling for a constitutional convention in an effort to meet the requisite number of applications needed to call a convention. It is to be a continuing application and supersedes all previous applications on the subject.

Vote: Senate Adopted; House Adopted

Committee on Judiciary

CS/HB 715 — Pub. Rec./Problem-solving Court Participant Records

by Criminal Justice Subcommittee and Rep. Maney and others (SB 910 by Senator Rouson)

The bill creates public records exemptions for information about a participant or potential participant which is contained in specific records of veterans treatment court programs and mental health programs. The proposed exemptions track an existing exemption for comparable records of treatment-based drug court programs.

The programs are part of the state's "problem-solving courts." The problem-solving courts are pre-trial intervention court programs that are intended to afford a defendant the opportunity to participate in getting the help he or she needs to deal with substance abuse and mental health disorders and avoid a criminal conviction.

The bill, with limited exceptions, makes confidential and exempt from public records inspection and copying requirements the following information contained in a participant's or a potential participant's records:

- Records created or compiled during screenings for participation in the program.
- Records created or compiled during substance abuse screenings.
- Behavioral health evaluations.
- Subsequent treatment status reports.

The exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless reviewed and saved from repeal by reenactment of the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 117-0

Committee on Judiciary

CS/HB 761 — Interpersonal Violence Injunction Petitions

by Civil Justice Subcommittee and Reps. Garcia, Daniels, and others (CS/SB 852 Criminal Justice Committee and Senators Calatayud and Book)

The bill amends statutes authorizing petitions for injunctions for protection against domestic violence; repeat violence, dating violence, and sexual violence; and stalking and cyberstalking to make filing a petition for injunctive relief less burdensome. The bill deletes the current requirement that the petitioner appear in person before a notary or deputy court clerk and swear that the statements made in a petition for an interpersonal violence injunction are true. Instead, the bill requires that the petitioner declare in writing that the statements are true under the penalty of perjury.

The changes made in the bill do not affect the penalty for making a false statement in a petition for an interpersonal violence injunction. The penalty remains a third degree felony.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Judiciary

HB 799 — Easements Affecting Real Property Owned by Same Owner

by Rep. Robinson, W. and others (CS/SB 814 by Rules Committee and Senator Yarborough)

The bill provides that a landowner may create a valid easement, servitude, or other interest that affects his or her own land (that is, notwithstanding a "unity of title"). The bill conforms the law on easements and servitudes to modern practices and customs where such easements are commonly created in advance of subdividing property. The bill applies to existing easements or servitudes but does not reinstate an easement or servitude that is invalid for reasons other than unity of title.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 34-5; House 113-1

Committee on Judiciary

CS/HB 923 — Wills and Estates

by Civil Justice Subcommittee and Reps. Fabricio, Robinson, W., and others (CS/SB 1064 by Banking and Insurance Committee and Senator Powell)

The bill provides and clarifies procedures to resolve probate disputes regarding property owned by spouses in this state but acquired while the spouses lived in one of the nine community property states.

In a community property state, property acquired during a marriage is presumed to be owned 50/50 by the spouses regardless of how it may be titled. Once the spouses move to this state, state law provides that community property generally retains its status as community property. In 1992, the Legislature adopted the Florida Uniform Disposition of Community Property Rights at Death Act, to provide guidance for preserving the rights of a surviving spouse in any such community property upon a spouse's death if probate is opened in this state.

Nothing in the Act requires a surviving spouse to make a probate creditor claim to preserve his or her community property rights. However, a recent court case held that probate creditor claim procedures apply to title disputes arising under the Act, including the statute of limitations period and the two-year statute of repose applicable to such claims.

To address these issues, the bill amends and repeals various provisions of the Act, and other related provisions of the Florida Probate Code, to:

- Clarify existing law by exempting title disputes arising under the Act from:
  - The term "claim" as defined in the Florida Probate Code.
  - The limitations and the two-year statute of repose applicable to probate creditor claims under the Florida Probate Code.
- Create a new dispute resolution mechanism and two-year statute of repose specifically designed for title disputes arising under the Act.
- Make targeted and narrowly-focused modifications to the Act and other related provisions of the Florida Probate Code to improve clarity and reduce the risk of unintended forfeitures of the property rights the Act is intended to preserve.

Beginning on January 1, 2025, the bill requires Clerks of the Circuit Courts to record orders admitting wills to probate and orders determining beneficiaries in the official records of their counties. This practice will aid in ensuring that necessary information about deceased individuals is contained in the land records so that proper heirs can be identified in the chain of title, thereby protecting the public interest of certainty in the ownership of real property.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 35-0; House 116-0

Committee on Judiciary

CS/HB 983 — Pub. Rec./Clerks of the Circuit Court, Deputy Clerks, and Clerk Personnel

by Civil Justice Subcommittee and Reps. Daley, Harris, and others (CS/SB 1176 by Governmental Oversight and Accountability Committee and Senators Yarborough and Hooper)

The bill exempts from public records copying and inspection requirements certain identifying information of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel. The exemption restricts access to information in public records which may identify or locate current clerks of the circuit court, deputy clerks of the circuit court clerk, clerk of the circuit court personnel, and their spouses and children.

The bill exempts from public disclosure the following information relating to current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel:

- Home addresses, telephone numbers, dates of birth, and photographs.
- Names, home addresses, telephone numbers, dates of birth, and places of employment of their spouses and children.
- The names and locations of schools and day care facilities attended by their children.

This exemption applies to information held by an agency before, on, or after July 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 119-0

Committee on Judiciary

CS/SB 984 — Judgment Liens

by Judiciary Committee and Senator Rouson

The bill updates law on judgment liens to:

- Clarify that a judgment lien in payment intangibles and accounts only applies to property interests that are located in the state,
- Allow filing of a corrective judgment lien certificate,
- Provide that the Uniform Commercial Code lien priority law prevails over the lien priority of the statute on judgments, and
- Authorize an account debtor to pay a judgment creditor in lieu of paying the judgment debtor pursuant to a settlement agreement between the judgment creditor and judgment debtor without the need for a final order or judgment directing payment.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 112-0

Committee on Judiciary

CS/CS/HB 1049 — Flood Disclosure in the Sale of Real Property

by Judiciary Committee; Regulatory Reform & Economic Development Subcommittee; and Rep. Hunschofsky and others (CS/SB 484 by Judiciary Committee and Senator Bradley)

The bill requires the seller of any residential real property to furnish to the buyer, at or before signing the contract for purchase of the property, a disclosure form regarding flood risks. The form informs the buyer that homeowners insurance does not cover flood damage and encourages the buyer to inquire about flood insurance. The form then asks if the seller has filed a flood-related insurance claim for the property and whether the seller has ever received federal assistance for flood damage to the property.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 114-0

Committee on Judiciary

CS/CS/HB 1077 — Clerks of Court

by Appropriations Committee; Justice Appropriations Subcommittee; and Rep. Botana and others (CS/CS/CS/SB 1470 by Appropriations Committee; Appropriations Committee on Criminal and Civil Justice; Judiciary Committee; and Senators Hutson, Rouson, Martin, and Hooper)

The clerks of court are funded by allowing them to retain a portion of the costs and fees they collect. The bill increases revenues for clerks of the court, primarily through the redistribution of specified service charges and fees. Clerks of court are also allowed to use funds from court-related charges for improvements to court technology and may deposit operating funds into interest bearing accounts for that purpose.
Other provisions of the bill:

- Authorize the establishment of the Miami-Dade County Clerk of Court Driver License Reinstatement Pilot Program.
- Eliminate state attorney and public defender reporting requirements regarding affirmative action programs.
- Make several technical changes to court-related fiscal statutes.

The bill redirects an estimated $28,938,779 million in revenues from the General Revenue Fund to the Clerks' Fine and Forfeiture Fund and Public Records Modernization Trust Fund starting in Fiscal Year 2024-2025. The Miami-Dade pilot program is estimated to reduce revenues accruing to the General Revenue Fund by a total of $1.6 million in Fiscal Years 2024-2025 and 2025-2026. No service charges or fees are increased by the bill, and thus the bill has no fiscal impact on the private sector.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 40-0; House 111-0

Committee on Judiciary

CS/HB 1093 — Florida Uniform Fiduciary Income and Principal Act

by Judiciary Committee and Rep. Caruso (CS/CS/SB 1316 by Rules Committee; Judiciary Committee; and Senator Berman)

This bill replaces the current Florida Uniform and Principal Income Act with the Florida Uniform Fiduciary Income and Principal Act. The provisions in this bill, which are found in ch. 738, F.S., govern the allocation of trust and estate receipts and disbursements between principal and interest where a Florida trust does not provide its own terms for the allocation.

The new act, or FUFIPA, would, in addition to modernizing trust law generally:

- Allow for total-return investing under the "modern portfolio theory."
- Provide for the conversion of an existing trust into a unitrust.
- Provide flexibility for more individualized estate planning.
- Provide a governing law provision to reduce jurisdictional disputes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 32-0; House 115-0

Committee on Judiciary

CS/HB 1305 — Residential Tenancies

by Commerce Committee and Rep. Maggard and others (CS/SB 1466 by Banking and Insurance Committee and Senator Grall)

The bill amends s. 83.43, F.S., to define the term "Florida financial institution" for purposes of the Florida Residential Landlord and Tenant Act. Specifically, the bill defines "Florida financial institution" to mean a bank, credit union, trust company, savings bank, or savings or thrift association doing business under the authority of a charter issued by the United States, this state, or any other state which is authorized to transact business in this state and whose deposits or share accounts are insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

The effect of this change is to expressly permit landlords to comply with the Act by depositing their tenants' security deposits in any qualifying bank in Florida, regardless of where the financial institution was chartered or is headquartered.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 39-0; House 118-0

Committee on Judiciary

CS/HB 1377 — Pub. Rec./Investigations by the Department of Legal Affairs

by State Affairs Committee and Reps. Sirois and McFarland (SB 1790 by Senator Grall)

The bill exempts from public records copying and inspection requirements certain information received by the Department of Legal Affairs in connection with its enforcement obligations under HB 1 or similar legislation during the 2024 Regular Session.

Specifically, the bill exempts, from the public records requirements in s. 119.07(1), F.S., and Art. I, s. 24(a), State Constitution, all information held by the department, either pursuant to a notification of violation of two new statutes created by HB 1 or pursuant to an investigation of a violation of these new statutes, until such time as the investigation is completed or ceases to be active. Section 501.1736, F.S., created by HB 1 prohibits regulated social media platforms from allowing children younger than 16 to have accounts with them. Section 501.1737, F.S., created by HB 1, requires commercial entities that publish material harmful to minors on a website to use age verification methods to prevent access to the materials by persons younger than 18 years of age.

The bill provides that during an active investigation, certain information made confidential and exempt by the bill may be disclosed by the department. It also provides that upon completion of an investigation, or once an investigation ceases to be active, certain information held by the department must remain confidential and exempt from the public disclosure requirements, including the "proprietary information" of regulated social media platforms and commercial entities as defined in the bill.

These provisions were vetoed by the Governor on March 1, 2024.
Vote: Senate 27-9; House 115-0

Committee on Judiciary

HB 1393 — Court Interpreter Services

by Reps. Tuck, Joseph, and others (CS/SB 1660 by Judiciary Committee and Senator Torres)

The bill authorizes the State Courts System to spend state revenues to provide court-appointed interpreting services to non-indigent people if:

- Funds are available in the fiscal year appropriation for due process services; and
- Interpreting services are provided as prescribed by the Supreme Court.

This bill creates an exception to the general rule that state revenues may not be provided to non-indigent people for due process services. Due process services include, but are not limited to, court reporting services, court interpreter and translation services, and expert witness services.

The bill also repeals the requirement that a trial court administrator recover the cost of court interpreter services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 116-0

Committee on Judiciary

HB 1451 — Identification Documents

by Reps. Michael, Jacques, and others (SB 1174 by Senator Ingoglia)

The bill prohibits a county or municipality from *accepting as identification* an identification card or document issued by an entity that knowingly issues the card or document to individuals who are not lawfully present in the United States. These identification cards are commonly called community ID cards. The prohibition does not apply to documentation issued by, or on behalf of, the Federal Government.

During the 2023 legislative session, related restrictions were enacted. These restrictions prohibited a county or municipality from *providing funds* to a person, entity, or organization for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the United States.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-9; House 81-32

Committee on Judiciary

CS/CS/HB 1491 — Pub. Rec./Investigations by the Department of Legal Affairs

by State Affairs Committee; Regulatory Reform & Economic Development Subcommittee; and Reps. Tramont and Overdorf (SB 1794 by Senator Grall)

The bill exempts from public records copying and inspection requirements certain information received by the Department of Legal Affairs in connection with its enforcement obligations under HB 3 or similar legislation during the 2024 Regular Session.

Specifically, the bill exempts, from the public records requirements in s. 119.07(1), F.S., and Art. I, s. 24(a), State Constitution, all information held by the department, either pursuant to a notification of violation of two new statutes created by HB 3 or pursuant to an investigation of a violation of these new statutes, until such time as the investigation is completed or ceases to be active.

Section 501.1736, F.S., created by HB 3 requires regulated social media platforms to prohibit minors younger than 14 years of age from entering into contracts with social media platforms to become account holders; it allows minors who are 14 or 15 years of age to become account holders, but only with the consent of a parent or guardian. Section 501.1737, F.S., created by HB 3 requires commercial entities that publish material harmful to minors on a website to use age verification to prevent access to the materials by persons younger than 18 years of age.

The bill provides that during an active investigation, certain information made confidential and exempt by the bill may be disclosed by the department. It also provides that upon completion of an investigation, or once an investigation ceases to be active, certain information held by the department must remain confidential and exempt from the public disclosure requirements, including the "proprietary information" of regulated social media platforms and commercial entities as defined in the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that HB 3 or similar legislation takes effect, if such legislation is adopted in this legislative session and becomes a law.
Vote: Senate 30-5; House 113-0

Committee on Judiciary

CS/SB 1616 — Electronic Access to Official Records

by Judiciary Committee and Senator Calatayud

The bill amends current law to make an official records search easier and more user-friendly for someone who is trying to identify adults against whom a protective injunction has been issued to protect a minor from domestic violence; repeat violence, sexual violence, or dating violence; or stalking. While the information is currently posted on "an Internet website for general public display," the information must now be posted more conspicuously on the homepage of the official website for each county recorder or clerk of court.

The county recorder or clerk of court may satisfy the requirements of the bill by including a stand-alone link to the official records index, as long as the link is clearly identified as a link in a clear and conspicuous place on the homepage and is available for search by the general public. The link must be titled in such a manner that the user is informed that by clicking the link, he or she will be redirected to a searchable database relating to the identity of an adult for whom a final judgment for an injunction or protection of a minor has been issued.

The bill also requires that each county recorder or clerk post a "notice" on its homepage no later than 30 days after July 1, 2024. The notice alerts an affected party that he or she has a right to request that the identity of a person be added to the searchable database if the person does not appear in the database but has had a final judgment for an injunction issued against him or her. The notice must include step-by-step instructions detailing how a user can access the searchable database and search for the information.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Judiciary

CS/CS/SB 1680 — Advanced Technology

by Rules Committee; Judiciary Committee; and Senator Bradley

The bill establishes the Government Technology Modernization Council, an advisory council within the Department of Management Services, to generally advise the Legislature on new technologies, artificial intelligence, and related issues. It also creates s. 827.072, F.S., entitled "Generated child pornography," which makes it a crime to knowingly possess, control, intentionally view, or create generated child pornography.

The general purpose of the advisory council is to study and monitor the development and deployment of new technologies and provide reports on recommendations for the procurement and regulation of such systems to the Governor and the Legislature. Accordingly, the bill requires council members to meet at least quarterly and to perform several duties, including the preparation and submittal of an annual report to the Governor and Legislature addressing the modernization of government technology. The bill also provides for the composition of the advisory council and regulates other aspects of service on the council.

The new criminal statute defines the terms "generated child pornography," "intentionally view," and "sexual conduct," and makes it a crime to knowingly possess, control, intentionally view, or create generated child pornography. Each instance of possession, control, or intentional viewing constitutes a separate offense. Anyone convicted of violating the statute is subject to up to 5 years in prison and a $5,000 fine, as well as enhanced penalties under the habitual offender statute.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-0

Committee on Judiciary

SB 7020 — Delivery of Notices

by Judiciary Committee

The bill amends the statute defining "registered mail" to expand upon the kinds of delivery services that may be used to comply with statutory registered mail requirements in this state.

Registered mail requirements may be satisfied by using not only services offered by the U.S. Postal Service, but also a private delivery service, so long as the private delivery service is regularly engaged in the delivery of documents which provides proof of mailing or shipping and proof of delivery.

The effect of the bill is to eliminate ambiguity as to whether other forms of delivery can also demonstrate compliance with statutory registered mail requirements, and to give persons seeking to comply with those requirements greater flexibility in choosing an acceptable form of delivery.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 36-0; House 112-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

CS/HB 357 — Special Observances

by State Affairs Committee and Rep. Holcomb and others (CS/SB 346 by Military and Veterans Affairs, Space, and Domestic Security Committee and Senators Ingoglia, Yarborough, and Collins)

This bill replaces "Veterans Week" with "Veterans Appreciation Month." The bill provides that the Governor may annually issue a proclamation that designates the month of November as Veterans Appreciation Month and encourages counties, municipalities, public schools, and residents to observe the occasion with special programs and events in appreciation of veterans.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 117-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

SB 548 — Public Records/Military Personnel and their Spouses and Dependents

by Senator Collins

This bill provides a public records exemption on certain identifying information of military personnel and their families held by an agency. The exemption applies to the home address, phone numbers, and date of birth of current and former military personnel and their spouses and dependents, and the name and location of a school attended by such a spouse and schools or day care facilities attended by such dependents. Military personnel are either persons employed by the Department of Defense who have access to information designated as secret or top secret or servicemembers of a special operations force. The information is made exempt, meaning that the records custodian has discretion to disclose it. To receive the exemption, a request must be made in writing and include a statement of reasonable efforts to protect the information from access. The exemption applies to information held by the agency before, on, or after the effective date of the bill.

The public records exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2029, unless reenacted before that date.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 39-0; House 114-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

HB 725 — Veterans' Long-term Care Facilities Admissions

by Reps. Woodson, Snyder, and others (SB 174 by Senators Burgess and Collins)

This bill expands the eligibility for admission to a veterans' domiciliary home to include a spouse or surviving spouse of a qualifying veteran. The bill revises the priority order for admissions to a veterans' domiciliary home to rank a spouse or surviving spouse of a qualifying veteran in 5th place, thereby preserving the priority admission of a qualifying veteran over a nonveteran.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 117-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

SB 818 — Military Leave

by Senators Avila and Collins

Currently a public employer must provide an employee or official who is a servicemember a full paid leave of absence for the first 30 days of active federal military service. The bill limits application of the paid leave of absence to a servicemember who is activated under federal military service that is equal to or greater than 90 consecutive days.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

CS/SB 968 — Spaceport Territory

by Rules Committee and Senators Calatayud and Trumbull

The bill revises the definition of "spaceport discretionary capacity improvement projects" to mean capacity improvements that enhance space transportation capacity at any spaceport or on spaceport territory. The bill removes the requirement that a spaceport or spaceport territory must have had at least one orbital flight or suborbital flight within the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled orbital or suborbital flights for the commitment of funds for spaceport discretionary capacity improvement projects.

In addition, the bill broadens the scope of the strategic space infrastructure investment funding eligibility and authorizes the Florida Department of Transportation, in consultation with Space Florida, to fund spaceport discretionary capacity improvement projects, instead of strategic spaceport launch facilities, at up to 100 percent of the project's cost. The revised eligibility criteria includes the provision that the project provide important access and on-spaceport-territory space transportation capacity improvements.

The bill expands spaceport territory to include certain real property in Miami-Dade County consisting of property which was formerly included within the boundaries of Homestead Air Force Base and is included in the Homestead Air Reserve Base or deeded to Miami-Dade County or the City of Homestead. The bill also delineates the Homestead Air Force Base property.

The bill also expands spaceport territory to include certain real property in Bay County which is included within the boundaries of Tyndall Air Force Base.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 111-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

HB 1227 — Tuskegee Airmen Commemoration Day

by Reps. Antone, Bankson, and others (SB 1312 by Senators Torres and Rouson)

This bill designates Tuskegee Airmen Commemoration Day as a legal holiday, which occurs annually on the fourth Thursday in March.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

CS/CS/HB 1329 — Veterans

by State Affairs Committee; Local Administration, Federal Affairs & Special Districts Subcommittee; and Reps. Redondo, Alvarez, and others (CS/SB 408 by Appropriations Committee on Transportation, Tourism, and Economic Development and Senators Burgess, Perry, and Collins)

The bill designates the Florida is for Veterans, Inc., (Veterans Florida) to serve as the initial point of military transition assistance and to conduct marketing and outreach to its target market. U.S. Armed Forces servicemembers with 24 months or less until discharge, veterans with 36 months or less since discharge, members of the Florida National Guard or reserve, and their spouses or surviving spouses who have not remarried are the target market.

The bill increases Veterans Florida's board of directors from 9 to 11 members, with the President of the Senate and the Speaker of the House of Representatives each appointing one from their presiding body to serve as ex officio, nonvoting members.

The amendment revises the Veterans Employment and Training Services Program to:

- Match the target market with target and secondary industry businesses and grants;
- Encourage entrepreneurship and grow veteran-owned small businesses;
- Authorize prioritizing of grant funds for training, certification, and licenses;
- Provide that a participating business may also receive a grant under any state program; and
- Authorize Veterans Florida to assist state agencies in recruiting veteran talent into their workforce and maximize veteran access to benefits, services, training, and education.

The bill also:

- Creates a fee exemption on hunting and fishing license fees for honorably discharged veterans with a service-connected disability percentage rating of 50 percent or more.
- Increases the membership of the Advisory Council on Brain and Spinal Cord Injuries from 16 to 18 members to add two members who are veterans who have or have had brain injuries, or their family members.
- Requires public school instruction on the history and importance of Veterans' Day and Memorial Day.
- Creates and funds the Major John Leroy Haynes Florida Veterans' History Program to record the stories of Florida's veterans and preserve them for future generations, and appropriates one position and $91,207 in recurring funds to implement and administer the program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 113-0

Committee on Military and Veterans Affairs, Space, and Domestic Security

CS/CS/HB 1567 — Qualifications for County Emergency Management Directors

by State Affairs Committee; Constitutional Rights, Rule of Law & Government Operations Subcommittee; and Rep. Grant and others (CS/CS/SB 1262 by Rules Committee; Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Collins)

The bill establishes minimum training, experience, and education standards for all county emergency management directors, including the following:

- Fifty hours of training in business or public administration, business or public management, or emergency management or preparedness. A bachelor's degree may be substituted for this training requirement.
- Four years of specified experience in comprehensive emergency management services with direct supervisory responsibility for responding to at least one emergency or disaster. A master's degree in certain fields may be substituted for 2 years of the required experience but not for the required supervisory experience. Alternatively, certain professional accreditation may substitute for the required experience if the certification remains in good standing until the actual time and experience requirements are met.
- Completion of 150 hours in comprehensive emergency management training provided through or approved by the Federal Emergency Management Agency (FEMA) or its successor, including completion of certain National Incident Management System courses, or equivalent FEMA courses through the Emergency Management Institute. A county emergency management director must have completed this training within the 10 years preceding the date of initial appointment or reappointment.

The bill provides that a county emergency management director who does not satisfy these training or certification requirements will have until June 30, 2026, to meet the new criteria.

The bill also requires that a county emergency management director have a valid driver license, and if the license is not a Florida driver license, the director must obtain a Florida driver license within 30 days after being appointed.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 113-1

Committee on Regulated Industries

HB 59 — Provision of Homeowners' Association Rules and Covenants

by Rep. Arrington and others (SB 50 by Senator Stewart)

The bill requires homeowners' associations to provide, before October 1, 2024, a physical or digital copy of the association's rules and covenants to every member of the association, including new members.

In addition, homeowners' associations must give every member an updated copy of the rule or covenants if the rules or covenants are amended. Under the bill, associations may adopt rules establishing standards for the manner of distribution and timeframe for providing copies of updated rules or covenants.

The bill permits associations to meet the requirement in the bill by posting a complete copy of the association's rules and covenants, or a direct link thereto, on the homepage of the association's website, if the website is accessible to the members of the association and the association sends notice to each member of the association of its intent to utilize the website for this purpose. The notice of the association's intent to use a website to comply with the requirements of the bill may be delivered electronically or by mail.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 115-0

Committee on Regulated Industries

SB 92 — Yacht and Ship Brokers' Act

by Senator Hooper

The bill revises the regulation of yacht and ship brokers and salespersons by the Division of Florida Condominiums, Timeshares, and Mobile Homes (division) within the Department of Business and Professional Regulation.

The definition for the term "yacht" is revised by the bill to require the vessel to be manufactured or operated primarily for pleasure or leased, rented, or chartered to someone other than the owner for the other person's pleasure. The bill retains current law that a yacht is a vessel which is propelled by sail or machinery in the water which exceeds 32 feet in length, but deletes the requirement for the vessel to weigh less than 300 gross tons.

The bill provides a license (for a broker or salesperson) is not required for a person who conducts business as a broker or salesperson in another state as his or her primary profession and engages in the purchase of a yacht under ch. 326, F.S., if the transaction is executed in its entirety with a broker or salesperson licensed in Florida.

The bill revises the requirements for licensure as a broker by:

- Providing the division must, rather than may, deny a license application under the current provisions;
- Deleting the requirement that an applicant for a broker license must have been licensed as a salesperson for two consecutive years; and
- Requiring that the applicant has been licensed as a salesperson and can either:
  - Demonstrate that he or she has been directly involved in at least four transactions that resulted in the sale of a yacht; or
  - Certify that he or she has obtained 20 education credits approved by the division.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 38-0; House 113-0

Committee on Regulated Industries

CS/HB 133 — Criminal History of Licensees and Employees

by Commerce Committee and Reps. Chambliss, Plakon, and others (SB 42 by Senator Stewart)

The bill prohibits the Barber's Board and the Board of Cosmetology within the Department of Business and Professional Regulation (DBPR) from denying an application for a barber or cosmetology license, respectively, from a person with a criminal conviction, or any other adjudication, for a crime more than three years before the date the application is received by a board. The prohibition does not apply if the applicant was convicted of a crime at any time during the three-year period immediately preceding the application. The bill does not affect the ability of these boards under current law to deny an application based on a sexual predator offense pursuant to s. 775.21, F.S., or a forcible felony pursuant to s. 776.08, F.S.

The bill does not affect the prohibition against the DBPR considering a criminal conviction, or any other adjudication, for crimes more than 5 years before the date the application was received as grounds for denial of a license in a construction profession under ch. 489, F.S., and for any other profession for which the DBPR issues a license, provided the profession is offered to inmates in any correctional institution or facility.

The bill requires the DBPR's regulatory boards to approve education program credits offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program for the purpose of satisfying applicable training requirements for licensure as a barber or cosmetologist.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 114-0

Committee on Regulated Industries

CS/SB 280 — Vacation Rentals

by Fiscal Policy Committee and Senators DiCeglie and Mayfield

The bill revises the regulation of vacation rentals by the state and by local governments. A vacation rental is a unit in a condominium or cooperative, or a single, two, three, or four family house that is rented to guests more than three times a year for periods of less than 30 days or one calendar month, whichever is shorter, or held out as regularly rented to guests. Vacation rentals are licensed by the Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (DBPR).

Exemptions

Current law does not allow local laws, ordinances, or regulations that prohibit vacation rentals or to regulate the duration or frequency of the rental of vacation rentals. However, this prohibition does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

The bill permits "grandfathered" local laws, ordinances, or regulations adopted on or before June 1, 2011, to be amended to be less restrictive or to comply with local registration requirements. Additionally, a local government that had such a "grandfathered" regulation in effect on June 1, 2011, is authorized by the bill to adopt a new, less restrictive ordinance. The bill does not affect vacation rental ordinances in jurisdictions located in an area of critical state concern.

The bill also "grandfathers" any county law, ordinance, or regulation initially adopted on or before January 1, 2016, that established county registration requirements for rental of vacation rentals, and any amendments thereto adopted before January 1, 2024. However, such county law, ordinance, or regulation may not be amended or altered except to be less restrictive or to adopt registration requirements as provided in the bill.

Preemptions

The bill preempts the licensing of vacation rentals and regulation of advertising platforms to the state. An advertising platform is a person, which may be an individual or a corporation, who electronically advertises a vacation rental to rent for transient occupancy, maintains a marketplace, and a reservation or payment system.

Local Registration Programs

A local government may require vacation rentals to be registered and charge a reasonable fee for registration and for specified inspections of a vacation rental.

Before implementing a vacation rental registration program, local governments must prepare a business impact estimate in accordance that includes identifying any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially

responsible, and an estimate of the local regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The bill establishes the registration requirements, including requiring applicants to:

- Submit identifying information about the owner and operator of the vacation rental;
- Provide proof of a division-issued vacation rental license;
- Obtain all required tax registrations, receipts, or certificates issued by the Department of Revenue, a county, or a municipal government;
- Update required information on a continuing basis;
- Pay in full all recorded municipal or county code liens;
- Designate and maintain a responsible person to respond to complaints and emergencies by telephone at a provided telephone number 24 hours a day, 7 days a week; and
- State the maximum occupancy for the vacation rental which does not exceed either two persons per bedroom, plus an additional two persons in one common area; or more than two persons per bedroom if there is at least 50 square feet per person, plus an additional two persons in one common area, whichever is greater.

The bill permits a local government to:

- Impose a $500 fine on a vacation rental operator for violations of the local registration requirements, and to file and foreclose on a lien based on the fine if the property is not subject to homestead protections against foreclosure.
- Suspend a registration for violations that occur on and are related to the vacation rental property, including suspensions of up to:
  - 30 days based on one or more violations on five separate days during a 60-day period;
  - 60 days based on one or more violations on five separate days during a 30-day period; or
  - 90 days based on one or more violations after two prior suspensions.

A local government may not suspend a vacation rental for a violation not directly related to the vacation rental premises and must give the operator an opportunity to cure registration violations that are not related to maximum occupancy rate.

A local government must provide notice of the suspension and must state the start date of the suspension, which must be at least 21 days after the notice is sent. A vacation rental operator may appeal a denial, suspension, or revocation to the circuit court which may award attorney fees, costs, and damages to the prevailing party. After January 1, 2026, a local government must use the information system established in the bill to notify the division that the vacation rental's local registration has been suspended.

The bill authorizes a local government to revoke or refuse to renew a registration in certain situations including if the registration has been suspended three times or if there is an unsatisfied recorded municipal or county lien.

The bill does not supersede any current or former governing document for a condominium, cooperative, or homeowners' association.

State Regulation of Vacation Rentals

The bill authorizes the division to revoke, refuse to issue or renew, or suspend a vacation rental license for not more than 30 days or the same length of a local suspension if:

- The vacation rental violates a condominium, cooperative, or homeowners' association lease or property restriction as determined by a final order or judgment;
- The local registration is suspended or revoked; or
- The premises or its owner is the subject of an order or judgment directing the termination of the premises' use as a vacation rental.

If the division suspends a license on the basis of a local suspension of a vacation rental registration, the suspension must run concurrently.

Vacation Rental Information System

To facilitate compliance with the requirements in the bill by vacation rental licensees and advertising platforms, the bill requires the division to create and maintain a vacation rental information system. The system must:

- Facilitate prompt compliance with ch. 509, F.S., relating, in relevant part, to public lodging establishments, by a licensee or an advertising platform;
- Allow advertising platforms to search by and verify the status of a unique vacation rental license number, applicable local registration number;
- Allow a local government to notify the division of a revocation or failure to renew, or the period of suspension of a local registration; and
- Allow registered users to subscribe to receive automated notification of changes to a vacation rental license or registration.

State Regulation of Advertising Platforms

The bill requires an advertising platform to display the vacation rental license number with the associated unique identifier and, if applicable, the local registration number of each property that advertises on its platform. Effective July 1, 2026, an advertising platform must:

- Remove any advertisement or listing vacation rental license number with a unique identifier and, if applicable, the local registration number within 15 business days after notification that the license, or if applicable, a local registration:
  - Has been suspended, revoked, or not renewed; or
  - Fails to display a valid vacation rental license number or, if applicable, a local registration number.
- Quarterly provide a list of all vacation rentals which are advertised on its platform within Florida, including the uniform resource locator for the Internet address of the vacation

rental advertisement, and the vacation rental license number, and, if applicable, the local registration number.

The division may fine an advertising platform an amount not to exceed $1,000 per offense for a violation of the provisions in the bill or rules of the division.

Tax Collection

The bill requires advertising platforms and vacation rental operators listing a vacation rental on an advertising platform to collect and remit any taxes imposed under chs. 125, 205, and 212, F.S., that result from payment for the rental of a vacation rental property on its platform. The bill allows platforms to exclude service fees from the taxable amount if the platforms do not own, operate, or manage the vacation rental. It allows the division to take enforcement action for noncompliance.

Appropriation

For Fiscal Year 2024-2025, the bill appropriates $327,170 in recurring funds and $53,645 in nonrecurring funds from the Hotel and Restaurant Trust Fund, $645,202 in recurring funds from the Administrative Trust Fund, and $3,295,884 in nonrecurring funds from the General Revenue Fund to the DBPR, and nine full-time equivalent positions for the purposes of implementing the provision of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.
Vote: Senate 23-16; House 60-51

Committee on Regulated Industries

CS/HB 293 — Hurricane Protections for Homeowners' Associations

by Regulatory Reform & Economic Development Subcommittee and Reps. Sirois, Daniels, and others (CS/SB 600 by Regulated Industries Committee and Senator Ingoglia)

The bill requires homeowners' associations, or any architectural, construction improvement, or similar committee (committee) to adopt hurricane protection specifications for each structure or other improvement on a parcel governed by the homeowners' association.

The specifications may include the color and style of hurricane protection products and any other factor deemed relevant by the board. All specifications adopted by the homeowners' association must comply with the applicable building code. The bill allows the homeowners' association or committee to require parcel owners to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel.

The bill provides that, regardless of any other provision in association governing documents, the homeowners' associations and committees may not deny an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner which conforms to the specifications adopted by the homeowners' association or committee.

The term "hurricane protection" is defined by the bill to include, but not be limited to, roof systems recognized by the Florida Building Code that meet ASCE 7-22 standards, which are standards adopted by the American Society of Civil Engineers, permanent fixed storm shutters, roll-down track storm shutters, impact-resistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, exterior fixed generators, fuel storage tanks and other hurricane protection products used to preserve and protect the structures or improvements on a parcel governed by the association.

The bill provides a statement of legislative intent providing that, in order to protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protection installed by parcel owners, the bill applies to all homeowners' associations in the state, regardless of when the community was created.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 32-0; House 108-0

Committee on Regulated Industries

SB 364 — Public Service Commission Rules

by Senator Collins

The bill amends s. 120.80, F.S., to specify certain rules that may be adopted by the Florida Public Service Commission (PSC) without being subject to potential rule ratification under s. 120.541(3), F.S. Specifically, rules regarding the Florida Public Service Regulatory Trust Fund, the regulatory assessment fees (RAFs) charged to utilities in Florida, and application fees for water and wastewater utilities are added to the section. The bill also deletes a temporary provision, limited to Fiscal Year 2023-2024, which allowed such rules to be exempt from all provisions of s. 120.80, F.S., which includes requirements to provide statements of estimated regulatory costs. Under the bill, for those sections regarding RAFs, the PSC must still follow the statement of estimated regulatory costs preparation requirements provided in ss. 120.541(1), (2), and (5), F.S.

These provisions will expire on July 1, 2028.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 111-0

Committee on Regulated Industries

CS/SB 366 — Civil Penalties Under the Gas Safety Law of 1967

by Appropriations Committee on Agriculture, Environment, and General Government and Senator Yarborough

The bill revises the maximum penalties for violations of Florida's Gas Safety Law (ch. 368, part I, F.S.), or rules adopted pursuant to that law, to be $266,015 (increased from $25,000) for each violation for each day the violation persists, not to exceed $2,660,135 in aggregate (up from $500,000) for any related series of violations until June 30, 2025. This would mirror the maximum fines currently provided under federal law for pipeline safety violations under 49 C.F.R. s. 190.223, as updated pursuant to 88 Fed. Reg. 89,560 on December 28, 2023.

On or after July 1, 2025, the Florida Public Service Commission (PSC) must, by rule, annually consider and revise the penalties established based on the Consumer Price Index, penalties established in federal law for pipeline safety violations, and the intent of the Legislature for the PSC to maintain its pipeline safety violation enforcement certification with the federal Pipeline and Hazardous Materials Safety Administration.

In addition, the bill provides the PSC with rulemaking authority to implement the above provisions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-0; House 113-0

Committee on Regulated Industries

CS/CS/CS/SB 382 — Continuing Education Requirements

by Rules Committee; Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Hooper

The bill requires, rather than authorizes, a board, or the Department of Business and Professional Regulation (department) when there is no board, to allow by rule that distance learning may be used to satisfy continuing education requirements for most professions regulated by the department, and revises the requirements that such continuing education must satisfy.

Under the bill, a board, or the department when there is no board, is required to exempt certain individuals from completing their continuing education requirements for renewal of a license, if:

- The individual holds an active license issued by the board or department to practice the profession;
- The individual has continuously held the license for at least 10 years; and
- No disciplinary action is imposed on the individual's license.

The exemption created by the bill does not apply to the following professions:

- Engineers regulated pursuant to ch. 471, F.S.;
- Certified public accountants regulated pursuant to ch. 473, F.S.;
- Brokers, broker associates, and sales associates regulated pursuant to ch. 475, part I, F.S.;
- Appraisers regulated pursuant to ch. 475, part II, F.S.;
- Architects, interior designers, or landscape architects regulated pursuant to ch. 481, F.S.; or
- Contractors regulated pursuant to ch. 489, F.S.

The bill authorizes the department and each affected board to adopt rules pursuant to the Florida Administrative Procedure Act to implement the bill. The department is authorized to adopt emergency rules to implement the changes made by the bill, including the establishment of procedures to facilitate the continuing education exemption for eligible individuals. Such emergency rules are effective for six months after adoption and may be renewed while permanent rules addressing the subject of the emergency rules are being adopted. The emergency rulemaking authority granted by the bill expires January 1, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 112-0

Committee on Regulated Industries

CS/HB 429 — Real Property

by Commerce Committee and Rep. Robinson, W. (CS/CS/SB 756 by Rules Committee; Judiciary Committee; and Senator Perry)

The bill authorizes the board of administration for a condominium or cooperative association operating a timeshare plan to delete facilities of the timeshare plan without the approval of the members of the association if the deletion is approved by a two-thirds vote of the board of administration and the deletion is consistent with the fiduciary duties of the managing entity to the purchasers of the timeshare plan set forth in s. 721.13(2), F.S. However, the bill maintains the requirement in current law that, if the timeshare condominium or timeshare cooperative contains any residential units that are not subject to the timeshare plan, the board of administration for the condominium or cooperative must obtain the approval of a majority of the owners of such residential units before it can make any material alterations or substantial additions to the accommodations or facilities of such timeshare condominium or timeshare cooperative.

The bill provides that the managing entity of a timeshare project has all of the rights and remedies of an operator of any public lodging establishment or public food service establishment as set forth in several provisions in ch. 509, F.S., which authorizes the operator of a public lodging establishment or public food service establishment to remove a person from these establishments. The operator may also have a law enforcement officer remove a person if the person engages in certain activities, including the possession and use of controlled substances and engaging in disorderly conduct.

The bill requires the managing entity of a timeshare condominium or timeshare cooperative to provide the assessment certificate required under s. 721.15(7), F.S., in lieu of the estoppel certificate required by s. 718.116(8), F.S., or s. 719.108(6), F.S., relating to condominium and cooperative associations, respectively. The assessment certificate states the amount of moneys owed or due within 90 days to the managing entity on a consumer resale of a timeshare interest.

The bill also changes the appointing authority for appointment of a commissioner of deeds from the Governor to the Secretary of State. A commissioner of deeds is a person appointed to act in a foreign state or country to acknowledge that a person executing a real property instrument is the person named in the instrument. A real property instrument must be acknowledged as a condition of recording.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 118-0

Committee on Regulated Industries

CS/SB 478 — Designation of Eligible Telecommunications Carriers

by Regulated Industries Committee and Senator Rodriguez

The bill amends s. 364.10, F.S., to expand the entities that the Florida Public Service Commission (PSC) may designate as Eligible Telecommunication Carriers (ETCs) for the limited purpose of providing federal Lifeline program service to include:

- Telecommunications companies; and
- Commercial mobile radio service providers (i.e., mobile phone service providers).

This change maintains the PSC's current ability to grant Lifeline program ETC status to telecommunications companies currently under its jurisdiction, pursuant to 47 U.S.C. 214(e). The bill grants authority to the PSC to grant ETC status, for the sole purpose of providing Lifeline service, to commercial mobile radio service providers, pursuant to 47 U.S.C. 214(e). These providers are currently exempt from the PSC's jurisdiction and will continue to hold that exemption except for determination as an ETC for participation in the Lifeline service.

Mobile phone service providers that wish to participate in the Connect America (i.e., High-Cost Support) program will still need to petition the Federal Communications Commission (FCC) for ETC designation for that program. Additionally, providers that use other technologies that are exempt from the PSC's jurisdiction, such as satellite or Voice over Internet Protocol, would continue to require ETC designation from the FCC to participate in the Lifeline or Connect America programs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 37-0; House 113-0

Committee on Regulated Industries

CS/HB 535 — Low-voltage Alarm System Projects

by Local Administration, Federal Affairs & Special Districts Subcommittee and Rep. Snyder (CS/SB 496 by Community Affairs Committee and Senator Perry)

The bill specifies that a nonelectric fence or wall must completely enclose the outside perimeter of a low-voltage electric fence, and that a low-voltage electric fence must be two feet higher than a nonelectric fence or wall.

Under the bill, a low-voltage electric fence may be installed in any area except those areas that are zoned exclusively for single-family or multifamily residential use. The bill provides that an area is not considered to be zoned exclusively for single-family or multifamily residential use if the area is within more than one zoning category.

The bill prohibits a municipality, county, district, or other entity of local government from adopting or maintaining an ordinance or rule that provides additional requirements beyond those set forth in the bill for the installation or maintenance of a low-voltage alarm system project, or that is otherwise inconsistent with s. 553.793, F.S., for streamlined low-voltage alarm system installation permitting.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 119-0

Committee on Regulated Industries

CS/HB 583 — Individual Wine Containers

by Regulatory Reform & Economic Development Subcommittee and Rep. LaMarca and others (CS/SB 1134 Regulated Industries Committee and Senators Trumbull and Bradley)

The bill provides additional exceptions to the limitation on the size of individual wine containers that may be sold in Florida. The bill allows the sale of glass containers holding 4.5 liters, 6 liters, 9 liters, 12 liters, or 15 liters of wine. Under current law, a wine container sold in Florida may not hold more than one gallon, unless the container is reusable and holds 5.16 gallons. One gallon is equal to approximately 3.78 liters.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-1; House 118-0

Committee on Regulated Industries

CS/CS/CS/HB 613 — Mobile Home Park Lot Tenancies

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Stark and others (CS/CS/SB 1140 by Fiscal Policy Committee; Regulated Industries Committee; and Senator Burton)

The bill allows mobile home park owners and homeowners in a dispute related to lot rental increases to select a mediator and initiate mediation proceedings before submitting a petition for mediation with the Division of Condominiums, Timeshares, and Mobile Homes (division) within the Department of Business and Professional Regulation. A petition for mediation by the homeowners must include the petition, lot identification, increases or rules being challenged, and the verification of the homeowners' committee. The selected mediator must be a qualified mediator selected from the list of circuit court mediators in each judicial circuit or the list maintained by the Florida Growth Management Conflict Resolution Consortium. Under current law, it is not clear that homeowners and the park owner may agree on a mediator before submitting a petition for mediation with the division, as provided in the bill.

Under the bill, a civil action may not be initiated unless the dispute has been submitted to mediation pursuant to s. 723.037(5), F.S., which provides the process for mediating certain mobile home park disputes, including a dispute related to a rent increase. Current law permits a civil action after mediation of a dispute has failed to resolve a dispute, but does not explicitly bar the initiation of a civil action if the dispute is not submitted for mediation pursuant to s. 723.037(5), F.S. The bill allows homeowners, after the majority of the affected homeowners have agreed in writing to file an action, to file an action in circuit court if the responding party park owner refuses or fails to participate in mediation. Current law provides that either party may file an action in circuit court if the mediation failed to provide a resolution to the dispute.

The bill provides that a mobile homeowner's live-in health care aide or assistant be allowed to enter or leave the homeowner's site without that person being required to pay additional rent, a fee, or any charge whatsoever. However, the mobile homeowner must provide the information required to have the background check and pay the cost of a background check for the live-in health care aide or assistant if one is necessary. The bill provides that a live-in health care aide or assistant does not have any rights of tenancy in the park. The bill requires the mobile homeowner to notify the park owner or park manager of the name of the live-in health care aide or assistant. The mobile homeowner is also responsible for any removal of the live-in health care aide and any costs associated with the removal of a live-in health care aide or assistant, if necessary.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 33-0; House 111-0

Committee on Regulated Industries

CS/SB 676 — Food Delivery Platforms

by Regulated Industries Committee and Senator Bradley

The bill expressly preempts the regulation of food delivery platforms to the state. The bill defines the term "food delivery platform" to mean a business that acts as a third-party intermediary for the consumer by taking and arranging for the delivery or pickup of orders from multiple food service establishments. The term "food delivery platform" does not include:

- Delivery or pickup orders placed directly with, and fulfilled by, a food service establishment.
- Websites, mobile applications, or other electronic services that do not post food service establishment menus, logos, or pricing information on their platforms.
- Search engines that only:
  - Facilitate an order to be picked up from a food service establishment without accepting a commission or fee for the order; or
  - Connect a consumer to a food delivery platform's website, or mobile application, or payment and order processing system for the purpose of placing an order.

The bill defines the term "food service establishment" to have the same meaning as the term "public food service establishment," as defined in s. 509.013(5), F.S., and "purchase price" as the price listed on the menu, excluding fees, tips or gratuities, and taxes.

The bill prohibits a food delivery platform from taking and arranging for the delivery or pickup of orders from a food service establishment without the express written or electronic consent of that food service establishment.

Under the bill, a food delivery platform must itemize and clearly disclose to the consumer the cost breakdown of each transaction. The food delivery platform must provide the consumer with a cost breakdown of each transaction, including, but not limited to:

- The purchase price of the food and beverage;
- Any commission, delivery fee, or promotional fee charged to the consumer by the food delivery platform;
- Any tip or gratuity; and
- Any taxes due on the transaction.

A food delivery platform must clearly provide the consumer with the following information:

- The anticipated date and time of the delivery of the order.
- The address to which the order will be delivered.
- Confirmation that the order has been successfully delivered or that the delivery cannot be completed.
- A mechanism for the consumer to express order concerns directly to the food delivery platform.

By July 1, 2025, a food delivery platform must provide food service establishments with a method of contacting the consumer while the order is being prepared, delivered, and for up to two hours after the order is picked up from the food service establishment. A method for responding to a consumer's ratings or reviews must also be provided.

A food delivery platform must remove a food service establishment's listing on the food delivery platform within 10 days after receiving the establishment's request for removal, unless there is an existing agreement between the two parties stating otherwise. Under the bill, a food delivery platform may not, without an agreement with the food service establishment, intentionally inflate, decrease, or alter a food service establishment's pricing.

The bill specifies the requirements for the agreement between a food delivery platform and a food service establishment, including clearly stating all fees, commissions, and charges that the food service establishment is expected to pay or absorb, policies related to alcoholic beverages, insurance requirements, the collection and remitting of taxes, and how disputes will be resolved.

The agreement between the food delivery platform and the food service establishment may not require a food service establishment to indemnify the food delivery platform, or any employee, contractor, or agent of the food delivery platform, for any damage or harm caused by the acts or omissions of the food delivery platform or any of its employees, contractors, or agents. A food delivery platform may also not unreasonably limit the value or number of transactions that may be disputed by a food service establishment with respect to orders, goods, or delivery errors for determining responsibility for errors and reconciling disputed transactions.

The bill authorizes the Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (DBPR) to enforce the provisions in the bill by issuing cease and desist orders upon a finding of probable cause that there is a violation and seeking an injunction or writ of mandamus against persons who violate the notice to cease and desist. The division may issue a civil penalty of not more than $1,000 per offense for each violation and is entitled to attorney fees and costs if it is required to seek enforcement of a notice for a penalty under the Administrative Procedures Act.

The bill provides an appropriation totaling $309,705 from the Hotel and Restaurant Trust Fund and the Administrative Trust Fund within the DBPR and three positions to implement the provisions of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 112-0

Committee on Regulated Industries

CS/SB 692 — Public Records/Florida Gaming Control Commission

by Regulated Industries Committee and Senator Hutson

The bill exempts, as to current or former commissioners of the Florida Gaming Control Commission (commission) and their spouses and children, their home addresses, telephone numbers, dates of birth, and photographs, from the requirements for public records set forth in Art. I, s. 24, State Constitution and ch. 119, F.S.

In addition, the bill also exempts from public records requirements the places of employment of the spouses and children of current or former commissioners and the names and locations of schools and day care facilities attended by the children of current or former commissioners. The bill includes the required statement of public necessity for the exemption, with the Legislature finding:

- The release of the exempted information might place the commission's current or former commissioners and their family members in danger of physical and emotional harm from disgruntled individuals whose businesses or professional practices have come under the scrutiny of the commission;
- Such persons may be subject to threats or acts of revenge because of the duties performed by the commissioners; and
- The harm that may result from the release of such personal identifying and location information outweighs the public benefit that may be derived from the disclosure of the information.

The exemption will be repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 111-0

Committee on Regulated Industries

CS/HB 709 — In-Store Servicing of Alcoholic Beverages

by Regulatory Reform & Economic Development Subcommittee and Rep. Rizo (CS/SB 574 by Regulated Industries Committee and Senator Burgess)

The bill allows distributors of distilled spirits to perform in-store servicing of distilled spirits sold by the distributor to an alcoholic beverage vendor.

Under the bill, the term "in-store servicing" means:

- Placing distilled spirits, including distilled spirits located in a storage area designated by the vendor, on the vendor's shelves and maintaining the appearance and display of the distilled spirits on the vendor's shelves in the vendor's licensed premises;
- Placing the distilled spirits in displays;
- Placing distilled spirits that are not shelved or displayed in a storage area designated by the vendor, which is located in the vendor's licensed premises;
- Rotating distilled spirits; and
- Price stamping of distilled spirits in the vendor's licensed premises.

Under current law, distributers are permitted to perform comparable in-store servicing of wine and beer or malt beverages.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-1; House 118-0

Committee on Regulated Industries

CS/CS/SB 804 — Gaming Licenses and Permits

by Rules Committee; Appropriations Committee on Agriculture, Environment, and General Government; and Senator Hutson

The bill revises gaming permitting and licensing procedures, including the method for serving official communications and administrative complaints upon permitholders and licensees licensed under chs. 550 and 551, F.S., (Pari-mutuel Wagering and Slot Machines, respectively), by the Florida Gaming Control Commission (commission).

The bill provides that the commission may deny a license to, or revoke, suspend, or place conditions or restrictions on a person who has been subject to a provisional suspension or period of ineligibility by the federal Horseracing Integrity and Safety Authority, or on a person suspended or ineligible for licensing related to the finding of a prohibited substance in an animal's hair or bodily fluids. If the commission summarily suspends an occupational license, the bill requires a licensee to be offered a post-suspension hearing within 72 hours after commencement of the suspension.

The bill authorizes the commission to deny an application for license, or to suspend or revoke a license, if an applicant for a license or a licensee has falsely sworn in a signed oath or affirmation to a material statement, including, but not limited to, their criminal history.

The bill revises requirements for the transmission of racing and jai alai information, effective upon the bill becoming a law, to authorize a licensed horse track to receive broadcasts of horseraces conducted at horse racetracks outside Florida, if the track:

- Conducted a full schedule of live racing in the preceding fiscal year; or
- Is not required to conduct a full schedule of live racing under current law.

Under the bill, the commission is authorized to waive certain restrictions related to slot machine occupational licensing, similar to the waiver authority in current law for pari-mutuel wagering occupational licensing. Current law authorizes the commission to deny, revoke, or refuse to renew a slot machine occupational license if the applicant or the licensee has been convicted of a felony or misdemeanor in Florida, another state, or under federal law which is related to gambling or bookmaking.

Under the bill, the commission will be able to waive the restriction on criminal convictions for slot machine licenses, if all of the following are established:

- The applicant is of good moral character;
- The applicant has been rehabilitated;
- The applicant's criminal conviction is not related to slot machine gaming; and
- The applicant's criminal conviction is not a capital offense.

The bill requires each licensed permitholder to report the money received on pari-mutuel pools, cardroom gross receipts, and slot machine revenues to the commission within 120 days after the end of the permitholder's fiscal year.

Except for the provision relating to the transmission of racing and jai alai information by licensed horse tracks which is effective upon the bill becoming a law, if approved by the Governor, or allowed to become law without the Governor's signature, the remaining provisions of the bill take effect July 1, 2024.
Vote: Senate 30-1; House 111-3

Committee on Regulated Industries

CS/HB 813 — Certified Public Accountants

by Regulatory Reform & Economic Development Subcommittee and Rep. Caruso and others (CS/CS/SB 954 by Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Gruters)

The bill permits a certified public accountant (CPA) to place his or her license in a retired status. If a licensee with a retired status license reenters the workforce in a position that has an association with accounting or any of the CPA services, the licensee automatically loses the retired status. However, a retired licensee may serve without compensation on a board of directors or board of trustees, provide volunteer tax preparation services, participate in government-sponsored business mentoring programs, or participate in an advisory role for a similar charitable, civic, or non-profit organization.

Under the bill, a retired licensee may accept routine reimbursement for actual costs of travel and meals associated with volunteer services or de minimis per diem amounts paid to the retired licensee to cover such expenses as allowed by law. Retired licensees may use the title of "retired CPA," but may not offer or render professional services that require her or his signature and use of the CPA title, regardless of whether the word "retired" is attached to such title.

A retired licensee may reactivate a license in a conditional manner determined by the Florida Board of Accountancy. Under the bill the continuing education requirements for reactivation are those of the most recent biennium plus one-half of the continuing education requirements in s. 473.312, F.S., for each biennium or part thereof during which the license was on retired status.

The bill also revises the definition of "Uniform Accountancy Act," which is published by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy, to reference the current Eighth Edition, dated January 2018. The Uniform Accountancy Act provides uniform standards for the regulation of accountancy.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 119-0

Committee on Regulated Industries

HB 849 — Veterinary Practices

by Reps. Killebrew, Buchanan, and others (CS/CS/CS/SB 1040 by Rules Committee; Fiscal Policy Committee; Regulated Industries Committee; and Senator Bradley)

The bill creates an act that may be cited as the Providing Equity in Telehealth Services (PETS) Act (PETS act), which establishes a framework for the practice of veterinary telehealth in the state.

The PETS act establishes a framework for the practice of veterinary telehealth and:

- Defines "veterinary telehealth" to mean the use of synchronous or asynchronous telecommunications technology (occurring or not occurring simultaneously) by a telehealth provider to provide health care services. This includes, but is not limited to, assessment, diagnosis, consultation, treatment, and monitoring of a patient; transfer of medical data; patient and professional health-related education; public health services; and health administration;
- Allows a veterinarian who holds a current license to practice veterinary medicine in Florida to practice veterinary telehealth;
- Gives the board jurisdiction over a veterinarian practicing veterinary telehealth, regardless of where the veterinarian's physical office is located;
- Deems the practice of veterinary telehealth to occur at the premises where the patient is located at the time the veterinarian practices veterinary telehealth;
- Prohibits practicing veterinary telehealth unless it is within the context of a veterinarian/client/patient relationship;
- Requires the practice of telehealth to be consistent with a veterinarian's scope of practice and the prevailing professional standard of practice for a veterinarian who provides in-person veterinary services to patients in Florida, and who must employ sound, professional judgment to determine whether using veterinary telehealth is an appropriate method for delivering medical advice or treatment to the patient;
- Authorizes veterinarians to use veterinary telehealth to perform an initial patient evaluation to establish the veterinarian/client/patient relationship, if the evaluation is conducted using audiovisual communication at the same time that the evaluation occurs (synchronous, audiovisual communication); the evaluation may not be performed using audio-only communications, text messaging, questionnaires, chatbots, or other similar means; and
- Specifies that if a veterinarian practicing telehealth conducts a patient evaluation sufficient to diagnose and treat the patient, the veterinarian is not required to research a patient's medical history or conduct a physical examination of the patient before using veterinary telehealth to provide a veterinary health care service to the patient.

The PETS act requires that a veterinarian practicing veterinary telehealth:

- Must provide the client the veterinarian's name, license number, and contact information, if the initial patient evaluation is performed using veterinary telehealth;
- Must provide the client contact information for at least one physical veterinary clinic in the vicinity of the patient's location and instructions for how to receive patient follow-up care or assistance, if:
  - The veterinarian and client are unable to communicate because of a technological or equipment failure; or
  - There is an adverse reaction to treatment;
- Must inform the client that if medication is prescribed, the client may obtain a prescription that may be filled at the pharmacy of his or her choice;
- Must obtain a signed and dated statement from the client indicating the client has received the required information before practicing veterinary telehealth;
- Must prescribe all drugs and medications in accordance with federal and state laws;
- May order or prescribe medicinal drugs or drugs specifically approved for use in animals by the United States Food and Drug Administration, conforming to approved labeling. Prescriptions based solely on a telehealth evaluation may be issued for up to one month for products labeled solely for flea and tick control and up to 14 days of treatment for other animal drugs; prescriptions based solely on a telehealth evaluation may not be renewed without an in-person examination;
- May not order or prescribe medicinal drugs or drugs as defined in s. 465.003, F.S., approved by the United States Food and Drug Administration for human use, or compounded antibacterial, antifungal, antiviral, or antiparasitic medications, unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.
- May not use veterinary telehealth to prescribe a controlled substance as defined in ch. 893, F.S., (Drug Abuse Prevention and Control), unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits to the premises where the animal is kept.
- May not prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse, as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C., ss. 3051 et seq.;
- Must be familiar with available veterinary resources, including emergency resources, near the patient's location;
- Must be able to provide the client with a list of nearby veterinarians who may be able to see the patient in person upon the request of the client;
- Must keep, maintain and make available a summary of the patient record as required by s. 474.2165, F.S., relating to ownership and control of veterinary medical patient records; and
- May not use veterinary telehealth to issue an international or interstate travel certificate, or a certificate of veterinary inspection.

The PETS act also:

- Authorizes a veterinarian who is personally acquainted with the caring and keeping of an animal or group of animals on food-producing animal operations on land classified as agricultural pursuant to s. 193.461, F.S., who has recently seen the animal or group of animals or has made medically appropriate and timely visits to the premises where the animal or group of animals is kept, to practice veterinary telehealth for animals on such operations; and
- Revises current law relating to ownership and control of veterinary medical patient records, to refer to medical records that are generated after a veterinarian makes an examination, to conform to the use of veterinary telehealth as authorized in the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 113-0

Committee on Regulated Industries

CS/CS/HB 1007 — Nicotine Dispensing Devices

by Commerce Committee; Appropriations Committee; and Rep. Overdorf and others
(CS/CS/SB 1006 by Appropriations Committee on Agriculture, Environment, and General Government; Regulated Industries Committee; and Senator Perry)

The bill authorizes the Attorney General to adopt rules to create a directory of nicotine dispensing devices that the Attorney General has determined to be "attractive to minors," thereby removing those products from the market. Under the bill, the term "nicotine dispensing devices" includes e-cigarettes, vapes, and other similar products. Each individual stock keeping unit is considered a separate nicotine dispensing device. Open systems in which a consumer fills a vial or other containers with a nicotine solution are exempted from the provisions of the bill.

To determine that a product is "attractive to minors," the Attorney General must consider several factors, including:

- Surveys or other data sources indicating that a nicotine dispensing device is being used by minors at a higher rate than other nicotine dispensing devices.
- Complaints, reports, or other information related to the use of a nicotine dispensing device by minors from other minors, from parents, teachers, school employees, school boards, and law enforcement officers, retailers, and other industry officials as compared to other nicotine dispensing devices.
- The extent to which the product is designed and marketed to be attractive to minors (e.g., use of bright colors or cartoon characters, ease of use for minors, resemblance to a food product, and uniquely marketed to minors).
- Use of actual intellectual property that resemble consumer food products that are popular with minors.
- Any reports of physical harm to minors from using the nicotine dispensing device or evidence that the nicotine dispensing device presents unique risks to minors.
- Whether the manufacturer of the nicotine dispensing device submitted a timely filed premarket tobacco product application for the nicotine dispensing device pursuant to 21 U.S.C. s. 387j.
- Decisions by the U.S. Food and Drug Administration (FDA) regarding the product, including the extent to which the FDA's decision was predicated, in whole or part, on the risks to minors outweighing other benefits of the nicotine dispensing device.

21 U.S.C. s. 387j requires tobacco products that were on the market as of August 8, 2016, to submit a premarket application (PMTA) to the FDA and by September 9, 2020, in order to be authorized to continue to legally market the product. Nicotine dispensing devises that contain nicotine not made or derived from tobacco, such as synthetic nicotine, must also receive a marketing order from the FDA. This market authorization does not apply to "pre-existing tobacco product," i.e., "grandfathered tobacco products" that were commercially marketed in the United States as of February 15, 2007.

After review of a PMTA for a nicotine dispensing device, the FDA may issue a marketing order to permit the continued marketing of the nicotine dispensing device, or it may deny the PMTA to prohibit continued marketing of the nicotine dispensing device. The provisions of the bill do not apply to nicotine dispensing devices that have received a marketing order from the FDA.

The Department of Legal Affairs (department) is directed to develop and maintain a directory listing all of the nicotine product manufacturers that sell nicotine dispensing devices in Florida which the Attorney General has deemed attractive to minors. The department must make the directory available January 1, 2025 for public inspection on its website.

The Attorney General's decision to include a product in the directory is subject to review under the Administrative Procedure Act. After a product is included in the directory, retailers and wholesale dealers have 60 days from the date the directory is made public to sell or otherwise discard the products.

A person who knowingly sells, ships, or receives for retail sale a prohibited device commits a first degree misdemeanor. Other violations are enforced by the Attorney General as a deceptive trade practice and are also subject to a civil penalty of $1,000 per prohibited device sold. There is no private right of action under the bill.

Under the bill, products that are listed on the directory are declared to be contraband and are subject to seizure under the Florida Contraband Forfeiture Act. A court having jurisdiction must order contraband nicotine dispensing devices forfeited upon a showing that, by a preponderance of the evidence, the devices were sold, delivered, possessed, or distributed contrary to any provision of ch. 569, F.S., relating to tobacco and nicotine products. Once any administrative proceedings under ch. 120, F.S., related to such devices have been completed, the court must order seized nicotine dispensing devices to be destroyed, except as provided by applicable court orders. The department is required to keep specified records of all nicotine dispensing devices seized under the act.

The bill increases the criminal penalty for a third or subsequent violation of the prohibition against selling or giving a nicotine product to a person under 21 years of age from a misdemeanor of the first degree to a felony of the third degree. Under current law, a misdemeanor of the first degree is punishable by a term of imprisonment not to exceed one year and a fine not to exceed $1,000, and a felony of the third degree is punishable by a term of imprisonment not to exceed five years and a fine not to exceed $5,000.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 105-5

Committee on Regulated Industries

CS/CS/CS/HB 1021 — Community Associations

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; Regulatory Reform & Economic Development Subcommittee; and Rep. Lopez, V. and others (CS/CS/CS/SB 1178 by Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Regulated Industries Committee; and Senators Bradley, Pizzo, Osgood, Rodriguez, Garcia, and Jones)

The bill relates to the governance of condominium and cooperative associations and the practice of community association management.

Community Association Managers

The bill requires community association managers (CAMs) and CAM firms to return all community association records in their possession within 20 business days of termination of a services agreement or a written request whichever occurs first, with license suspension and civil penalties for noncompliance, except that the time frames applicable to timeshare plans apply to the records of a timeshare plan.

The bill provides conflict of interest disclosure requirements and a process for associations to follow when approving contracts with CAMs and CAM firms, or a relative, that may present a conflict of interest. The requirements are similar to the conflicts of interest provisions for condominium associations and their officers and directors, including:

- Providing that, if the association receives and considers a bid to provide a good or service that exceeds $2,500, other than community association management services, from a CAM or CAM firm, including directors, officers, persons with a financial interest in a CAM firm, or a relative of such persons, the association must also solicit multiple bids from other third-party providers of such good or service.
- Requiring that the proposed activity that may be a conflict of interest must be listed on, and all contracts and transactional documents related to the proposed activity must be attached to, the board's meeting agenda and entered into the meeting minutes.
- Requiring the board must approve the contracts with a potential conflict of interest, and all management contracts, by an affirmative vote of two-thirds of all directors present.

Milestone Inspections

Currently, single-family, two-family, and three-family dwellings are exempt from the milestone inspection requirements. The bill exempts four-family dwellings with three or fewer habitable stories above ground.

Official Records – Condominiums

Regarding access to the official records of a condominium association, the bill:

- Provides that, if records are lost or destroyed, there is a good faith obligation to obtain and recover the records as is reasonably possible.

- Allows e-mail addresses and facsimile numbers to be accessible to unit owners if consent to receive notice by electronic transmission has been provided.
- Prohibits the sale or sharing of such personal information to third parties.
- Effective January 1, 2026, decreases from 150 units to 25 units the threshold requirement for an association to maintain specified records available on the association's website or on a mobile device.
- Requires official records to be provided to the unit owner at no charge if the Division of Condominium, Timeshares, and Mobile Homes (division) within the Department of Business and Professional Regulation (DBPR) subpoenas records an association has failed to timely provide in response to a unit owner's written request.
- Requires associations to maintain additional financial records (e.g., invoices and other documentation that substantiates any receipt or expenditure).
- Requires associations to respond to a records request with a checklist of all records provided.
- Authorizes the division to request access to an association's website to investigate complaints related to unit owner access to official records on such website.

Criminal Violations – Condominiums

The bill provides the following criminal penalties related to condominium associations, and the official records of the association:

- Second degree misdemeanor for any director or member of the board or association to knowingly, willfully, and repeatedly violate (two or more violations within a 12-month period) any specified requirements relating to inspection and copying of official records of an association;
- First degree misdemeanor for knowingly and intentionally defacing or destroying required accounting records, or failing to create or maintain required accounting records, with the intent of causing harm to the association or one or more of its members;
- Third degree felony to willfully and knowingly refuse to release or produce association records, with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape;
- Third degree felony for an officer, director, or manager of a condominium association to knowingly solicit, offer to accept, or accept a kickback; and
- First degree misdemeanor for engaging in specified fraudulent voting activity, and knowingly aiding, abetting, or advising a person in the commission of a fraudulent voting activity related to association elections.

The bill provides that officers and directors charged with a criminal violation under ch. 718, F.S., are deemed removed from office and a vacancy declared.

Budgets, Financial Reporting, and Reserves – Condominiums and Cooperatives

Regarding condominium association budgets, financial reporting, and reserves, the bill:

- Prohibits associations from reducing the required type of financial statement (compiled, reviewed, or audited financial statements) for consecutive years.
- Requires associations to provide unit owners with a notice that the structural integrity reserve study (SIRS) is available for inspection and copying within 45 days of completion of the study. The notice may be provided electronically.
- Allows associations to temporarily pause the funding of reserves or a reduce reserve funding if the entire condominium building is uninhabitable due to a natural emergency, as determined by the local enforcement agency, upon majority approval of the members.

Condominium and cooperative associations must notify the division within 45 days after the SIRS is completed. By January 1, 2025, the division must create a database of associations that have completed the SIRS. After December 31, 2024, the division must include in its annual report a list of all associations that have completed the SIRS.

Meetings of Condominium Associations

The bill requires:

- Associations of 10 or more units to meet quarterly and four times each year the agenda must allow members to ask questions concerning the status of construction or repair projects, revenues and expenditures, and other condominium issues; and
- The notice for meetings on assessments must include the cost and purpose of assessments and a copy of any proposed contract.

Director Education – Condominiums

The bill provides education requirements for the officers and directors of condominium associations to require:

- Newly elected or appointed directors to submit both the written certification that they have read the association's governing documents, will work to uphold the documents to the best of their ability and faithfully discharge their duties, and submit a certificate of completion of an approved condominium education course;
- Four hours of training which includes instruction on milestone inspections, SIRS, elections, recordkeeping, financial literacy and transparency, levying of fines, and meeting requirements;
- Directors to annually complete at least one hour of continuing education about recent changes to the condominium laws and rules during the past year; and
- Directors, excluding directors for a timeshare condominium, to certify, on a form provided by the division, that all directors have completed the required written certification and educational certificate requirements.

Voting in Condominium and Cooperative Associations

Regarding voting in condominium and cooperative associations, the bill:

- Requires associations to notify a condominium unit owner or member that his or her voting rights may be suspended due to nonpayment of a fee or other monetary obligation at least 90 days before an election.
- Allows cooperative and condominium unit owners to consent to electronic voting in elections by using an electronic means of consent.
- Provides that if the condominium and cooperative board authorizes online voting, the board must honor a unit owner's request to vote electronically at all subsequent elections, unless the unit owner opts out.

Hurricane Protections – Condominiums

The bill revises the requirements for the installation of hurricane protection in a condominium building, including:

- Creating a uniform definition for "hurricane protection;"
- Requiring condominium declarations to delineate the responsibilities of unit owners and associations for the costs of maintenance, repair, and replacement of hurricane protections, exterior doors, windows, and glass apertures;
- Providing a uniform procedure for approval of hurricane protection; and
- Providing that unit owners are not responsible for the cost of removal and reinstallation of hurricane protection if the removal is necessary to repair condominium property.

SLAPP and Defamation Suits

The bill revises the prohibitions against "strategic lawsuits against public participation" or "SLAPP suits," which occur when association members are sued by individuals, business entities, or governmental entities for matters arising out of a unit owner's appearance and presentation before a governmental entity on matters related to the condominium association.

The bill includes condominium associations in the SLAPP suit prohibition, and protects unit owners who report complaints to government agencies or law enforcement, or make public statements critical of the operation or management of an association by prohibiting associations from:

- Retaliating against unit owners, by increasing assessments, threatening to bring an action for possession or other civil action; and
- Spending association funds in support of defamation, libel, or tortious interference actions against a unit owner.

Condominium Officers and Directors

The bill provides that the attendance of an officer or director at a meeting of the board is sufficient to constitute a quorum for the meeting and for any vote taken in his or her absence when the director is required to leave the room during the discussion and the taking of a vote on a contract in which the director, or his relative, has an interest.

Division of Condominium, Timeshares, and Mobile Homes

The bill expands the division's post-turnover jurisdiction to include:

- Procedures and records related to financial issues, including annual financial reporting, assessments for common expenses, fines, and commingling funds;
- Elections, including election and voting requirements, and recall of board members;
- The maintenance of and unit owner access to association records;
- The procedural aspects of meetings, such as unit owner meetings, quorums, voting requirements, proxies, board of administration meetings, and budget meetings;
- Disclosure of conflicts of interest;
- Removal of a board director or officer under ch. 718, F.S.;
- The procedural completion of structural integrity reserve studies; and
- Any written inquiries by unit owners to the association.

In addition, the bill:

- Requires that the division must refer to local law enforcement authorities any person it believes has engaged any criminal activity.
- Provides that the division and the office of the condominium ombudsman may attend and observe any meeting of the board or any unit owner meeting, for the purpose of performing the duties of the division or the office of the ombudsman.

The division must submit findings by January 1, 2025, to the Governor, the President of the Senate, and the Speaker of the House of Representatives, of its review and recommendations of the website or application requirements for official records.

Condominium Ombudsman

The bill provides for the appointment of the Condominium Ombudsman by the DBPR secretary instead of the Governor, and deletes the requirement that the ombudsman must be an attorney.

Limitations on Actions by Condominium and Cooperative Associations

The bill provides that the statute of limitations and statute of repose for certain actions available to a condominium association or a cooperative association, will not begin to run until the unit owners have elected a majority of the members of the board of administration.

Pre-Sale Disclosures and Requirements

The bill revises the form in which the prospective purchaser of a condominium unit acknowledges receipt of specified documents to include a copy of the most recent annual financial statement and annual budget of the condominium association.

Effective October 1, 2024, the bill also:

- Includes the annual financial statement and annual budget of the condominium association among the documents a nondeveloper seller of a unit must give to a prospective purchaser of a unit.
- Allows developers of nonresidential condominiums the option of delivering to the escrow agent a surety bond or an irrevocable letter of credit with specified conditions, and
- Revises escrow requirements for developers.

Condominiums Within a Portion of a Building or Within a Multiple Parcel Building

The bill revises the definition for the term "condominium property" to mean "the lands, leaseholds, improvements, any personal property, and all easements and rights appurtenant thereto, regardless of whether contiguous, which are subjected to condominium ownership."

Effective October 1, 2024, the bill provides disclosure requirements for the creation of condominiums within a portion of a building or within a multiple parcel building. The association of a condominium created within a portion of a building or within a multiple parcel building has the right to inspect and copy the books and records upon which the costs for maintaining and operating the shared facilities are based and to receive an annual budget with respect to such costs.

Florida Building Commission – Water Intrusion Study

The bill also requires the Florida Building Commission to submit a report by December 1, 2024, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees and appropriate substantive committees with jurisdiction over ch. 718, F.S., of its review of the standards to prevent water intrusion through the tracks of sliding glass doors.

Appropriation

For Fiscal Year 2024-2025, the bill appropriates $6,122,390 in recurring and $1,293,879 in nonrecurring funds from the General Revenue Fund to the Department of Business and Professional Regulation, and 65 full-time equivalent positions with an associated salary rate, for the purpose of implementing the provisions of this bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 111-0

Committee on Regulated Industries

CS/SB 1090 — Unauthorized Sale of Alcoholic Beverages

by Rules Committee and Senator Martin

The bill increases the criminal penalties for the unlicensed or unlawful sale of alcoholic beverages under s. 562.12(1), F.S., which prohibits the sale of alcoholic beverages without a license or in a manner not permitted by the license and keeping and maintaining a place where alcoholic beverages are sold unlawfully.

The bill provides that a person, including a licensee, who unlawfully sells alcoholic beverages at a commercial establishment or keeps or maintains a place where alcoholic beverages are sold or intended to be sold unlawfully commits a felony of the third degree and must pay a fine of not less than $5,000 and not more than $10,000. Under current law, a felony of the third degree is punishable by a term of imprisonment not to exceed five years and a fine not to exceed $5,000.

The bill maintains current law, which provides that a person who keeps or maintains a place where alcoholic beverages are sold unlawfully commits a second degree misdemeanor, which is punishable by a term of imprisonment not to exceed 60 days and a fine not to exceed $500.

The bill also provides that any person who commits a second or subsequent violation of s. 562.12(1), F.S., commits a second degree felony, with a fine of not less than $15,000 but not more than $20,000. Under current law, a felony of the second degree is punishable by a term of imprisonment not exceeding 15 years and a fine not exceeding $10,000.

The bill provides additional grounds for local nuisance abatement boards to declare a place or premises a public nuisance. A place or premises may be declared a public nuisance, if used on more than two occasions within a 12-month period, as the site of a violation of s. 562.12, F.S., relating to the unlicensed or unlawful sale of alcoholic beverages. Local nuisance abatement boards are authorized to prohibit specified nuisances, including ordering the closure of any place or premises that has been used as the site of certain specified nuisances, such as being the site of repeated controlled substances criminal violations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 114-0

Committee on Regulated Industries

CS/SB 1142 — Occupational Licensing

by Fiscal Policy Committee and Senator Hooper

The bill amends s. 489.117, F.S., relating to the registration of specialty contractors, to authorize registered contractors in good standing who have been registered with a local jurisdiction during calendar years 2021, 2022, or 2023, to apply for a license to be issued by the Florida Construction Industry Licensing Board (CILB), when a local jurisdiction has determined not to continue issuing local licenses or exercising disciplinary oversight over such licensees.

The bill requires the CILB to issue licenses in the circumstances specified in the bill to eligible applicants who have provided:

- Evidence of the prior local registration during 2021, 2022, or 2023;
- Evidence that the local jurisdiction does not have a license type available for the category of work for which the applicant was issued a certificate of registration or local license during 2021, 2022, or 2023, which may include a notification on the website of the local jurisdiction or an e-mail or letter from the local building department;
- The required application fee; and
- Evidence of compliance with the insurance and financial responsibility requirements for contractors required by current law.

The bill extends from July 1, 2024 to July 1, 2025:

- The date of expiration of all local licensing of occupations; and
- The date by which the CILB must adopt rules to establish certified specialty contractor categories for voluntary licensure.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 112-0

Committee on Regulated Industries

HB 1147 — Broadband

by Rep. Tomkow and others (SB 1218 by Senator Burgess)

The bill amends s. 288.9963, F.S., to extend the date—from July 1, 2024, to December 31, 2028—through which municipal electric utilities are to offer to broadband providers a promotional $1 per wireline attachment per pole, per year, wireline attachment rate for any new attachments necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory. The bill would also have the effect of extending the $1 promotional rate for any currently existing wireline attachments made under the existing s. 288.9963, F.S., from July 1, 2024, to December 31, 2028.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect June 30, 2024.
Vote: Senate 36-0; House 119-0

Committee on Regulated Industries

CS/CS/HB 1203 — Homeowners' Associations

by Commerce Committee; Regulatory Reform & Economic Development Subcommittee; and Reps. Esposito, Anderson, Porras, and others (CS/SB 7044 by Rules Committee; Regulated Industries Committee; and Senators Bradley, Garcia, Rodriguez, and Avila)

The bill relates to the governance of homeowners' associations and the practice of the community association managers who manage those communities.

Community Association Managers

Regarding community association managers (CAMs) and CAM firms, the bill requires CAMs and CAM firms to:

- Annually attend at least one member meeting or board meeting of the association;
- Provide to community association members certain information, including the contact person, contact information, and the hours of availability;
- Provide the community's members upon request a copy of the contract between the association and the CAM or CAM firm;
- Annualy complete at least 10 hours of continuing education; and
- Biennially complete at least five hours of continuing education that pertains to homeowners' associations, three hours of which must relate to recordkeeping.

Official Records

The bill requires homeowners' associations to:

- Effective January 1, 2026, associations with 100 or more parcels, maintain a digital copy of specified official records for download on the association's website or through an application on a mobile device.
- Provide a copy of records or otherwise make the records available that are subpoenaed by a law enforcement agency within five days of receiving a subpoena.
- Maintain official records for at least seven years, unless the governing documents of the association require a longer period of time.

Criminal Violations

The bill provides the following criminal penalties related to homeowners' associations:

- Second degree misdemeanor for any director or member of the board or association to knowingly, willfully, and repeatedly violate (two or more violations within a 12-month period) any specified requirements relating to inspection and copying of official records of an association with the intent of causing harm to the association or one or more of its members;
- First degree misdemeanor for knowingly and intentionally defacing or destroying required accounting records, or knowingly and intentionally failing to create or maintain required accounting records, with the intent of causing harm to the association or one or more of its members;

- Third degree felony to willfully and knowingly refuse to release or otherwise produce association records, with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape; and
- Third degree felony for an officer, director, or manager of a condominium association to knowingly solicit, offer to accept, or accept a kickback.

The bill also expands the current criminal prohibitions against fraudulent voting activity to provide it is a first degree misdemeanor for:
- Knowingly aiding, abetting, or advising a person in the commission of a fraudulent voting activity related to association elections.
- Agreeing, conspiring, combining, or confederating with at least one other person to commit a fraudulent voting activity related to association elections.
- Having knowledge of a fraudulent voting activity related to association elections and giving any aid to the offender with intent that the offender avoid or escape detection, arrest, trial, or punishment.

Any officer or director charged with a criminal violation under ch. 720, F.S., must be removed from office and a vacancy declared.

Assisting Law Enforcement

The bill requires associations, if subpoenaed, to provide a copy of the requested records within five business days of receiving the subpoena and to assist law enforcement in any investigation to the extent permissible by law.

Financial Reporting

The bill:
- Requires associations with 1,000 or more parcels to have audited financial statements; and
- Prohibits associations from reducing the required type of financial statement (compiled, reviewed, or audited financial statements) for consecutive years.

Requirement to Provide Accounting

The bill allows association parcel owners to make a written request for a detailed accounting of any amounts owed to the association. If the association fails to provide the accounting within 15 business days of a written request, any outstanding fines of the requester are waived if the fine is more than 30 days past due and the association did not give prior written notice of the fines. It also prohibits parcel owners from requesting another detailed accounting within 90 days of such a request.

Education - Officers and Directors

The bill revises the education requirements for the directors of homeowners' associations to:

- Require a newly elected or appointed director to, within 90 days after being elected or appointment to submit a certificate of having completed the educational curriculum.
- Require that the educational curriculum include training relating to financial literacy and transparency, recordkeeping, levying of fines, and notice and meeting requirements.
- Require a director of an association that has:
  - Fewer than 2,500 parcels to complete at least four hours of continuing education annually.
  - 2,500 or more parcels must complete at least eight hours of continuing education annually.

Enforcement of Covenants and Rules

The bill requires associations or an architectural, construction improvement, or other similar committee to:

- Provide written notice to the parcel owner of the rule or covenant relied upon when denying the request for the construction of a structure or other improvement;
- Not place limits on the interior of a structure or require review of HVAC, refrigeration, heating, or ventilating system not visible from a parcel's frontage, an adjacent parcel, common area, or community golf course, if a substantially similar system has been previously approved; and
- Not prevent a homeowner from installing or displaying vegetable gardens and clotheslines in areas not visible from the frontage or an adjacent parcel, an adjacent common area, or a community golf course.

Fines, Suspensions, and Liens

Associations must have a hearing before a committee to review a fine or suspension issued by the board, and the bill:

- Requires the 14-day notice of the parcel owner's right to a hearing to be in writing;
- Requires the hearing to be held within 90 days of the notice of hearing;
- Allows the committee to hold the hearing by telephone or other electronic means;
- Requires written findings related to the violation to be provided within seven days of the hearing, the date the fine must be paid or the suspension fulfilled;
- Requires the date by which the fine must be paid to be at least 30 days after delivery of the written notice of the committee's decision; or
- Prohibits attorney fees and costs based on actions taken by the board before the date set for the fine to be paid;
- Allows that, if a violation and the proposed fine or suspension is not cured or the fine is not paid, reasonable attorney fees and costs may be awarded to the association, but may not begin to accrue until after the payment date of the fine or the appeal time has expired.

The bill prohibits homeowners' associations from issuing a fine or suspension for:

- Leaving garbage receptacles at the curb or end of the driveway less than 24 hours before or after the designated garbage collection day or time.
- Leaving holiday decorations or lights up longer than indicated in the governing documents, unless such decorations or lights are left up for longer than one week after the association provides written notice of the violation to the parcel owner.

The bill also provides that homeowners' associations may not prohibit a homeowner or others from parking:

- A personal vehicle, including a pickup truck, in the property owner's driveway or in any other area where they have a right to park.
- A work vehicle, which is not a commercial motor vehicle, in the property owner's driveway.
- Their assigned first responder vehicle on public roads or rights-of-way within the homeowners' association.

In addition, the governing documents may not prohibit a property owner from:

- Inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the homeowners' association or does not have a professional or occupational license.
- Operating a vehicle in conformance with state traffic laws, on public roads or rights-of-way or the property owner's parcel, unless the vehicle is a commercial motor vehicle.

Electronic Voting

The bill allows members of a homeowners' association to consent to electronic voting by using an electronic means of consent. Current law requires written consent to vote electronically.

Assessments

The bill permits only simple interest, not compound interest, to accrue on assessments and installments on assessments that are not paid when due.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 110-0

Committee on Regulated Industries

CS/CS/HB 1335 — Department of Business and Professional Regulation

by Commerce Committee; State Administration & Technology Appropriations Subcommittee; and Rep. Maggard and others (CS/CS/SB 1544 by Fiscal Policy Committee; Regulated Industries Committee; and Senator Hooper)

The bill revises the licensing process and other requirements for several licensees and permittees regulated by the Department of Business and Professional Regulation (DBPR). The bill requires persons and entities to create and maintain an online system account for the purpose of processing license, permit, or registration applications, as applicable, and to function as the primary means of contact between the regulating agency and the licensee, permittee, or registrant. Under the bill, the regulating agency may not process an application for the following licenses, permits, or registrations unless it is submitted through the online system:

- Licenses and permits for persons and entities licensed or permitted by the DBPR's Division of Alcoholic Beverages and Tobacco (DABT) under ch. 210, F.S., relating to the taxation of tobacco products;
- Alcoholic beverage licenses issued by the DABT; and
- Retail tobacco products dealer and retail nicotine products dealer permits issued by the DABT.

The bill increases the initial surety bond for an application for a tobacco products distributor's license from $1,000 to $25,000. It provides for the DABT to review the amount of the bond and increase it based on established criteria. The DABT may also reduce the bond upon the showing of "good cause" as established by the bill.

The following persons must create and maintain an online account with the agency as a primary means of contact:

- Certified elevator inspectors, certified elevator technicians, or elevator companies registered with the DBPR's Division of Hotels and Restaurants; and
- Certified public accountants licensed by the DBPR's Board of Accountancy.

Regarding the Florida Homeowners' Construction Recovery Fund (recovery fund), the bill doubles the maximum amounts payable to claimants for claims that may be made against contractors from the recovery fund.

Beginning January 1, 2025, for Division I and Division II contracts entered into on, or after, July 1, 2024, payment from the recovery fund is subject to a $100,000 maximum payment for each Division I claim ($50,000 maximum currently), and a $30,000 maximum payment for each Division II claim ($15,000 maximum currently).

The bill also increases the lifetime aggregate limits for claims made against a single licensee. Beginning January 1, 2025, for Division I and Division II contracts entered into on or after July 1, 2024, payment from the recovery fund is subject only to a total lifetime aggregate cap of

$2 million for each Division I claim ($500,000 maximum currently), and a $600,000 maximum payment for each Division II claim ($150,000 maximum currently).

The bill:

- Regarding pilots of navigable waters, repeals the requirement for:
  - Pilots and pilots in port to establish a competency-based mentor program for minority persons as defined in s. 288.703, F.S.;
  - The DBPR to submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives containing information on the mentor programs; and
  - The DBPR to give consideration to minority and female state applicants when qualifying deputy pilots for certification.
- Authorizes the DBPR to exercise all the powers and duties of the Board of Employee Leasing if at any time the board lacks a quorum of appointed members under s. 455.207, F.S., which provides that 51 percent or more of the appointed members of the board or any committee, when applicable, shall constitute a quorum.
- Revises the criteria for determining financial responsibility when licensing asbestos abatement consultants and contractors.
- Revises the engineer license exemption to exempt regular full-time employees of a business organization (instead of a corporation) not engaged in the practice of engineering and whose practice of engineering for such business organization (instead of corporation) is limited to the design or fabrication of manufactured products or servicing of such products.
- Regarding barbers and cosmetologists, repeals duplicative provisions allowing licensure by endorsement of persons licensed in another state for at least one year.
- Regarding construction contracting, authorizes local jurisdiction enforcement bodies to recommend to the DBPR's Construction Industry Licensing Board (CILB) a penalty of restitution, in addition to the penalties that a local jurisdiction enforcement body is authorized to recommend to the CILB in current law, and requires the recommended penalty specify which violations of ch. 489, F.S., apply.
- Includes the maintenance of nonelectrical advertising signs (in addition to electrical advertising signs) within the scope of practice of a specialty electrical or alarm system contractor.
- Provides additional types of work experience to qualify for certification as a designated representative of an entity licensed under the Drug and Cosmetic Act in ch. 499, part I, F.S.
- Reduces from 15 years to 10 years the disqualification for an alcoholic beverage license based on a conviction for a felony in Florida, any other state, or the United States.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 29-11; House 102-9

Committee on Regulated Industries

CS/CS/HB 1645 — Energy Resources

by Commerce Committee; Energy, Communications & Cybersecurity Subcommittee; and Rep. Payne and others (CS/CS/SB 1624 by Appropriations Committee on Agriculture, Environment, and General Government; Regulated Industries Committee; and Senator Collins)

The bill amends several sections of Florida law and creates new statutory provisions relating to energy resources. In summary, the bill:

- Creates limitations on local government regulation of natural gas resiliency and reliability infrastructure. After July 1, 2024, a local government may not amend its local land regulations to conflict with a resiliency facility as an allowable use. A "resiliency facility" is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster."
- Revises energy guidelines for public businesses, deleting requirements relating to the Florida Climate-Friendly Preferred Products List, Green Lodging Program, and state vehicle fuel efficiency.
- Adds "community development district created pursuant to chapter 190" to a provision that prohibits a municipality, county, special district, or other political subdivision of the state from enacting or enforcing a resolution, ordinance, rule, code, or policy or taking any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied by utilities, gas districts, natural gas transmission companies, and certain liquefied petroleum gas dealers, dispensers, and cylinder exchange operators.
- Adds "community development district created pursuant to chapter 190" to a provision that prohibits a municipality, county, special district, or other political subdivision of the state from restricting or prohibiting the use of an appliance using the fuels or energy types supplied by the entities above.
- Requires all rural electric cooperatives and municipal electric utilities to enter into and maintain certain mutual aid agreements and submit an annual attestation to qualify to receive state financial assistance for disaster recovery.
- Requires public utilities to provide notice to the Public Service Commission (PSC) 90 days before the full retirement of an electrical power plant if such retirement does not coincide with the retirement date in the public utility's most recently approved depreciation study. The PSC then may schedule a hearing regarding whether the retirement is prudent and consistent with the energy policy goals established in s. 377.601(2), F.S., as amended in the bill.
- Permits the PSC to approve upon petition by a public utility, certain electric vehicle (EV) charging programs if the PSC determines that the public utility's general body of ratepayers, as a whole, will not pay to support recovery of its electric vehicle charging investment by the end of the useful life of the assets dedicated to the electric vehicle charging service.
- Amends s. 403.503, F.S., which provides definitions for the Florida Electrical Power Plant Siting Act. The act does not apply to an electrical power plant of less than 75

megawatts in gross capacity (unless an applicant applies for such certification). The amendment creates a definition for "gross capacity," to be "the maximum generating capacity based on nameplate generator rating, and for a solar electrical generating facility, the capacity measured as alternating current which is independently metered prior to the point of interconnection to the transmission grid."

- Requires the PSC to conduct an annual proceeding to determine prudently incurred natural gas facilities relocation costs for cost-recovery by natural gas public utilities through a charge separate from the utilities' base rates.
- Substantially revises legislative intent as it pertains to ch. 377, part II, F.S., which provides energy resource planning and development policies for Florida. The revisions also provide updated energy policy goals and state policies as they relate to energy resource planning and development.
- Eliminates a requirement that the Department of Agriculture and Consumer Services (DACS), when analyzing the energy data collected and preparing long-range forecasts of energy supply and demand, forecasts contain plans for the development of renewable energy resources and reduction in dependence on depletable energy resources, particularly oil and natural gas. Instead, such forecasts must contain an analysis of the extent to which domestic energy resources, including renewable energy sources, are being utilized in the state. It also revises certain related considerations and assessments.
- Revises the duties of the DACS as it relates to the promotion of the development and use of renewable energy sources. The section deletes a requirement that the DACS establish goals and strategies for increasing the use of renewable energy in the state.
- Prohibits the construction or expansion of:
  - An offshore wind energy facility, including buildings, structures, vessels, and electrical transmission cables to the site.
  - A wind turbine or wind energy facility within one mile of a coastline—defined as the mean high water line.
  - A wind turbine or wind energy facility within one mile of the Atlantic Intracoastal Waterway or Gulf Intracoastal Waterway.
  - A wind turbine or wind energy facility on state waters and submerged lands.
- Requires the Department of Environmental Protection (DEP) to review federal wind energy lease applications and signify the DEP's approval or objection.
- Repeals the Florida Energy and Climate Protection Act (which includes the Renewable Energy and Energy-Efficient Technologies Grants Program), Florida Green Government Grants Act, Energy Economic Zone Pilot Program, and Qualified Energy Conservation Bonds provisions.
- Provides procedures for handling existing applications and contracts relating to the above repealed programs.
- Increases the minimum length of an intrastate natural gas pipeline that requires certification under the Natural Gas Transmission Pipeline Siting Act from 15 miles to 100 miles.
- Prohibits homeowners' associations from prohibiting certain types or fuel sources of energy production and appliances that use such fuels in their governing documents.

- Directs the PSC to coordinate, develop, and recommend a plan under which an assessment of the security and resiliency of the state's electric grid and natural gas facilities against both physical threats and cyber threats may be conducted. The provision also requires the PSC to submit a report to the Legislature. The PSC, in developing the plan, is to consult with the Division of Emergency Management (DEM) and, in its assessment of cyber threats, with the Florida Digital Service. The PSC must submit its recommended plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2025.
- Directs the PSC to study and evaluate, and in consultation with the DEP and the DEM, the technical and economic feasibility of using advanced nuclear power technologies, including small modular reactors (SMRs), to meet the state's electrical power needs, and research means to encourage and foster the installation and use of such technologies at military installations in the state in partnership with public utilities. The PSC must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 1, 2025.
- Directs the Florida Department of Transportation (FDOT), in consultation with the Office of Energy within the DACS, to study and evaluate the potential development of hydrogen fueling infrastructure, including fueling stations, to support hydrogen-powered vehicles that use the state highway system. The FDOT must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 1, 2025.
- Makes technical and conforming changes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 28-12; House 81-29

Committee on Regulated Industries

CS/SB 7006 — OGSR/Utility Owned or Operated by a Unit of Local Government

by Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Hooper

The bill amends s. 119.0713(5), F.S., to save from repeal the public record exemption for the following information held by a utility owned or operated by a unit of local government (i.e., municipal utility):

- Information related to the security of the technology, processes, or practices that are designed to protect the utility's networks, computers, programs, and data from attack, damage, or unauthorized access, which information, if disclosed, would facilitate the alteration, disclosure, or destruction of such data or information technology resources.
- Information related to the security of existing or proposed information technology systems or industrial control technology systems, which, if disclosed, would facilitate unauthorized access to, and alteration or destruction of, such systems in a manner that would adversely impact the safe and reliable operation of the systems and the utility.
- Customer meter-derived data and billing information in increments less than one billing cycle.

Thus, the public record exemption established in s. 119.0713(5), F.S., will continue. However, the public records exemptions relating to cybersecurity will be subject to a repeal date of October 2, 2027. This will correspond with the repeal date for the review and repeal date for the general cybersecurity exemptions under ch. 119, F.S.

The bill also amends s. 286.0113(3), F.S., to save from repeal the exemption from public meeting requirements for any portion of a meeting that would reveal the protected information specified above. Recordings or transcripts of the exempt portions of meetings will also remain protected pursuant to that subsection. These exemptions will also be subject to a repeal date of October 1, 2027.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Regulated Industries

CS/SB 7008 — OGSR/Department of the Lottery

by Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Hooper

The bill saves from repeal the current public records exemption in s. 24.1051, F.S., making confidential and exempt from public inspection and copying requirements certain information held by the Florida Department of the Lottery (department). Specifically, the bill continues the exemptions from public disclosure for records held by the department related to the operations and processes of the department. The exemptions are necessary to protect the security and integrity of lottery operations and to allow the department to participate in multistate lottery games. Information held by the department is designated as confidential and exempt but may be disclosed to other governmental entities in the performance of their duties.

The exemptions are subject to the Open Government Sunset Review Act (OGSR) and will stand repealed on October 2, 2024, unless reenacted by the Legislature. The bill removes the scheduled repeal of the exemption to continue the confidential and exempt status of the information. However, public records exemptions relating to the Lottery cybersecurity will be subject to a new repeal date of October 2, 2027. This will correspond with the repeal date for the review and repeal date for the general cybersecurity exemptions under ch. 119, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 39-0; House 115-0

Committee on Rules

SM 226 — Florida National Guard

by Senator Wright

The memorial urges the Congress of the United States to impel the United States National Guard Bureau to review resource allocations to the Florida National Guard and allow an increase to the state's force structure.

The memorial requires the Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.
Vote: Senate Adopted; House Adopted

Committee on Rules

SB 276 — Review of Advisory Bodies

by Senator Avila

The bill requires each executive agency with an adjunct advisory body to annually upload a report by August 15 to the Florida Fiscal Portal website maintained by the Executive Office of the Governor. The report must identify the statutory authority for the advisory body, the purpose or objective of the advisory body, the information regarding the advisory body's membership, a list of the meeting dates and times for the preceding three fiscal years, a summary of the work plan for the current fiscal year and next two fiscal years, the amount of funds appropriated and staff time used each fiscal year, and a recommendation by the agency on whether to continue, terminate, or modify each advisory body.

The bill requires any law that creates or authorizes the creation of an advisory body to include a sunset review process wherein the advisory body's authority would repeal on October 2 of the third year after its enactment, unless saved from repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 39-0; House 113-0

Committee on Rules

HM 351 — Condemning the Emerging Partnership between the Chinese and Cuban Governments

by Rep. Porras and others (SM 540 by Senator Avila)

The memorial urges the United States Secretary of State to condemn the emerging partnership between the Chinese and Cuban Governments and the establishment of Chinese espionage and military capabilities in Cuba.

The memorial requires the Florida Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the Florida delegation to the United States Congress.
Vote: Senate Adopted; House Adopted

Committee on Rules

SM 370 — Spaceports

by Senator Wright

The memorial urges members of Congress to add spaceports as a qualified tax-exempt category of private activity bonds.

The memorial directs the Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.
Vote: Senate Adopted; House Adopted

Committee on Rules

SM 800 — Foreign Polluters

by Senator Rodriguez

The memorial urges members of Congress to support solutions that examine the pollution differential between United States production and that of other countries and that hold foreign polluters accountable for their pollution.

The memorial requires the Florida Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.
Vote: Senate Adopted; House Adopted

Committee on Rules

SM 1020 — Designation of Drug Cartels as Foreign Terrorist Organizations

by Senator Ingoglia

The memorial urges the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations so that the appropriate means may be initiated to mitigate and, eventually, eliminate their operations.

The memorial directs the Florida Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the Florida delegation to the United States Congress.
Vote: Senate Adopted; House Adopted

Committee on Transportation

HB 91 — Transportation Facility Designations

by Reps. Clemons, Mooney, and others (CS/SB 84 by Transportation Committee and Senators Book and Stewart)

The bill designates the entire length S.R. A1A, from the Georgia state line to Key West, as the "Jimmy Buffett Memorial Highway." The bill also directs the Florida Department of Transportation to erect suitable markers for the designation by August 30, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 40-0; House 119-0

Committee on Transportation

CS/CS/HB 179 — Towing and Storage

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Reps. Bell, Andrade, and others (CS/CS/SB 774 by Rules Committee; Community Affairs Committee; and Senator Perry)

The bill makes numerous changes related to wrecker operator systems and towing-storage operator practices. Specifically, the bill:

- Requires counties, cities, and the Florida Highway Patrol (FHP) to set maximum rates for towing and related fees.
- Prohibits the FHP from excluding a wrecker operator from its wrecker operator system based solely on a prior felony conviction, unless such conviction is for a specified felony offense.
- Provides that a person who disputes the appropriateness of the tow or the fees charged can post a bond to retrieve the vehicle back without having to file a lawsuit.
- Requires an investigating agency to take possession of a stored vehicle after 30 days.
- Requires towing-storage operators accept specified forms of payment and expressly preempts a county or municipal charter, ordinance, resolution, regulation, or rule that conflicts with the provision specifying the forms of payment that a towing-storage operator must accept.
- Requires a county or city with established maximum towing and storage rates to post them on its website and develop a process for investigating and resolving complaints regarding fees charged for more than maximum rates.
- Requires towing-storage operators to maintain a rate sheet listing posted in the place of business, of all fees for the recovery, removal, or storage of a vehicle or vessel.
- Reduces the timeframe in which a towing-storage operator must send the notice of lien, from seven to five business days, and reduces storage charges that may be charged if a lienor fails to provide this notice, also from seven to five days.
- Increases the timeframe an unclaimed vehicle or vessel three years of age or newer may be sold by a lienor, from 50 days to 57 days from the storage date, and requires the notice of lien must not be sent less than 52 days before the sale.
- Provides the timeframe in which an unclaimed vehicle or vessel three years of age or older may be sold by a lienor is 35 days from the storage date, and requires the notice of lien must not be sent less than 30 days before the sale.
- Increases the timeframe for the public notice requirement related to sale on an unclaimed vehicle by a towing-storage operator, from ten days to 20 days before the sale and replaces the requirement for public notice to be made in a newspaper of general circulation with a requirement to be made on a publicly available website maintained by an approved third-party service.
- Specifies the process for for the third-party service to receive information from a towing-storage operator on a towed vehicle or vessel, provide to the Department of Highway Safety and Motor Vehicles, and process other notifications.
- Prohibits a towing-storage operator from releasing a towed rental vehicle or vessel to a renter unless the rental company appoints the renter as an agent of the company.

- Requires a towing-storage operator to make a towed vehicle available for inspection during normal business hours within one hour after arrival at a storage facility.
- Authorizes a towing-storage operator to enter a vehicle or vessel for purposes of towing or storing it, but the operator is liable for damage if the entry is not per the standard of reasonable care.
- Establishes the types of documents the towing-storage operator must accept as documentation of a person's interest in a vehicle or vessel.
- Requires a towing-storage operator retain certain records for at least three years.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 33-0; House 115-0

Committee on Transportation

CS/CS/CS/HB 287 — Transportation

by Infrastructure Strategies Committee; Infrastructure & Tourism Appropriations Subcommittee; Transportation & Modals Subcommittee; and Rep. Esposito and others (CS/CS/CS/SB 266 by Appropriations Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senators Hooper and Gruters)

The bill addresses various transportation-related provisions. Specifically, the bill:

- Prohibits the Florida Department of Transportation (FDOT) from annually committing more than 20 percent of the revenues derived from state motor fuel taxes and motor vehicle license-related fees to public transit projects and specifies exceptions to this limit.
- Increases from five to eight the number of basic driver improvement courses an individual may take during his or her lifetime.
- Requires the Department of Highway Safety and Motor Vehicles to annually review changes made to traffic laws and requires course content for specified driving courses to be modified to reflect such changes.
- Amends provisions relating to FDOT's authority regarding public-private partnerships to:
  - Replace the term "public-private partnership agreement" with the term "comprehensive agreement."
  - Require an "independent," instead of an "investment grade," traffic and revenue study prepared by a traffic and revenue expert, which must be accepted by national bond rating agencies for the financing that supports the comprehensive agreement for the project.
  - Revise the timeframe, to between 30 and 120 days, based on the project's complexity, during which FDOT will accept other proposals for the same project after it receives an unsolicited public-private partnership proposal.
  - Authorize FDOT to enter into an interim agreement with a private entity proposing the development or operation of a qualifying project and provides provisions that may be included in the interim agreement.
  - Limits FDOT secretary's ability to authorize a comprehensive agreement term of up to 75 years to projects partially or completely funded from project user fees.
  - Require FDOT to notify the Division of Bond Finance prior to entering into an interim or comprehensive agreement.
- Provides that a local governmental entity may not deem reclaimed asphalt pavement as solid waste.
- Clarifies that FDOT must receive at least three letters of interest in order to proceed with requests for proposals for both design-build and phased design-build projects.
- Revises provisions requiring a motor vehicle used in the performance of road or bridge construction or maintenance work for an FDOT project must be registered in compliance with Florida law.
- Authorizes FDOT to allow the issuance of multiple contract performance and payment bonds for phased design-build contracts.

- Provides that a claimant must institute an action against a contractor or surety within 365 days after the performance of the labor or completion of delivery of the materials or supplies, instead of after completion of the contract work.
- Revises a presumption of sole proximate cause on the part of a driver of a vehicle involved in a crash within a construction zone to exclude low-THC cannabis.
- Defines the terms "contract documents," "contractor," "design engineer" and "traffic control plans" as those terms relate to limitations on liability for FDOT's contractors and design engineers.
- Expands contractor limits of liability for personal injury, property damage, or death arising from specified performance of work on a transportation facility or from specified acts or omissions of a third party.
- Revises the application of immunity when the proximate cause of the injury, damage, or death is a latent condition, defect, error, or omission created by the contractor and in the contract documents, or when the proximate cause was the contractor's failure to perform, update, or comply with the maintenance of traffic control plans, instead of with the traffic safety plan.
- Revises provisions regarding when FDOT, a contractor, or design engineer may not be named on a jury verdict form or be found at fault for the injury, death, or damage.
- Provides that, if within 10 years after FDOT acquires a property, the previous property owner wishes to reacquire the property, he or she must notify the appropriate FDOT district secretary of his or her interest to receive right of first refusal if FDOT wishes to dispose of the property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley.
- Requires the local governmental entity operating the fire station on Alligator Alley to provide specified information to FDOT and that this information be reviewed and adopted as part of the interlocal agreement.
- Requires funding for the fire station on Alligator Alley to be included in FDOT's work program and the local governmental entity's budget and capital comprehensive plan.
- Codifies FDOT's existing local agency program into law and provides statutory requirements for the program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-2; House 95-11

Committee on Transportation

HB 317 — Interstate Safety

by Reps. Persons-Mulicka, Bell, and others (SB 258 by Senator Perry)

The bill prohibits a driver from operating a motor vehicle in the furthermost left-hand lane on a road, street, or highway having two or more lanes allowing movement in the same direction with a posted speed limit of at least 65 miles per hour. A driver may drive in the furthermost left-hand lane when overtaking and passing another vehicle, when preparing to exit the road, street, or highway, or when otherwise directed by an official traffic control device. This provision does not apply to authorized emergency vehicles and vehicles engaged in highway maintenance or construction operations.

A violation is a noncriminal traffic infraction punishable as a moving violation. The statutory base fine is $60, but with additional fees and charges, the total penalty may be up to $158.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.
Vote: Senate 37-0; House 113-3

Committee on Transportation

CS/CS/HB 341 — Designation of Certain Diagnosis on Motor Vehicle Registrations

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Reps. Salzman, Tant, and others (CS/CS/SB 288 by Appropriations Committee on Transportation Tourism, and Economic Development; Transportation Committee; and Senators Rodriguez, Hooper, Wright, DiCeglie, Broxson, Collins, Torres, and Mayfield)

The bill is cited as the "Safeguarding American Families Everywhere (SAFE) Act."

The bill provides that the application form for motor vehicle registrations must include language allowing an applicant to voluntarily indicate that the applicant has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, certain disabilities or disorders by a physician.

If the applicant indicates a certain diagnosis on the application, the Department of Highway Safety and Motor Vehicles must include the designation "SAFE" in the motor vehicle record. The department may not include in the motor vehicle record personal identifying information of, or any diagnosis of, a person for whom a diagnosis is indicated. The "SAFE" designation may be included or removed at any time upon request of the owner or co-owner.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 33-0; House 114-0

Committee on Transportation

HB 377 — License or Permit to Operate a Vehicle for Hire

by Rep. Borrero and others (SB 648 by Senator DiCeglie)

The bill relates to the licensing or permitting of a vehicle for hire. Specifically, the bill:

- Prohibits a county or municipality from requiring a person to obtain an additional license from such county or municipality when that person holds a valid, active license or permit to operate a vehicle for hire in any other county or municipality if the person:
  - Holds a valid, active license or permit to operate a vehicle for hire in the county or municipality in which the person permanently resides; and
  - Has not had a license or permit to operate a vehicle for hire suspended or revoked within the preceding five years.
- Exempts seaports and public-use airports from the requirements of the bill.
- Provides that certain persons who hold a valid, active license or permit to operate a vehicle for hire are exempted from the bill when such person provides transportation of persons while on stretchers or wheelchairs, or whose handicap, illness, other incapacitation makes it impractical to be transported by a regular common carrier such as a bus, taxi, non-taxi, limousine, or other vehicle for hire.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-0; House 110-0

Committee on Transportation

CS/HB 379 — Public Records/Financial Information Regarding Competitive Bidding

by Transportation & Modals Subcommittee and Rep. Truenow and others (CS/SB 320 by Transportation Committee and Senator Wright)

The bill expands on an existing public records exemption for financial statements required when responding to a solicitation for a road or any other public works project. The bill exempts from public disclosure any other financial information necessary which an agency requires a prospective bidder to submit to verify its financial adequacy.

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

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 38-2; House 118-0

Committee on Transportation

CS/CS/HB 389 — Transportation Facility Designations

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Roach and others (CS/CS/CS/SB 868 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senators Boyd and Rouson)

The bill creates a number of honorary designations of transportation facilities around the state and directs the Florida Department of Transportation to erect suitable markers for each of the following designations:

- Deputy Sheriff Christopher Taylor Memorial Highway in Charlotte County.
- Army Specialist Nicholas Panipinto Memorial Highway in Manatee County.
- Dylan Roberts Memorial Crosswalk in Alachua County.
- AWF3 Mohammed "Mo" Haitham Memorial Way in Hillsborough and Pinellas Counties.
- Deputy Sheriff George Pfeil Memorial Highway in Seminole County.
- Deputy Sheriff Robert Moore Memorial Highway in Seminole County.
- Deputy Sheriff James Cleveland Jacobs Memorial Highway in Seminole County.
- Abe Resnick Drive in Miami-Dade County.
- Pastor Rick Blackwood Street in Miami-Dade County.
- Gus Kopelousos Memorial Highway in Clay County.
- MICCO WAY in Miami-Dade County.
- Major John Leroy Haynes Memorial Highway in Leon and Jefferson Counties.
- Tuskegee Airmen Memorial Highway in 14 North Florida counties.
- Randy Roberts Memorial Highway in Polk County.
- Carol Jenkins Barnett Memorial Highway in Polk County.
- Trooper Zachary Fink Memorial Highway in St. Lucie County.

The bill also redesignates a bridge in St. Lucie County as the E.C. Summerlin Family Bridge.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-0; House 115-0

Committee on Transportation

CS/CS/HB 403 — Specialty License Plates

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Chaney and others (CS/CS/SB 434 by Fiscal Policy Committee; Transportation Committee; and Senator Harrell)

The bill authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create the following new specialty license plates:

- Margaritaville;
- General Aviation;
- Clearwater Marine Aquarium;
- United Service Organizations (USO);
- Recycle Florida;
- Boating Capital of the World;
- Cure Diabetes;
- Project Addiction: Reversing the Stigma;
- The Villages: May All Your Dreams Come True

The bill exempts a collegiate license plate from being discontinued based on having the fewest number of plates in circulation and to exempt such plates from presale voucher requirements. The bill also allows a previously discontinued collegiate plate to be reauthorized by DHSMV if the university resubmits the collegiate license plate for authorization.

The bill revises the distribution of proceeds for the Live The Dream specialty license plate from the inactive Live the Dream Foundation, Inc., to the Operating Trust Fund within the Department of State and stipulates these funds must be used to support the Historic Cemeteries Program. Specifically, the funds must be used to research, identify, and record abandoned African-American cemeteries and provide grants to eligible entities.

The bill expands eligibility for issuance of the Divine Nine specialty license plates. The bill extends eligibility for such plates to an organization member's immediate relative and to motor vehicle lessees (currently limited to vehicle owners).

The bill renames the existing "Give Kids The World" specialty license plate as the "Universal Orlando Resort" specialty license plate.

The bill also replaces "In God We Trust" on the bottom of the existing American Eagle specialty license plate with "Protect the Eagle."

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.
Vote: Senate 40-0; House 108-6

Committee on Transportation

CS/HB 405 — Regulation of Commercial Motor Vehicles

by Transportation & Modals Subcommittee and Rep. Melo (CS/SB 754 by Transportation Committee and Senator DiCeglie)

The bill provides that all owners and drivers of commercial motor vehicles engaged in *intrastate* commerce are subject to commercial motor vehicle rules and regulations, unless otherwise specified, as they existed on December 31, 2023.

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to check the Federal Alcohol and Drug Clearinghouse to ensure a driver is not prohibited from operating a motor vehicle any time a person applies for or seeks to renew, transfer, or make any other change to a Commercial Driver License (CDL) or Commercial Instruction Permit (CIP). Additionally, the DHSMV may not issue, renew, transfer, or revise the types of authorized vehicles that may be operated or the endorsements applicable to a CDL or CIP for any person for whom DHSMV receives notification that the person is removed from the function of operating a commercial motor vehicle because of conduct related to federal drug and alcohol prohibitions.

The bill exempts the DHSMV from liability resulting from the discharge of its duties related to the clearinghouse.

The bill also clarifies that the downgrade of a driver's CDL or CIP does not preclude the suspension of the driver license or disqualification from operating a commercial motor vehicle for driving under the influence and drug and alcohol testing refusal offenses under Florida law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 32-0; House 110-0

Committee on Transportation

CS/HB 463 — Lights Displayed on Fire Department Vehicles

by Transportation & Modals Subcommittee and Reps. Bartleman, Melo, and others (SB 1158 by Senators Bradley, Trumbull, and Perry)

The bill allows government-owned fire department vehicles, excluding vehicles of a fire patrol or volunteer fire departments, to display blue lights, in addition to red or red and white lights, as long as the vehicles meet the following criteria:

- Have a gross weight of 24,000 pounds or more;
- Are authorized in writing by the fire chief of the governmental agency; and
- Show or display the blue lights only on the rear of the government-owned fire department vehicle.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 118-0

Committee on Transportation

CS/CS/SB 736 — Services Provided by the Department of Highway Safety and Motor Vehicles or Its Agents

by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator Trumbull

The bill makes changes to various services and programs administered by the Department of Highway Safety and Motor Vehicles (DHSMV) and its agents. Specifically, the bill:

- Revises a requirement for a rightful heir to transfer ownership of a motor vehicle or mobile home if the previous owner died testate.
- Clarifies that no additional fee can be charged by the DHSMV or a tax collector for the reissuance of a certificate of title that is lost in transit and is not delivered.
- Allows permanent motor vehicle registration decals for rental trucks that weigh under 15,000 pounds.
- Authorizes the DHSMV to issue reduced dimension license plates for trailers.
- Provides that a disabled veteran who qualifies for a free "DV" license plate may choose a military or specialty license plate he or she qualifies for in lieu of the "DV" license plate.
- Adds the following two cases wherein DHSMV may design, issue, and regulate the use of temporary tags:
  - The existing owner of a vehicle has submitted an application to transfer a valid out-of-state title that is subject to a lien. A temporary tag is issued and valid for 60 days; and
  - An active-duty military service member who has a valid Florida driver license and provides evidence satisfactory to the department that he or she is deployed outside this state.
- Removes the requirement to provide a written, notarized request for the purchase of a temporary tag.
- Provides that in political subdivisions with a population of 1.9 million or greater (currently Broward and Miami-Dade Counties), upon petition by the agent in charge of a qualifying general lines agency, the tax collector must appoint such agency as an agent for the tax collector for limited purposes of motor vehicle and mobile home registration transactions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.
Vote: Senate 35-0; House 113-0

Committee on Transportation

HB 937 — Purple Alerts

by Reps. Casello, Keen, and others (CS/SB 640 by Transportation Committee and Senator Berman)

The bill amends the existing Purple Alert program to better align it with the AMBER Alert and Silver Alert programs. The bill provides that a statewide Purple Alert may only be issued when an identifiable vehicle is involved. In such cases, the Florida Department of Law Enforcement will issue statewide alerts, including the activation of highway dynamic messaging signs and lottery terminals, and notifications to subscribers.

If no identifiable vehicle is involved, dissemination of the Purple Alert is limited to local distribution in the area where the person may be reasonably located. Local law enforcement is responsible for entering the case into the Florida Crime Information Center, notifying local media, informing all on-duty law enforcement officers, and alerting all law enforcement agencies having jurisdiction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 31-0; House 110-0

Committee on Transportation

CS/CS/SB 994 — Student Transportation Safety

by Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator Burgess

The bill revises various provisions relating to the camera enforcement of traffic infractions related to passing of a stopped school bus. Specifically, the bill:

- Authorizes a private vendor or manufacturer of a school bus infraction detector system to receive a fixed amount of collected proceeds for services rendered regarding a school bus infraction detection system.
- Eliminates the requirement for the required signage on school buses with school bus infraction detection systems to be highly reflective.
- Provides that a court having jurisdiction over traffic violations must determine if a traffic violation occurred using a school bus infraction detection system and provides penalties if the court determines a violation has taken place.
- Allocates civil penalties from these systems to the appropriate school district to pay for the program's operation and school transportation safety initiatives, bus driver recruitment and retention stipends, or other student transportation safety enhancements.
- Provides that the collection of evidence from a school bus infraction detection system does not constitute remote surveillance.
- Limits the use of video and images from the system to traffic enforcement and for purposes of determining civil or criminal liability.
- Requires a $25 administrative charge from a violation to be remitted to the participating school district and be used for the purposes listed above.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 25-9; House 111-4

Committee on Transportation

CS/CS/HB 1113 — Use of Lights and Sirens on Emergency Vehicles

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Killebrew and others (CS/SB 1164 by Transportation Committee and Senator Burton)

The bill revises the authorized use of lights and sirens on emergency vehicles. Specifically, the bill:

- Amends the definition of the term "authorized emergency vehicles" to include organ transport vehicles, emergency management vehicles, county ambulances and emergency vehicles, and authorized vehicles of the Department of Agriculture and Consumer Services.
- Defines the term "organ transport vehicle" to mean any dedicated and marked vehicle operated by an organ procurement organization, transplant center, or its contracted service provider to transport organs or surgical teams for organ recovery and transplant.
- Requires an operator of an organ transport vehicle to complete a 16-hour emergency vehicle operator course.
- Provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the current law privileges available to authorized emergency vehicles to bypass certain uniform traffic safety laws, provided that the vehicle is driven with due regard for the safety of all persons.
- Provides that organ transport vehicles may show or display red lights or display and use red warning signals while transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 117-0

Committee on Transportation

CS/CS/HB 1133 — Violations Against Vulnerable Road Users

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Redondo, Smith, and others (CS/SB 1528 by Transportation Committee and Senator Collins)

The bill provides that a person who commits a moving violation that causes serious bodily injury to a vulnerable road user must pay a fine of not less than $1,500, and attend a DHSMV-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. The bill also requires a court to revoke the person's driver license for at least three months.

The bill provides that a person who commits a moving violation that causes the death of a vulnerable road user must pay a fine of not less than $5,000, and attend a DHSMV-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. The bill also requires a court to revoke the person's driver license for at least one year.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 109-0

Committee on Transportation

CS/CS/CS/HB 1301 — Department of Transportation

by Infrastructure Strategies Committee; Infrastructure & Tourism Appropriations Subcommittee; Transportation & Modals Subcommittee; and Reps. Abbott, Berfield, and others (CS/CS/CS/SB 1226 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator DiCeglie)

The bill revises provisions related to the Florida Department of Transportation (FDOT). Specifically, the bill:

- Provides for direct appointment by the Governor of the Secretary of Transportation.
- Updates FDOT's program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT's inspector general.
- Provides $15 million in recurring revenue from the State Transportation Trust Fund be made available for the next five fiscal years for the Intermodal Logistics Center Infrastructure Support Program.
- Requires airport land use compatibility zoning regulations to "address," rather than "consider" issues specified in statute.
- Adds an exception to airport buffer zone requirements to allow residential property within the buffer zone of a public-use airport meeting specified requirements.
- Updates FDOT's statutory mission, goals, and objectives.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes and requires the governmental entity to consider such input.
- Increases from three years to 10 years the length of time before an inactive prepaid toll account becomes unclaimed property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley, including up to $2 million in funding for the next fiscal year from toll revenues and funding going forward based on needs adopted into a comprehensive plan.
- Requires funding for the fire station on Alligator Alley to be included in FDOT's work program and the local governmental entity's budget and capital comprehensive plan.
- Prohibits FDOT from spending state funds on transportation entities violating s. 381.00316, F.S., relating to discrimination based on health care choices.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter into service contracts with the Florida Department of Transportation Financing Corporation for Moving Florida Forward projects.
- Authorizes FDOT to retain the interest earned from Moving Florida Forward-related appropriations, which interest must be used for such projects.
- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the criteria for the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes.

- Requires lane repurposing for public transit purposes to be approved by a two-thirds vote of the transit authority's board.
- Requires any action of eminent domain for public transit facilities to be discussed at a public meeting of the transit provider's board.
- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System. This provision expires June 30, 2026.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities, including any wraps displayed on a transit bus.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs. This provision excludes rail transit providers.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires year-over-year increases in administrative costs by a public transit provider of five percent or more to be reviewed and approved by FDOT.
- Grants the Florida Rail Enterprise the power and duty to preserve and acquire future rail corridors and rights of way.
- Includes subsidiaries of an electric utility into the definition of "streetlight provider" as it relates to limitations on liability for providers of streetlights, security lights, and other similar lights.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings.
- Increases penalties, to $500 for a first offense and $1,000 for a second or subsequent offense and requires six points on a driver license, for violations associated with railroad-highway grade crossings.
- Incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and the driver license points statutes.
- Conforms numerous cross-references and makes other conforming changes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 33-0; House 79-32

Committee on Transportation

CS/SB 1350 — Salvage

by Transportation Committee and Senator DiCeglie

The bill relates to salvage motor vehicles, mobile homes, and vessels. Specifically, the bill:

- Defines the term "major component parts" for electric, hybrid, and plug-in hybrid motor vehicles for the purpose of verifying the sources of these parts during the rebuilt inspection process.
- Requires, if the owner maintains possession of a total loss motor vehicle or mobile home that the owner or insurance company notify the Department of Highway Safety and Motor Vehicles (DHSMV), and DHSMV must issue a salvage certificate of title or a certificate of destruction directly to the owner of such motor vehicle or mobile home.
- Clarifies that a certificate of title may be paper or electronic.
- Provides that as an alternative for the insurance company having received a release of all liens, it may pay the amount due to the lienholder and obtain proof that the lienholder accepts payment as satisfying the amount due to the lienholder.
- Clarifies that attempts to contact the owner or lienholder must be to the owner or lienholder's last known address.
- Adds that the request to the owner for the assignment of title, in lieu of the certificate of title, must include a complete description of the motor vehicle or mobile home and that a total loss claim has been paid on the motor vehicle or mobile home.
- Provides that DHSMV is not liable and may not be held liable to an owner, lienholder, or any other person as a result of the issuance of a salvage certificate of title or a certificate of destruction.
- Incorporates vessels into the definition of the term "independent entity" for purposes of incorporating vessels into the salvage certificate of title statute.
- Incorporates damaged or dismantled vessels to the salvage statute and provides procedures for the release and application for titling by an independent entity in possession of the vessel.
- Requires that an application for a certificate of title for a hull damaged vessel indicate that such vessel is hull damaged.
- Provides that the independent entity is not required to notify the National Motor Vehicle Title Information System before releasing any damaged or dismantled vessel to the owner or before applying for a certificate of title.
- Reenacts statutes relating to the sale of specified motor vehicles and the rebuilt motor vehicle inspection program to incorporate changes to the definition of "major component parts."

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 37-0; House 114-0

Committee on Transportation

CS/CS/HB 1363 — Traffic Enforcement

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Busatta Cabrera and others (CS/SB 1464 by Fiscal Policy Committee and Senator Calatayud)

The bill prohibits counties or municipalities from using a contract procured with a governmental entity outside this state for any camera system used to detect traffic infractions, entered into on or after July 1, 2025.

The bill prohibits a governmental entity from knowingly entering into or renewing a contract, on or after July 1, 2025, for a camera to enforce traffic infractions where the contracting vendor is owned by the government of a foreign country of concern or a foreign country of concern has a controlling interest in the contracting vendor.

The bill creates the following additional requirements regarding the installation and use of traffic infraction detectors, commonly known as red light cameras:

- Requires a county or municipality to enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors installed on or after July 1, 2025. Such ordinance must be enacted following a public meeting.
- Requires a county or municipality to determine that the intersection at which the traffic infraction detector is to be placed constitutes a heightened safety risk that warrants additional enforcement measures.
- Requires a county or municipality operating traffic infraction detectors to annually report, at a public meeting, the results of all traffic infraction detectors within the county's or municipality's jurisdiction and provides specific requirements for such report, including data on notices of violation and the collection and distribution of proceeds.
- Provides that compliance or sufficiency of compliance with the above reporting requirement may not be raised in a proceeding challenging specified traffic violations enforced by a traffic infraction detector.

Additionally, the bill provides that a county or municipality that does not comply with the specified reporting requirements is suspended from operating traffic infraction detectors until such noncompliance is corrected.

The bill requires municipalities and counties operating traffic infraction detectors to report specified information to the Department of Highway Safety and Motor Vehicles (DHSMV). The DHSMV must publish each of these reports on its website.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 40-0; House 109-0

Committee on Transportation

CS/CS/SB 1380 — Transportation Services for Persons with Disabilities and the Transportation Disadvantaged

by Appropriations Committee on Health and Human Services; Transportation Committee; and Senator Hutson

The bill revises numerous provisions relating to special transportation services for persons with disabilities and the transportation disadvantaged. Specifically, the bill:

- Requires the Florida Department of Transportation (FDOT), unless otherwise provided by state or federal law, to ensure that grants and agreements between it and paratransit providers contain:
  - Performance requirements for the delivery of services, including penalties for repeated or continuing violations;
  - Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged through a contracted vendor or its subcontractor;
  - Complaint and grievance processes for paratransit users, including a requirement that all reported complaints, grievances, and resolutions be reported to FDOT; and
  - A requirement that the above provisions be included in any agreement between the grant recipient and its contractors or subcontractors providing paratransit service.
- Increases the membership of the Commission for Transportation Disadvantaged (CTD), from seven to 11 members and revises the commission's membership.
- Repeals fingerprinting and background check requirements for CTD members.
- Repeals the CTD's technical working group.
- Provides requirements for contracts entered into or renewed after October 1, 2024, with providers of paratransit services. Providers must agree to:
  - Provide training to each driver which meets specified requirements established by the Agency for Persons with Disabilities.
  - Establish reasonable time periods between a request for service and the arrival of the provider, and in the event of a pattern of late arrivals, allow the local government to authorize another provider to provide such paratransit services.
  - Provide transparency regarding the quality of service provided by the transportation service provider, including data on the timeliness of service and the handling of complaints.
- Requires contracts entered into with providers after October 1, 2024, to be procured using competitive procurement and prohibits use of statutory provisions regarding exceptional purchases.
- Requires the CTD to establish a model system for reporting and investigating adverse incidents during the provision of paratransit service to persons with disabilities.
- Requires the investigation of a reported adverse incident to commence within 48 hours after receiving the report.
- Requires local governments or transportation service providers to submit quarterly reports of adverse incidents to the CTD.

- Requires the Center for Urban Transportation Research, by January 1, 2025, to deliver a report to FDOT on model policies and procedures or best practices for paratransit providers to complete trips within an acceptable time.
- Requires the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab, by January 1, 2025, to deliver a comprehensive report on technology and training improvements to better support persons with disabilities using paratransit services.
- Requires FDOT, by January 1, 2025, to issue a comprehensive report on transportation disadvantaged services and the CTD. The report must include:
  - A review of the services rendered by transportation coordinators or transportation operators, specifically addressing specified issues;
  - A review of transportation delivery models, and a review of alternative models;
  - The role of paratransit services as used by providers of services to the transportation disadvantaged and the differences between paratransit services and the services provided by the CTD;
  - The role of health care transportation services as used by the transportation disadvantaged;
  - A breakdown of funding provided by CTD on a contractual level;
  - A review of eligibility criteria, including relevant demographic information;
  - A review of challenges and opportunities to better support rural counties administering such programs;
  - Recommendations on efficiencies and challenges from adopting an alternative format of delivering services;
  - Best practices for limiting the duration of travel times for persons receiving paratransit service; and
  - A review of emerging and other technology opportunities for the provision of services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.
Vote: Senate 40-0; House 115-0

Committee on Transportation

CS/HB 1589 — Driving Without a Valid Driver License

by Criminal Justice Subcommittee and Rep. Plakon (SB 1324 by Senator Ingoglia)

The bill establishes revised penalties related to the offense of driving without a valid driver license. Specifically, any person who drives any motor vehicle upon a highway in this state without a valid driver license commits:

- For a first offense, a misdemeanor of the second degree.
- For a second offense, a misdemeanor of the first degree.
- For a third or subsequent offense, a misdemeanor of the first degree and is subject to a minimum of 10 days in jail as ordered by the court.

This bill stipulates that the foregoing penalties do not apply to the operation of golf carts on roadways.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 36-2; House 83-31

Committee on Transportation

CS/SB 1764 — Car Racing Penalties

by Transportation Committee and Senators Pizzo and Garcia

The bill makes numerous changes to penalties related to racing on highways, street takeovers, and stunt driving. Specifically, the bill:

- Defines the term "coordinated street takeover" to mean 10 or more vehicles operated in an organized manner to effect a street takeover.
- Increases the fine for a first violation of prohibited racing activities from $500 up to $1,000, to $500 up to $2,000.
- Decreases the time period during which a second violation will result in an enhanced penalty, from within five years after the date of a prior violation that resulted in conviction, to within one year of such violation. It increases the penalty for such a violation from a first degree misdemeanor to a third degree felony. It also increases the fine for such a violation from $1,000 up to $3,000, to $2,500 up to $4,000.
- Creates a third degree felony for any person who, in the course of committing the offense, knowingly impedes, obstructs, or interferes with an authorized emergency vehicle which is on call and responding to an emergency other than the violation of prohibited racing activities. A second or subsequent violation of this provision is punishable as a second degree felony with a four year driver license revocation. Pursuant to the Florida Contraband Forfeiture Act, the arresting law enforcement agency may move to seize any vehicle used in violation of this provision.
- Increases the penalty for a third or subsequent violation within five years after the date of a prior violation that resulted in a conviction, from a first degree misdemeanor to a second degree felony and increases the fine from $2,000 up to $5,000, to $3,500 up to $7,500.
- The bill provides that any person who violates specified provisions while engaged in a coordinated street takeover commits a third degree felony, must pay a fine of $2,500 up to $4,000, and is subject to a two year license revocation.
- Increases the spectator fine from $60 to $400.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.
Vote: Senate 34-0; House 106-2

Special Master on Claim Bills

CS/HB 6007 — Relief of Julia Perez by the St. Johns County Sheriff's Office

by Civil Justice Subcommittee and Reps. Yarkosky, Daniels, and others (CS/SB 10 by Judiciary Committee and Senator Bradley)

The bill authorizes and directs the St. Johns County Sheriff's Office to appropriate from funds of the county not otherwise encumbered and pay Julia Perez $6.3 million. Ms. Perez was injured due to the negligence of an employee of the St. Johns County Sheriff's Office.

The attorney fee may not exceed 25 percent of the total amount awarded under the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 32-0; House 114-0