

Amendment No.

CHAMBER ACTION

Senate

House

.

---

Representative Gaetz offered the following:

**Substitute Amendment for Amendment (119663) (with title amendment)**

Between lines 2458 and 2459, insert:

Section 40. Section 252.359, Florida Statutes, is created to read:

252.359 Ensuring availability of emergency supplies.-  
(1) In order to meet the needs of residents affected during a declared emergency and to ensure the continuing economic resilience of communities impacted by disaster, the division shall establish a statewide system to facilitate the transport and distribution of essentials in commerce and the restoration of utility services in the state.

217283

Approved For Filing: 2/8/2016 4:07:48 PM

Amendment No.

15 (2) As used in this section, the term "essentials" means  
16 goods that are consumed or used as a direct result of a declared  
17 emergency, or that are consumed or used to preserve, protect, or  
18 sustain life, health, safety, or economic well-being.

19 (3) The division shall develop a system to certify each  
20 person who facilitates the transport or distribution of  
21 essentials in commerce or who assists in restoring utility  
22 services. The division may not certify a person other than a  
23 person who routinely transports or distributes essentials or  
24 assists in restoring utility services. In developing the system,  
25 the division:

26 (a) May provide for a preemergency or postemergency  
27 declaration certification.

28 (b) Shall allow the certification of an employer, if  
29 requested by the employer, to constitute a certification of the  
30 employer's employees.

31 (c) Shall create an easily recognizable indicium of  
32 certification to assist local officials' efforts in determining  
33 which persons have been certified under this subsection.

34 (d) Shall limit the duration of each certificate to no  
35 more than 1 year. Each certificate may be renewed so long as the  
36 criteria for certification are met.

37 (4) A person or employer certified under subsection (3) is  
38 not required to obtain any additional certification or fulfill  
39 any additional requirement to transport or distribute essentials  
40 or assist in restoring utility services.

217283

Approved For Filing: 2/8/2016 4:07:48 PM

Amendment No.

41       (5) Notwithstanding any curfew, a person or employer  
 42 certified under subsection (3) may enter or remain in the curfew  
 43 area for the limited purpose of facilitating the transport or  
 44 distribution of essentials or assisting in restoring utility  
 45 services and may provide service that exceeds otherwise  
 46 applicable hours of service maximums to the extent authorized by  
 47 a duly executed declaration of a state of emergency.

48       (6) This section does not prohibit a law enforcement  
 49 officer from specifying the permissible route of ingress or  
 50 egress for a person certified under subsection (3).

51  
 52 -----

**T I T L E   A M E N D M E N T**

54       Remove line 152 and insert:  
 55       department to adopt emergency rules; creating s.  
 56       252.359, F.S.; directing the Division of Emergency  
 57       Management to create a statewide system to facilitate  
 58       the transport and distribution of essentials and the  
 59       restoration of utility services throughout the state  
 60       during a declared emergency; defining the term  
 61       "essentials"; directing the division to create a  
 62       certification system for persons transporting or  
 63       distributing essentials or assisting in restoring  
 64       utility services; providing requirements and  
 65       conditions for the certification system; permitting  
 66       certain activities by certified persons during a

217283

Approved For Filing: 2/8/2016 4:07:48 PM

Amendment No.

67 | curfew; authorizing a law enforcement officer to  
68 | specify a permissible route of ingress or egress for a  
69 | certified person; amending chapter 2015-221, Laws of  
70 | Florida; extending the

217283

Approved For Filing: 2/8/2016 4:07:48 PM