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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/23/2017	.	
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The Committee on Regulated Industries (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (8) is added to section 381.0011,
Florida Statutes, to read:

381.0011 Duties and powers of the Department of Health.—It
is the duty of the Department of Health to:

(8) For the boards under its jurisdiction, indemnify,
defend, and hold harmless all current and former board members,



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11 and any companies or businesses in which they have or had an
12 equity interest or in which they serve or served as employees,
13 directors, officers, or representatives, from all claims,
14 actions, demands, suits, and investigations against, and damages
15 and liabilities incurred by, any board member in connection with
16 any action or inaction by a current or former board member in
17 the course and conduct of his or her service. However, this
18 subsection applies only if, in such action or inaction in the
19 course and conduct of his or her service, the current or former
20 board member acted in good faith and in a manner that he or she
21 reasonably believed to be in conformity with, or not contrary
22 to, the laws of this state and the United States.

23 Section 2. Subsection (11) is added to section 455.203,
24 Florida Statutes, to read:

25 455.203 Department; powers and duties.—The department, for
26 the boards under its jurisdiction, shall:

27 (11) Indemnify, defend, and hold harmless all current and
28 former board members, and any companies or businesses in which
29 they have or had an equity interest or in which they serve or
30 served as employees, directors, officers, or representatives,
31 from all claims, actions, demands, suits, and investigations
32 against, and damages and liabilities incurred by, any board
33 member in connection with any action or inaction by a current or
34 former board member in the course and conduct of his or her
35 service. However, this subsection applies only if, in such
36 action or inaction in the course and conduct of his or her
37 service, the current or former board member acted in good faith
38 and in a manner that he or she reasonably believed to be in
39 conformity with, or not contrary to, the laws of this state and



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40 the United States.

41 Section 3. Paragraph (e) is added to subsection (7) of
42 section 497.103, Florida Statutes, to read:

43 497.103 Authority of board and department; Chief Financial
44 Officer recommendations.-

45 (7) ACTIONS BY BOARD AND DEPARTMENT.-

46 (e) The department shall indemnify, defend, and hold
47 harmless all current and former board members, and any companies
48 or businesses in which they have or had an equity interest or in
49 which they serve or served as employees, directors, officers, or
50 representatives, from all claims, actions, demands, suits, and
51 investigations against, and damages and liabilities incurred by,
52 any board member in connection with any action or inaction by a
53 current or former board member in the course and conduct of his
54 or her service. However, this paragraph applies only if, in such
55 action or inaction in the course and conduct of his or her
56 service, the current or former board member acted in good faith
57 and in a manner that he or she reasonably believed to be in
58 conformity with, or not contrary to, the laws of this state and
59 the United States.

60 Section 4. This act shall take effect upon becoming a law.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete everything before the enacting clause
65 and insert:

66 A bill to be entitled
67 An act relating to regulatory boards; amending ss.
68 381.0011, 455.203, and 497.103, F.S.; requiring the



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69 Department of Health, the Department of Business and
70 Professional Regulation, and the Department of
71 Financial Services, respectively, to indemnify,
72 defend, and hold harmless from claims, actions,
73 demands, suits, investigations, damages, and
74 liabilities all current and former board members and
75 any companies or businesses with which they have or
76 had specified affiliations, but only if their service
77 meets a specified requirement; providing an effective
78 date.