



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m.  
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

## PRAYER

The following prayer was offered by Pastor David McMullen, Athena Baptist Church, Perry:

Father and almighty God, I come to you this morning with a thankful heart, a grateful heart, and a blessed heart. Thankful, Lord, because you have given us love, joy and peace. Grateful to you, because we can come boldly to the throne of grace to obtain mercy and find grace to help in time of need. It is indeed a time of need for our nation and our state. Lord, I also come with a blessed heart, because of your unconditional love for all mankind.

I now come to you on behalf of this legislative body, a body that has many issues to face, so I ask you, almighty God, to grant them with wisdom to discern right and wrong; courage to stand and speak for what is right and against what is wrong; and a discerning spirit to know the difference. Bless these Senators, administrative staff and all of their families. I ask you in closing, to forgive us, Lord, where we have failed to honor you. This I pray in the name that is above every name. Amen.

Senate Pages Caitlyn Coates of Tallahassee; Ternisha Williams of Pompano Beach; Frank DiMarco of Tallahassee; and Jonathan Saunders, son of former Senator Burt Saunders, of Naples, led the Senate in the pledge of allegiance to the flag of the United States of America.

## PLEDGE

The President recognized Dr. Dennis Saver of Vero Beach, who he sponsored, as doctor of the day. Dr. Saver specializes in Family Medicine.

## ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

**SR 1986**—A resolution recognizing March 23, 2011, as “The Links, Incorporated, Day” at the Capitol.

WHEREAS, The Links, Incorporated, with its mission and purpose of friendship through community service, is comprised of more than 12,000 women members, located in 42 states, the District of Columbia, and the Commonwealth of the Bahamas, and

WHEREAS, members of The Links, Incorporated, are women of African ancestry who are well-educated, are highly skilled and trained, and are capable of attacking adverse conditions and fostering remedies that are of a critical nature to the well-being of society, such as the issue of childhood obesity and its affect on African American youth, and

WHEREAS, The Links, Incorporated, through its functional facets of International Trends and Services, National Trends and Services, The Arts, Services to Youth, and Health and Human Services, with emphasis on legislative concerns, has a vision and goal of impacting society through its relevant and creative initiatives, relying heavily on the expertise of its members who are doctors, nutritionists, educators, social workers, and nurses, in collaboration with other specialists, and

WHEREAS, the Southern Area of The Links, Incorporated, has launched its Childhood Obesity Initiative and, in partnership with the American Heart Association, is collaborating throughout the Southern Area with other well-respected and highly educated professionals and organizations to attain its goal of erasing the ill effects of this dreaded condition in African American youth, who are statistically most adversely affected, and

WHEREAS, there is a concerted effort throughout the United States to prevent and eradicate childhood obesity, and the Southern Area of The Links, Incorporated, wishes to go on record as having been involved and having contributed to the elimination of this condition in African American youth through education, nutrition counseling, medical attention, promoting physical fitness, and providing monetary support to schools, social agencies, and other entities, and

WHEREAS, those Links hereby assembled are from the Southern Area of The Links, Incorporated, and many, specifically from the State of Florida, are at The Capitol to show their solidarity and concern for the elimination of childhood obesity, NOW THEREFORE,

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

That the Senate welcomes the members of the Southern Area of The Links, Incorporated, especially the Florida members of the Southern Area, who are passionate about the eradication of childhood obesity within the Southern Area, including the State of Florida, and recognizes March 23, 2011, as "The Links, Incorporated, Day" at the Capitol.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mary F. Currie, Director of the Southern Area of The Links, Incorporated, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1986** was read the second time in full and adopted.

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On motion by Senator Joyner—

By Senator Bullard—

**SR 110**—A resolution acknowledging the invaluable contributions made to the people of Florida by Delta Sigma Theta Sorority, Inc., and recognizing March 20-23, 2011, as "The 17th Annual Delta Days at the Florida Capitol."

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization founded on January 13, 1913, by 22 outstanding women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of the sorority was its participation in the Women's Suffrage Movement, demanding rights for women, particularly the right to vote, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority's mission through its Five-Point Program Thrust: economic development, educational development, physical and mental health, political awareness and involvement, and international awareness and involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., recently celebrated 98 years of exemplary service and support to local communities, leading dialogue on public policy issues, supporting quality education, producing new projects to stimulate current and future economic growth, and improving the holistic well-being of minority populations internationally, and

WHEREAS, with more than 200,000 college-educated women and more than 950 chapters worldwide, 52 of which are located in Florida and the Bahamas, members of Delta Sigma Theta Sorority are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 16 years, the sorority's Florida chapters have conducted "Delta Days at the Florida Capitol" to provide information to state legislators and government executives which is vital to developing public policy; to host a reception for state legislators and government executives; and to monitor the progress of pending legislation related to significant public policy issues, and

WHEREAS, on March 20-23, 2011, under the leadership of Lois Gilder, Interim Southern Regional Director, the members of the 52 chapters of the sorority that now serve Florida and the Bahamas will converge on Tallahassee to conduct the 17th Annual Delta Days at the Florida Capitol and to provide special recognition at the Fifth Annual Honorable Carrie P. Meek Servant Leadership Luncheon to the state's Delta Dears, who have blazed trails in social advocacy and public service, and

WHEREAS, Senators Arthenia L. Joyner and Larcenia J. Bullard and Representative Gwendolen Clarke-Reed are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

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

That the Florida Senate commends Delta Sigma Theta Sorority, Inc., for its contributions to the people of Florida, and recognizes March 20-23, 2011, as "The 17th Annual Delta Days at the Florida Capitol."

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 110** was read the second time in full and adopted.

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On motion by Senator Lynn—

By Senator Lynn—

**SR 2004**—A resolution commending Stetson University on its hosting of the 40th Annual Floyd M. Riddick Model United States Senate.

WHEREAS, on March 17-19, 2011, Stetson University will host the 40th Annual Floyd M. Riddick Model United States Senate on its campus in Deland, and

WHEREAS, the Stetson University Model United States Senate is a unique and creative program designed to duplicate the legislative atmosphere of the United States Senate, and

WHEREAS, the Stetson University Model United States Senate gives young people a real-world experience in the operation of the legislative branch of our national government, NOW, THEREFORE,

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

That Stetson University is commended for hosting the 40th Annual Floyd M. Riddick Model United States Senate.

—was introduced out of order and read by title. On motion by Senator Lynn, **SR 2004** was read the second time in full and adopted.

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At the request of Senator Hill—

By Senators Hill and Siplin—

**SR 1074**—A resolution recognizing and commending Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of the State of Florida.

WHEREAS, on November 17, 1911, three Howard University undergraduate students, assisted by their faculty advisor, met and conceived the idea of founding Omega Psi Phi Fraternity, Inc., based on the cardinal principles of "manhood, scholarship, perseverance, and uplift," and

WHEREAS, Omega Psi Phi Fraternity, Inc., was the first fraternity founded at a Historically Black College or University, and, since its inception, has initiated more than 100,000 members in 700 chapters in 44 states, the District of Columbia, Europe, Asia, Africa, the Bahamas, the Virgin Islands, and Panama, and

WHEREAS, Omega Psi Phi Fraternity, Inc., is committed to rendering community service that makes a difference in quality of life, and has made invaluable contributions toward improving the educational, civic, and social lives of the people it has touched in Florida and throughout the world, and

WHEREAS, Dr. Andrew R. Ray presently leads Omega Psi Phi Fraternity, Inc., serving as the Fraternity's 39th Grand Basileus; Brother Keith Jackson, of Snellville, Georgia, is the National Representative for District 7, which includes Florida, Georgia, Alabama, and Mississippi; and Brother Anthony Brown of Miami, Florida, is the National Representative for the State of Florida, and

WHEREAS, other distinguished Floridians who are Brothers of Omega Psi Phi Fraternity, Inc., include former United States Congressman Kendrick Meek, State Senator Anthony C. "Tony" Hill, Sr., State Senator Gary Siplin, State Representative Darryl Rouson, Florida Secretary of Juvenile Justice and former State Representative Frank Peterman, Jr., Miami-Dade School Board Member and former State Representative Wilbert "Tee" Holloway, and Tallahassee Mayor John Marks, NOW, THEREFORE,

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

That the Florida Senate commends Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of Florida and recognizes March 19, 2011, as "Omega Psi Phi Fraternity Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Andrew R. Ray, Grand Basileus of Omega Psi Phi Fraternity, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 1074** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

**SR 1848**—A resolution acknowledging the contributions of Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority and recognizing March 24, 2011, as “Sigma-Zeta Day” in Florida.

WHEREAS, Phi Beta Sigma Fraternity was founded at Howard University in Washington, D.C., on January 9, 1914, by A. Langston Taylor, Leonard F. Morse, and Charles I. Brown, and

WHEREAS, Zeta Phi Beta Sorority, with the assistance of Phi Beta Sigma, was founded at Howard University in Washington, D.C., on January 16, 1920, by Arizona Cleaver, Myrtle Tyler, Viola Tyler, Fannie Pettie, and Pearl Neal, and

WHEREAS, both Phi Beta Sigma and Zeta Phi Beta, through state-wide and local partnerships, address many of the challenges that racial and ethnic minority groups face today such as health issues and behaviors, birth of healthy babies, HIV/AIDS, and teenage pregnancy, and

WHEREAS, Phi Beta Sigma Fraternity currently lists 16 collegiate chapters and 16 alumni chapters in Florida and Zeta Phi Beta Sorority’s membership numbers 16 collegiate chapters and 43 alumni chapters in the state, NOW, THEREFORE,

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

That March 24, 2011, is recognized as “Sigma-Zeta Day” in Florida in recognition of the many civic contributions that the members of Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority have made to this state.

—**SR 1848** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

**SR 2046**—A resolution recognizing March 23, 2011, as “Developmental Disabilities Awareness Day” in Florida.

WHEREAS, the Florida Developmental Disabilities Council, Inc., is the Florida entity charged by the Federal Government with advocating for programs that promote positive system changes and that allow persons with developmental disabilities to achieve optimum independence, and

WHEREAS, the Florida Developmental Disabilities Council, Inc., promotes innovative programs and practices that improve the quality of life for persons with developmental disabilities, and

WHEREAS, The Arc of Florida, a member of the national community-based advocacy organization, is the statewide nonprofit charity that has as its mission the improvement of the quality of life of persons with developmental disabilities, and

WHEREAS, The Arc of Florida advocates for the development of public policy and high-quality support services that improve the lives of all Floridians with developmental and other disabilities, and

WHEREAS, the Florida Developmental Disabilities Council, Inc., and The Arc of Florida sponsor events such as “Developmental Disabilities Awareness Day,” which offers agencies and organizations the opportunity to provide information about services and programs for persons with disabilities and promote understanding about the challenges and obstacles in the everyday lives of persons with disabilities, and

WHEREAS, “Developmental Disabilities Awareness Day” is an appropriate time to recognize Florida’s public policy accomplishments

concerning persons with disabilities and to identify the improvements to public policy which are needed to fully include all of Florida’s citizens with developmental disabilities, and

WHEREAS, “Developmental Disabilities Awareness Day” is an appropriate time to honor former council member and self-advocate Idilio Valdes by awarding the Idilio Valdes Leadership and Advocacy Award, NOW, THEREFORE,

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

That March 23, 2011, is recognized as “Developmental Disabilities Awareness Day” in Florida.

—**SR 2046** was introduced, read and adopted by publication.

## SPECIAL GUESTS

President Haridopoulos introduced Sir Nigel Sheinwald, British Ambassador to the United States, who was present in the chamber. The Ambassador was invited to the Secretary’s rostrum, where he addressed the Senate.

**Sir Nigel Sheinwald:** Thank you, Mr President, for your kind introduction and thank you to the Florida Senate for hosting me today. It is a great pleasure to be here in Florida, and an honour to be able to address this body.

With some trepidation, I begin by noting that we are approaching the 250th anniversary of British rule in Florida. Needless to say, it is extraordinary how far our relationship with this State has progressed. Britain retains a strong and positive interest in Florida, not least the 400,000 UK nationals who in one way or another call this State home—given the excellent reputation of the British weather, I can’t imagine why.

Florida remained loyal to the Crown during the American War of Independence, no doubt thanks in no small part to the garrisoning of some 10,000 British troops here. This military presence continues, in a more co-operative context. Today we are proud to be the US’ closest ally. In 2010, we had eight Royal Navy ships in Florida ports, including our latest Type 45 destroyer. There is also a large UK contingent at the US Central Command in Tampa.

The wider transatlantic partnership remains strong and broad. There is much US/UK ingenuity and collaboration to speak of, but today I will focus my remarks in three areas:

First, I want to talk about the UK’s defence strategy and how we, the UK, will remain the US’ partner of choice in ensuring our mutual and wider global security.

Then I will move on to the UK economy and the decisive steps we’ve taken to restore confidence in our public finances; and leverage the private sector to rebuild our infrastructure and generate growth.

I want to conclude by reflecting on the importance of trade and our economic relationships and some of the risks we must work together to avoid.

## UK DEFENCE

In the world today, power is more diffuse, the cast of international players is larger, the enemy is less easy to target, and solutions to global challenges require the involvement of not just more countries, but a wider range of actors than has historically been the case.

This was the background for our Strategic Defence and Security Review, which we conducted last autumn. The challenge was to modernize our armed forces and defence capabilities to meet 21st century challenges, at a time of budgetary pressure. We will have to make some painful savings, such as ending our presence in Germany and reducing our tanks, artillery and fast jets. But throughout, we defended three fundamental commitments:

—to protect our mission in Afghanistan, where we are by far the largest troop contributor after the US;

—to opt for future strategic capabilities rather than short term fixes; and

—to ensure that we emerge in 2020 with a coherent defence capability.

We're investing in key areas of future significance and UK expertise, such as our special forces and \$1 billion for cyber capabilities.

We will continue to have the 4th largest defence budget in the world, and we will stay at or above the 2% GDP target for NATO defence budgets, one of only six Allies to do so. We will remain, as Secretary Clinton said, America's most capable military ally. We intend to stay globally involved and active, bringing our experience and global assets to bear on the problems of today and tomorrow; and ready to stand up for, and where necessary make sacrifices for, our shared values.

We will co-operate even more closely with allies—for effectiveness, but also savings. This applies above all to our closest partner, the US. Last September, we were delighted to see the US Congress ratify the UK-US Defence Trade Co-operation Treaty—something the British Embassy had partnered on with British and American business for several years. This treaty will increase the effectiveness of our joint military operations around the world, and will create more opportunities for US/UK defence trade.

## UK ECONOMY

Let me talk more generally about the UK economy. To remain strong abroad, we must ensure strength at home.

The situation facing the newly-elected British Coalition Government last May was extremely serious. The financial crisis had hit all developed countries hard. The UK economy had contracted by over 6% and our debt had risen substantially.

Last year the UK Government was borrowing one in four pounds it was spending. That meant paying more in interest on debt than we were investing in our schools across England. It did not make sense and it was not sustainable.

The Coalition Government therefore drove through ambitious austerity measures. As our Chancellor said, "Fiscal consolidation is not an alternative to growth, but the basis for the confidence that will generate and make growth sustainable."

The public spending reductions and tax increases we announced last autumn will take the deficit from 11% of GDP in 2010 to 1% in 2015. This is deeply painful in the near term, but a bold and necessary adjustment. As a result trade and inward investment are on the rebound, the economy is forecast to expand this year, and the UK's AAA bond rating is secure.

## THE BUSINESS ENVIRONMENT

The UK is committed to private sector-led growth. That means new investment in clean, efficient infrastructure. It means protecting our high tech research and science base from spending cuts. It means a focus on simplifying tax and regulations to create the incentives for entrepreneurs to innovate and flourish.

These are not vague promises. Corporate tax will decrease from 28% to 24% by 2014, the lowest in the G7. We are going further, by applying a lower rate of 10% on profits from newly commercialized patents. We are also cutting nearly 200 regulatory bodies and agencies. We mean it when we say Britain is open for business.

The UK government will partner with the private sector to create a more efficient and high-tech economy. Public Private Partnerships or PPP, have been instrumental in driving investment in the UK. In nearly 20 years, we've used this useful procurement tool for over 900 projects, worth about 100 billion dollars. Our professional services firms have helped develop infrastructure more efficiently and rapidly than if the public sector had developed it alone.

Last October we published a national infrastructure plan setting out how we would invest over 300 billion dollars over the next 5 years in energy, communications, transport, waste and water. We're planning a programme of new nuclear facilities. We're pushing forward with off-

shore wind, which alone will offer over 150 billion dollars in procurement opportunities. We're going ahead with a 25 billion dollars cross rail project, providing a new route across London and North-South high speed rail in the future. Like so many of our previous projects, these projects will reduce the commitment from the public sector by leveraging investment by the private sector, whose share is expected to reach nearly 70%.

## IMPORTANCE OF UK-US ECONOMIC RELATIONS

Whilst we concentrate on returning to a sound footing at home, we're looking to energise our key trading relationships.

The US and Europe comprise over half the world's GDP with close to five trillion dollars of business conducted annually. Our economies are more deeply integrated than any other regions. Of course the world is changing. Economic power is moving eastward. Recent events in the Middle East also show some of our strengths. We share common values as well as flexibility, openness, a spirit of entrepreneurship and a commitment to the rule of law. Openness and innovation are key and these are American and British strengths.

Our two nations possess one of the most substantial trade and investment relationships in the world. We remain each other's single largest investors. Around a million jobs in each country depend on the others' companies. At nearly half a trillion dollars, the UK's stock of investment in the US is over 500 times China's investment in the US.

The strength of our relationship stems from several factors—often absent with the emerging economies.

First, there is our level of competitiveness and skills. The US and UK continue to compete at the top of the value chain. One of our strengths is in services, which make up 70% of our economies. There is also advanced manufacturing and engineering, which we rightly continue to invest heavily in.

Second, we both value our skilled workforce. The UK for its part is doubling its apprenticeships, to 75,000.

Third, there is our shared culture of research and innovation. The top ten universities in the world are either in the US or the UK. This translates into world-leading research and collaboration, including here in Florida. Just last year, the Manchester University Business School, the only UK business school accredited to teach in the US, established a campus in Miami.

Altogether, more than 5,000 UK university staff members have research links to the US and 3,500 US research students are working in the UK. With just 5% of the world's population, we account for over 50% of scientific citations and 39% of global research funding. UK/US collaborations account for fully 26 Nobel prizes.

In 1996, Sir Harry Kroto, a British chemist and current faculty member of Florida State University here in Tallahassee, was one of three recipients of the Nobel Prize in Chemistry. In 2010 alone, eight of the nine Nobel science winners were from US or UK institutions.

## UK-FLORIDA RELATIONSHIP

These are just some of our shared strengths. This dynamism is felt right here in Florida. We're both trade-dependent economies—the UK an island nation and Florida, surrounded on three sides by water. Florida's exports to the UK last year totalled one billion dollars. Florida is an attractive location for UK companies looking to expand. Just as we offer a gateway to Europe, you offer a gateway to Latin America. Miami, for example, is the second largest banking centre in the US and therefore home to the Latin American regional banking operations of such British firms as HSBC, Lloyds, Standard Chartered and Barclays.

But British investment in this State extends beyond just banking. Today, 44,000 Floridians depend on UK investment for their jobs in a wide range of industries and we're building on this relationship. Last July, UK Trade & Investment, Britain's inward investment agency, signed an MOU with Space Florida to promote commercial space opportunities between Florida's and the UK's aerospace and commercial space industries. Next week, we're leading a UK trade mission to the Space Coast.

We can go even further. Earlier I mentioned the importance of PPP to UK economic development. Last year the Lord Mayor of London hosted a PPP roundtable in Miami, and we are now planning a PPP delegation to visit Georgia and Florida in the next quarter. We look forward to sharing our expertise in how private sector investment can spur efficient infrastructure development at home and offer investment opportunities overseas. About 40% of investors in UK infrastructure are foreign-owned.

### IMPORTANCE OF OPEN MARKETS

Trade, investment and therefore jobs can only flourish, however, if we keep our markets open. It is essential that we allow trade to flow freely and avoid erecting barriers.

A quarter of UK jobs are linked to overseas business. Over a quarter of UK GDP comes from exports. We know the global free trade benefits British consumers and our businesses.

Those free trade arguments hold true locally too. More than one-eighth of all manufacturing workers in Florida depend on exports for their jobs.

Both the British and US Governments say that exports are a key pillar of recovery. But imports are just as critical. You can't have an export strategy unless others are willing to import. Today's global supply chains are such that domestic manufacturers rely on inputs from around the world. Imports are part of the simple, elegant organizing principle—the market economy—that makes free trade work. In an open global economy we cannot try to make everything. Rather we should focus on our strengths.

The same goes for inward investment. We should encourage companies to invest abroad. That's what successful firms do. Studies show that as they expand internationally, they tend to increase investment and hiring in their home market. Many British-owned companies have been in the US for over a century. They provide American jobs, pay American taxes, and support American communities.

But the strength of the global economy will not just hinge on the direction of the transatlantic partnership. International trade also plays an important role. In the last 18 years, global trade has roughly quadrupled, from around 3 trillion dollars to over 12 trillion dollars, thanks to a series of international deals to lower tariffs.

Today, I challenge you to find one policy on the table that will do more to drive your local economy than completing the current multilateral trade round—the Doha Development Round, which started in 2001. It would be worth 170 billion dollars a year to the global economy, liberalising world trade in manufactured goods, bringing cuts in agricultural subsidies, opening up services markets, and simplifying trade procedures.

The British Embassy in Washington published a study last month which showed that the US share of a deal could be worth almost 38 billion dollars a year, and create over 390,000 net new jobs. Florida's share would be 2.9 billion dollars and nearly 27,000 net jobs—far more than any FTA could provide. We can't keep going around in circles for another 10 years, which is why my Prime Minister said in January that 2011 is the make or break year for Doha.

Now I have talked a lot about opportunity, and not so much about risk. It is not always easy to keep markets open, especially in and after a recession.

I hope that Florida will continue to resist protectionist measures and remain committed to maintaining openness. It is the only way we'll thrive together in what has become an increasingly complex and competitive global economy.

### CONCLUSION

Erecting barriers can be quickly and irreparably self-defeating. Sheltering domestic enterprises won't protect workers or help economic growth in the long run. In fact, it will have the opposite effect.

Let me conclude by saying that I'm confident in the UK-US relationship and its influential role in the world. I'm also confident that the UK

and Florida relationship will grow stronger still. Our political institutions, such as this Senate, have a central role to play in promoting our essential values, keeping trade open and free, and encouraging the international links which will forge success in this global century. Thank you very much.

### SPECIAL ORDER CALENDAR

On motion by Senator Thrasher—

**CS for SB 1970**—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1970** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

**CS for SB 84**—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming Gulf Coast Community College as “Gulf Coast State College”; renaming Pensacola Junior College as “Pensacola State College”; renaming St. Johns River Community College as “St. Johns River State College”; renaming Valencia Community College as “Valencia College”; amending ss. 288.8175, 1004.74, and 1004.75, F.S., relating to linkage institutes, the Florida School of the Arts, and the consolidation of certain training schools; conforming provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 84** was placed on the calendar of Bills on Third Reading.

**SM 484**—A memorial to the Congress of the United States, urging Congress to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

WHEREAS, reinsurance plays a vital role in managing and spreading risk for companies in nearly all segments of the insurance business, and

WHEREAS, as a means of managing capital, all large insurers make use of “affiliated” reinsurance purchased from companies within the same group, and

WHEREAS, such affiliated reinsurance serves a valid and important risk-transfer purpose that provides significant additional primary insurance capacity, particularly in areas such as crop, windstorm, general, liability, products liability, and aircraft insurance, and

WHEREAS, insurance groups that are not based in the United States currently pay taxes on reinsurance transactions which are functionally equivalent to the taxes paid by United States-based insurance groups, and

WHEREAS, a major study from the economic research and consulting firm, The Brattle Group, concluded that policies intended to reduce the use of affiliated reinsurance by companies whose headquarters are located outside the United States would result in a 20 percent reduction in the supply of reinsurance and a significant increase in the price of primary insurance for consumers and businesses, and

WHEREAS, such taxation would significantly limit the ability of many insurers to manage their capital and, thus, undermine the international risk-management practices at the heart of international reinsurance markets, and

WHEREAS, a broad coalition of industry, consumer, and free-market groups have spoken out against discriminatory taxation of offshore affiliated reinsurance, NOW, THEREFORE,

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

That the Congress of the United States Congress is urged to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Hays, **SM 484** was adopted and certified to the House.

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On motion by Senator Thrasher—

**CS for SB 478**—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the expiration period of a tax certificate and the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer's right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, 196.011, and 197.374, F.S.; conforming cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

—was read the second time by title.

Senator Thrasher moved the following amendment which was adopted:

**Amendment 1 (816424) (with title amendment)**—Delete lines 2034-2036 and insert: deed application fee of \$75.

And the title is amended as follows:

Delete lines 28-30 and insert: payment requirements; amending

Pursuant to Rule 4.19, **CS for SB 478** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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Consideration of **SB 172** and **SB 174** was deferred.

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On motion by Senator Bogdanoff—

**CS for SB 444**—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; providing definitions; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing for a contract provision that allows for termination of the contract if the company is found to have been placed on such list; providing exceptions; providing for a civil action; providing penalties, including attorney's fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law ceases to authorize states to enact such contracting prohibitions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 444** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Siplin—

**SB 228**—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 228** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Rich—

**SB 344**—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry, conformation judging, and veterinary practices; providing an effective date.

—was read the second time by title.

Senator Rich moved the following amendment which was adopted:

**Amendment 1 (423372) (with title amendment)**—In the title, delete lines 2-6 and insert: An act relating to animal cruelty; creating s. 828.126, F.S.; providing definitions; prohibiting specified activities with an animal; prohibiting specified related activities; providing penalties; providing

Pursuant to Rule 4.19, **SB 344** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

**CS for SB 146**—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment which was adopted:

**Amendment 1 (243028) (with title amendment)**—Delete lines 116-669 and insert:

Section 4. Section 768.096, Florida Statutes, is amended to read:

768.096 Employer presumption against negligent hiring.—

(1) In a civil action for the death of, or injury or damage to, a third person caused by the intentional tort of an employee, such employee's employer is presumed not to have been negligent in hiring such employee if, before hiring the employee, the employer conducted a background investigation of the prospective employee and the investigation did not reveal any information that reasonably demonstrated the unsuitability of the prospective employee for the particular work to be performed or for the *context of the employment in general*. A background investigation under this section must include:

(a) Obtaining a criminal background investigation on the prospective employee under subsection (2);

(b) Making a reasonable effort to contact references and former employers of the prospective employee concerning the suitability of the prospective employee for employment;

(c) Requiring the prospective employee to complete a job application form that includes questions concerning whether he or she has ever been convicted of a crime, including details concerning the type of crime, the date of conviction and the penalty imposed, and whether the prospective employee has ever been a defendant in a civil action for intentional tort, including the nature of the intentional tort and the disposition of the action;

(d) Obtaining, with written authorization from the prospective employee, a check of the driver's license record of the prospective employee if such a check is relevant to the work the employee will be performing and if the record can reasonably be obtained; or

(e) Interviewing the prospective employee.

(2) To satisfy the criminal-background-investigation requirement of this section, an employer must request and obtain from the Department

of Law Enforcement a check of the information as reported and reflected in the Florida Crime Information Center system as of the date of the request.

(3) The election by an employer not to conduct the investigation specified in subsection (1) does not raise any presumption that the employer failed to use reasonable care in hiring an employee.

And the title is amended as follows:

Delete lines 10-23 and insert: providing an exception; amending s. 768.096, F.S.; revising the presumption against negligent hiring of an employee in circumstances in which a background investigation of a prospective employee revealed that the employee was unsuitable for the context of the employment in general; providing

Pursuant to Rule 4.19, **CS for SB 146** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Rich, by two-thirds vote **SB 26** was withdrawn from the committees of reference and further consideration.

On motion by Senator Ring, by two-thirds vote **SB 1718** was withdrawn from the committees of reference and further consideration.

On motion by Senator Thrasher, by two-thirds vote **SM 358** was withdrawn from the Committee on Rules; **SB 1288** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Budget and referred to the Committees on Judiciary; Banking and Insurance; and Budget; **SB 1396** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget and referred to the Committees on Health Regulation; Judiciary; and Budget; **SB 1862** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Budget and referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget; **SB 1964** was withdrawn from the Committees on Banking and Insurance; and Budget and referred to the Committees on Judiciary; and Budget.

## MOTIONS

On motion by Senator Alexander, the amendment deadlines and policies included in the memorandum distributed by the Committee on Budget for committee consideration of proposed appropriations bills, implementing bills, and other bills on the March 31, 2011, agenda were adopted.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, March 23, 2011: CS for SB 1970, CS for SB 84, SM 484, CS for SB 478, SB 172, SB 174, CS for SB 444, SB 228, SB 344, CS for SB 146.

Respectfully submitted,  
John Thrasher, Chair

The Committee on Health Regulation recommends the following pass: SB 100

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1992

The Committee on Commerce and Tourism recommends the following pass: CS for SB 960

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 842

The Committee on Health Regulation recommends the following pass: SB 1052; SB 1282 with 1 amendment; SB 1990

The Committee on Higher Education recommends the following pass: SB 626

The Committee on Judiciary recommends the following pass: SB 240; SB 514

The Committee on Regulated Industries recommends the following pass: CS for SB 582

The Committee on Transportation recommends the following pass: SB 1774

**The bills contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

The Committee on Health Regulation recommends the following pass: SB 1372 with 1 amendment; SB 1456

The Committee on Judiciary recommends the following pass: SB 1622

**The bills contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1634

The Committee on Health Regulation recommends the following pass: SB 1448

The Committee on Transportation recommends the following pass: SB 1788

**The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 1328

The Committee on Transportation recommends the following pass: SB 1790

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends the following pass: SM 954

The Committee on Judiciary recommends the following pass: SB 962; SB 974; SB 996

The Committee on Regulated Industries recommends the following pass: SB 668 with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

The Committee on Regulated Industries recommends the following pass: SB 1742

**The bill was referred to the Committee on Health Regulation under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 978

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 926

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Health Regulation recommends the following pass: SB 1586

**The bill was referred to the Committee on Regulated Industries under the original reference.**

The Committee on Transportation recommends the following pass: SB 1630

**The bill was placed on the Calendar.**

The Committee on Health Regulation recommends a committee substitute for the following: SB 1522

**The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1414; SB 1816

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1994

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1470

The Committee on Criminal Justice recommends committee substitutes for the following: SB 556; CS for SB 818

The Committee on Higher Education recommends a committee substitute for the following: SB 632

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

The Committee on Agriculture recommends a committee substitute for the following: SB 1284

The Committee on Criminal Justice recommends a committee substitute for the following: SB 920

The Committee on Higher Education recommends a committee substitute for the following: SB 1616

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Commerce and Tourism under the original reference.**

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 466

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 1086

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 226; SB 1088

The Committee on Judiciary recommends a committee substitute for the following: SB 786

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 578

**The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 under the original reference.**

The Committee on Agriculture recommends a committee substitute for the following: SB 1174

**The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 930

**The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Accountability under the original reference.**

The Committee on Criminal Justice recommends a committee substitute for the following: SB 336

**The bill with committee substitute attached was referred to the Committee on Health Regulation under the original reference.**

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 952

**The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 504

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1300

The Committee on Regulated Industries recommends a committee substitute for the following: SB 476

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

**Senate Bills 1996-1998**—Previously referenced.

Bill numbers **2000-2002** have been reserved for appropriation bills.

**SR 2004**—Introduced out of order and adopted this day.

By Senator Braynon—

**SB 2006**—A bill to be entitled An act relating to foreclosure debt relief; providing a short title; providing definitions; authorizing the creation and administration of a deficiency judgment reimbursement

program by the Florida Housing Finance Corporation contingent upon the occurrence of certain conditions precedent; providing for future termination of the program; authorizing continuation of the program under certain circumstances after depletion of funds; providing procedures and eligibility requirements for homeowners and financial institutions to file specified monetary claims; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Budget.

By Senator Braynon—

**SB 2008**—A bill to be entitled An act relating to performing arts centers; amending s. 212.20, F.S.; providing an alternative requirement for the Department of Revenue to distribute certain sales tax proceeds to certain performing arts centers rather than to certain sports franchise facilities under certain circumstances; providing for construction; providing a limitation; creating s. 288.163, F.S.; providing definitions; requiring the Office of Tourism, Trade, and Economic Development to screen applicants and approve or deny applications for certification as performing arts centers for funding purposes; requiring the office to establish certain procedures and guidelines; providing criteria for the certification of performing arts centers; specifying ineligibility of certain applicants for additional certification; limiting the number of facilities certified by the office; specifying public purpose uses of certain funds; requiring the office to notify the department of performing arts center certifications; authorizing the department to conduct audits to verify certain expenditures; authorizing the department to pursue recovery of certain funds under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Budget.

By Senator Braynon—

**SB 2010**—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation by inmates in such programs; deleting provisions requiring the assignment of chaplains to community correctional centers; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Braynon—

**SB 2012**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the Go Green license plate; establishing an annual use fee for the plate and providing for the distribution of use fees received from the sale of the plate; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Budget.

By Senator Braynon—

**SB 2014**—A bill to be entitled An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; prohibiting certain municipalities from imposing certain surcharges on consumers outside their boundaries for provision of water or sewer utility services; providing an effective date.

—was referred to the Committees on Community Affairs; Communications, Energy, and Public Utilities; and Budget.

By Senator Braynon—

**SB 2016**—A bill to be entitled An act relating to false personation; amending s. 843.08, F.S.; prohibiting a person from falsely personating a firefighter or certain law enforcement officers if his or her action could deceive a reasonable person into believing that he or she was a bona fide

official; amending s. 843.085, F.S.; prohibiting operation or ownership of a motor vehicle falsely marked in a way which could deceive a reasonable person into believing that such vehicle is authorized by a fire department for use by the person operating it; providing an exception; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

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By Senator Braynon—

**SB 2018**—A bill to be entitled An act relating to faith-based prison programs; amending s. 944.803, F.S.; deleting a requirement that a specified percentage of inmates in such programs be within 36 months of release; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

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By Senator Braynon—

**SB 2020**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period each year during which sales of certain energy-efficient products are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

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By Senator Braynon—

**SB 2022**—A bill to be entitled An act relating to public health; creating the Expedited Partner Therapy Pilot Project in Duval and Gadsden Counties; providing an exemption from specified rules and statutory requirements for the pilot program; providing for training of physicians and patient education; requiring the pilot project to be funded by existing revenues; providing for use of funds; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Braynon—

**SB 2024**—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; requiring the Legislature to approve the sale or lease of a county, district, or municipal hospital to a not-for-profit Florida corporation; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; Judiciary; Budget; and Rules.

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By Senator Sachs—

**SB 2026**—A bill to be entitled An act relating to public school education; amending ss. 1002.33, 1003.03, 1003.413, and 1003.4156, F.S., relating to discontinuance of administration of the Florida Comprehensive Assessment Test (FCAT), to conform to changes made by the act; deleting requirement that district school boards establish policies for intensive reading and mathematics intervention courses in high school; providing for intervention services; amending s. 1003.428, F.S.; requiring that students be advised of the availability of certain courses for purposes of high school graduation; providing for remediation and intervention services in certain circumstances; revising general requirements for high school graduation; conforming provisions relating to discontinuance of FCAT administration; amending s. 1003.429, F.S.; requiring that students be advised of the availability of certain courses for purposes of accelerated high school graduation options; revising general requirements for accelerated high school graduation; conforming provisions relating to discontinuance of FCAT administration; requiring the State Board of Education to appoint a task force to develop high

school graduation standards for career-track students and consider ways to provide unique curriculum offerings; requiring the task force to submit recommendations to the Legislature; amending s. 1003.433, F.S., relating to discontinuance of FCAT administration and revised general requirements for high school graduation, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student assessment program to discontinue use of the FCAT; requiring the assessment program to consist of subject area assessments for students in grades 3 through 5, subject area assessments and end-of-course assessments in core and noncore subjects for students in grades 6 through 12, and diagnostic assessments for students in grades 6, 8, and 10; providing eligibility for exemption from certain assessment requirements; revising course grade and course credit requirements relating to student performance on end-of-course assessments; requiring school districts to provide intervention services to certain students; providing that results on end-of-course assessments are one component of requirements for high school graduation; revising provisions relating to test-preparation activities; deleting provisions relating to use of concordant scores for the FCAT; amending s. 1008.25, F.S.; requiring intervention services for certain students as part of the comprehensive program for student progression; conforming provisions relating to the revision of the statewide student assessment program; deleting mandatory retention for certain grade 3 students; authorizing promotion for good cause; providing for reporting; amending s. 1008.30, F.S.; revising provisions relating to use of the common placement test to conform to discontinuance of FCAT administration; amending ss. 1008.34 and 1008.341, F.S.; deleting use of the FCAT as a basis for determining school grades and school improvement ratings; providing for student results on subject area assessments and end-of-course assessments to partially determine school grades and school improvement ratings; providing additional factors for such determination; conforming provisions relating to revision of the Florida School Recognition Program; amending s. 1008.36, F.S.; changing the Florida School Recognition Program to the Every Child Matters Program; providing intent and purpose of the program; providing for financial assistance to schools providing remediation and intervention services to certain students; specifying the uses of program funds; providing Department of Education duties; amending s. 1009.531, F.S.; adding a cross-reference to high school graduation requirements; amending s. 1011.62, F.S.; conforming provisions relating to revision of the Florida School Recognition Program and discontinuance of FCAT administration; amending s. 1012.22, F.S.; conforming provisions relating to discontinuance of FCAT administration; providing for the appointment of a public school assessment and accountability alignment committee to develop standards for a revised statewide student assessment program, procedures for transitioning to the new program, and standards for determining school grades and school improvement ratings; providing for membership; providing duties of the alignment committee, the State Board of Education, and the Department of Education; providing a timetable for implementation; providing for future expiration of the alignment committee; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Braynon—

**SB 2028**—A bill to be entitled An act relating to educational enhancement funding; amending ss. 1010.70 and 1013.71, F.S.; revising provisions relating to the Educational Enhancement Trust Fund and the Lottery Capital Outlay and Debt Service Trust Fund to provide for the redirection for classroom use and operations of a portion of the lottery funds appropriated each fiscal year for capital outlay and debt service; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Regulated Industries; and Budget.

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**SR 2030**—Not referenced.

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By Senator Braynon—

**SB 2032**—A bill to be entitled An act relating to fighting or baiting animals; amending s. 828.122, F.S.; correcting a cross-reference; providing a rebuttable presumption that an animal has been trained or used for fighting if certain facts are proven; providing that a county or agency

is not liable for the cost of an animal seized and awarded custody to the county or agency pursuant to a court order under specified provisions; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Community Affairs.

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By Senator Braynon—

**SB 2034**—A bill to be entitled An act relating to Medicaid managed care; providing a short title; creating the “Independence at Home Act”; providing legislative findings; directing the Agency for Health Care Administration to establish an Independence at Home Chronic Care Coordination Pilot Project; providing for Independence at Home programs within the pilot project; specifying objectives of the programs; providing for implementation and independent evaluation of the pilot project; providing eligibility criteria for participation; providing rule-making authority to the agency; providing for best-practices teleconferences; providing definitions; providing for enrollment of program participants; providing program requirements; providing requirements for plan development; providing terms and conditions of agreements between the agency and Independence at Home organizations; requiring a report to the Legislature; establishing quality, performance, and participation standards; providing for terms, modification, termination, and nonrenewal of agreements; requiring mandatory minimum savings and for computation thereof; providing a waiver of coinsurance for house calls; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Braynon—

**SB 2036**—A bill to be entitled An act relating to uniform traffic control; amending s. 316.003, F.S.; defining the term “school bus traffic infraction detector”; amending s. 316.008, F.S.; authorizing school districts to deploy school bus traffic infraction detectors under certain circumstances; creating s. 316.0084, F.S.; providing for use of school bus traffic infraction detectors to enforce specified provisions requiring a person driving a vehicle to stop when approaching a school bus displaying a stop signal; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to authorize a traffic infraction enforcement officer to issue and enforce a citation for a violation of such provisions; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating school districts to the department; requiring the department to make reports to the Governor and Legislature; creating s. 316.07457, F.S.; requiring school bus traffic infraction detectors to meet specifications established by the department; creating s. 316.0777, F.S.; providing for the placement and installation of detectors on school buses when permitted by and under the specifications of the department; amending s. 316.640, F.S.; providing for authority of traffic enforcement officers appointed by the state, or a police department or sheriff’s department to enforce specified provisions; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop upon approaching any school bus which displays a stop signal to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; creating s. 321.51, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use school bus traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver’s license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement

officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing effective dates.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Budget.

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By Senator Braynon—

**SB 2038**—A bill to be entitled An act relating to medical practice; amending ss. 458.348 and 459.025, F.S.; deleting certain requirements for the supervision of certain advanced registered nurse practitioners and physician assistants at medical offices other than the primary practice location of a physician or osteopathic physician; deleting requirements for disclosure of certain information to, and for the initial examination of, a patient upon referral by another practitioner; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By the Committee on Judiciary—

**SB 2040**—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part “Unauthorized Immigrants”; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception in the case of employees who present specified documents to the employer; requiring the Attorney General to request from the Department of Homeland Security a list of employers who are registered with the E-Verify Program and to post that list to the Attorney General’s website; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license held by the employer; providing that an employer who terminates an employee under certain conditions is not liable for wrongful termination; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; directing the Department of Corrections and the Department of Law Enforcement to pursue and maintain agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; directing sheriffs to evaluate the feasibility of entering into such agreements; directing arresting agencies to make reasonable efforts to determine whether arrestees are present in the United States lawfully; requiring the Department of Law Enforcement to enter into and maintain an agreement with the United States Department of Homeland Security for checking fingerprints of arrestees against federal databases to determine immigration status; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

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By the Committee on Budget Subcommittee on Finance and Tax—

**SB 2042**—A bill to be entitled An act relating to the administration of property tax; amending s. 192.001, F.S.; clarifying definitions governing the administration of property tax; repealing s. 192.117, F.S., relating to the Property Tax Administration Task Force; amending s. 193.114, F.S.; revising provisions requiring that certain information be included on the real property assessment roll following a transfer of ownership; defining the term “ownership transfer date”; amending s. 193.122, F.S.; revising provisions requiring that a property appraiser file an appeal of a decision by the value adjustment board within a specified period; amending s. 193.155, F.S.; clarifying provisions allowing a taxpayer to file an application for homestead assessment in the year following eligibility; amending ss. 193.1554 and 193.1555, F.S.; specifying that property is assessed at just value as of January 1 of the year that the property becomes eligible for assessment rather than the year in which the property is placed on the tax roll; providing for the assessment of a parcel that is created by combining or dividing a parcel that is eligible for assessment as nonhomestead residential property or nonresidential real property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report deferred tax liability to the Department of Revenue; amending s. 194.011, F.S.; clarifying provisions requiring that an objection to an assessment be filed within a specified period; amending s. 194.032, F.S.; providing for a petitioner’s hearing before the value adjustment board to be rescheduled under certain circumstances; requiring that all parties to a petition be notified of certain communications; authorizing legal counsel for the value adjustment board to take certain actions independently of the board; providing for removal of a special magistrate under certain circumstances; amending s. 194.034, F.S.; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board or special magistrate; requiring that the clerk provide certain information to the department upon request; amending s. 194.035, F.S.; deleting requirements that the department establish the range of payments for special magistrates and that reimbursements to counties be prorated under certain circumstances; amending s. 194.037, F.S.; revising requirements for the information that is provided by the clerk in a newspaper of general circulation regarding the tax impact of petitions before the value adjustment board; amending s. 194.171, F.S.; clarifying provisions limiting the period within which a taxpayer may contest a tax assessment; amending s. 195.096, F.S.; revising requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature and county commissions; providing for such information to be provided upon request; repealing s. 195.0985, F.S., relating to a requirement that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in reviewing assessments of certain businesses; amending s. 196.031, F.S.; revising the order in which certain exemptions are applied with respect to homestead property; amending s. 196.081, F.S.; authorizing an applicant for an exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.082, F.S.; authorizing an applicant for a discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; amending s. 196.091, F.S.; authorizing an applicant applying for an exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.101, F.S.; authorizing an applicant applying for an exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; amending s. 196.202, F.S.; authorizing an applicant applying for an exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.24, F.S.; authorizing an applicant applying for an exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; amending ss. 197.122 and 197.182, F.S.; providing for the tax collector rather than the Department of Revenue to approve and make refunds of overpayments of taxes; requiring that the refunds be made from undistributed funds without approval of the taxing authorities; requiring written notice if the tax collector denies a refund; requiring that the tax collector approve or deny a refund within a specified period; requiring the tax collector to certify the pro rata shares of a refund to certain taxing authorities; requiring that the department

conduct random audits of the refund process; requiring reimbursement for the costs of providing data necessary for the audits; requiring that the department publish the results of the random audits; amending s. 197.2301, F.S., relating to the payment of tax refunds; conforming provisions to changes made by the act; amending ss. 197.253, 197.3041, and 197.3073, F.S., relating to certain tax deferrals; conforming cross-references; amending s. 197.323, F.S., relating to refund of tax overpayments; conforming provisions; amending s. 200.065, F.S., relating to the method of fixing millage; clarifying provisions requiring publication of notice; conforming cross-references; amending ss. 218.12 and 218.125, F.S.; providing for certain undistributed moneys to revert to the fund from which the appropriation was made if a fiscally constrained county fails to apply for its distribution; providing effective dates.

—was referred to the Committees on Community Affairs; and Budget.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senators Smith and Gaetz—

**CS for SB 226**—A bill to be entitled An act relating to human services; creating s. 287.0576, F.S.; providing definitions; allowing the national accreditation of human service providers to substitute for certain agency licensure and monitoring requirements; providing exceptions; requiring a single lead agency to be responsible for monitoring human services delivery for designated populations; requiring the lead agency to develop monitoring protocols, develop a plan for coordinating monitoring activities, adopt rules, provide a list of required documents, and develop forms by a certain date; providing that background screening conducted for one agency satisfies the screening requirements of other agencies; requiring the agency to accept all mandated reports and invoices electronically and to allow all core documents to be posted in secure electronic storage; requiring agencies to provide an analysis of every new governmental mandate to an affected contractor before the mandate may be required or imposed; requiring a contracting agency to negotiate a contract amendment for any material change to a contract that will have a financial impact on a contractor; requiring human service contracts to include a cost-of-living adjustment or allow the contractor to reduce services; providing an exception under certain circumstances; requiring a contract to ensure payment for undisputed issues, not allow a private entity performing contract monitoring to impose additional requirements, and allow unexpended funds to be carried forward; providing that failure by an agency to negotiate a contract amendment or provide a remedy to a material adverse impact of a new governmental mandate constitutes an agency action for the purposes of ch. 120, F.S.; requiring each agency to compile a list of contractor requirements and submit such list to the Governor; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

**CS for SB 336**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; revising the list of controlled substances included in Schedules I, II, III, IV, and V; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Braynon—

**CS for SB 466**—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; expanding the purposes for which the proceeds of the tourist development tax may be used to include the payment of the debt service on bonds to finance the construction, reconstruction, or renovation of a professional sports facility on publically owned land and the expansion, renovation, or reconstruction of a convention center; limiting the percentage of the proceeds from the tourist development tax that may be used for the professional sports facility; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes for the facility; providing for nonapplication of a prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding certain contrary authority; providing an effective date.

By the Committee on Regulated Industries; and Senator Evers—

**CS for SB 476**—A bill to be entitled An act relating to public lodging establishments; amending s. 509.032, F.S.; conforming provisions to changes made by the act; providing that vacation rentals are residential property for purposes of provisions related to the treatment of such properties; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term “vacation rental”; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising mandatory education requirements for certain violations; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Bogdanoff—

**CS for SB 504**—A bill to be entitled An act relating to child visitation; amending s. 39.0139, F.S.; revising legislative intent; requiring probable cause of sexual abuse in order to create a presumption of detriment; providing that persons meeting specified criteria may not visit or have contact with a child without a hearing and court order; revising requirements for a hearing seeking to rebut a presumption of detriment; revising provisions relating to hearings on whether to prohibit or restrict visitation or other contact with the person who is alleged to have influenced a child’s testimony; providing an effective date.

By the Committee on Criminal Justice; and Senators Oelrich, Dockery, and Garcia—

**CS for SB 556**—A bill to be entitled An act relating to the Temporary Assistance for Needy Families Program; creating s. 414.145, F.S.; requiring the Department of Children and Family Services to perform a drug test on individuals who apply for benefits funded by the Temporary Assistance for Needy Families Program; making individuals responsible for bearing the cost of drug testing; requiring certain notice; providing procedures for testing and retesting; providing for notice of local substance abuse programs; providing that, if a parent is deemed ineligible due to failing a drug test, the eligibility of the children is not affected; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Ring, Norman, and Braynon—

**CS for SB 578**—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October; requiring certified individuals in disability awareness or teachers who specialize in exceptional student education to provide the disability history and awareness instruction; requiring the Governor’s Commission on Disabilities to initiate a study on training in disability awareness to be conducted by a private non-profit entity; providing requirements for the study and requiring submission of findings to the commission; requiring the commission to oversee a statewide program for providers of training in disability awareness; providing program components to include requirements for approval of providers and certification of individuals who provide instruction in disability awareness; providing for the payment of certain fees; requiring the commission to promote training in disability awareness in all public entities in the state; requiring the commission to encourage those public entities to participate in activities that provide instruction to expand knowledge, understanding, and awareness of individuals who have disabilities; requiring the commission to adopt rules; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

**CS for SB 632**—A bill to be entitled An act relating to postsecondary education; amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on a university or Florida College System institution campus and the disposition of proceeds from the sale of such property; requiring that the university or Florida College System institution president, or his or her designee, dispose of or make use of unclaimed property in accordance with university or Florida College System institution policies and procedures; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, 1011.48, 1012.91, and 1013.171, F.S.; revising provisions to replace references to “rules” with “regulations”; repealing s. 1007.27(10), F.S., relating to an exemption for students who earn 9 or more credits from one or more of the articulated acceleration mechanisms from any requirement of a public postsecondary educational institution which mandates enrollment during a summer term; amending s. 1013.30, F.S.; requiring that a university campus master plan identify the level-of-service standards contained in the plan; deleting requirements for campus development agreements between each university board of trustees and the local government; prohibiting renewal of a campus development agreement upon its expiration; amending s. 1013.33, F.S.; conforming a cross-reference; repealing s. 1013.63, F.S., relating to the University Concurrency Trust Fund; providing an effective date.

By the Committee on Judiciary; and Senator Diaz de la Portilla—

**CS for SB 786**—A bill to be entitled An act relating to landlord and tenant; amending s. 83.42, F.S.; providing that provisions governing residential tenancies do not apply to a person not legally entitled to occupy the premises; providing an effective date.

By the Committees on Criminal Justice; and Health Regulation; and Senator Fasano—

**CS for CS for SB 818**—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331,

F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term "dispensing physician" as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff's office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be

funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving prescribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

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By the Committee on Criminal Justice; and Senator Ring—

**CS for SB 920**—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card's theft or unlawful use does not commit a violation of the act; providing an effective date.

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By the Committees on Children, Families, and Elder Affairs; and Judiciary; and Senators Lynn and Rich—

**CS for CS for SB 930**—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

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By the Committee on Commerce and Tourism; and Senators Richter and Gaetz—

**CS for SB 952**—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.;

creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

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By the Committees on Health Regulation; and Criminal Justice; and Senators Hill and Bullard—

**CS for CS for SB 1086**—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections officer or other official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; providing that the use of restraints at any time after it is known that a prisoner is pregnant must be by the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a grievance within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senators Altman and Detert—

**CS for SB 1088**—A bill to be entitled An act relating to criminal conduct; amending s. 827.03, F.S.; defining the term “mental injury” with respect to the offenses of abuse, aggravated abuse, and neglect of a child; requiring that a person acting as an expert witness have certain credentials; amending ss. 775.084, 775.0877, 782.07, 921.0022, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term “crime” for purposes of crime victims compensation to include additional forms of injury; redefining the term “victim” to conform with the modified definition of the term “crime”; providing an effective date.

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By the Committee on Agriculture; and Senators Siplin and Lynn—

**CS for SB 1174**—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing that the exemption applies to certain agricultural lands and does not apply to specified permitted activities; amending s. 373.407, F.S.; providing ex-

clusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

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By the Committee on Agriculture; and Senator Bennett—

**CS for SB 1284**—A bill to be entitled An act relating to biodiesel; amending s. 206.01, F.S.; defining the term “renewable feedstocks”; amending s. 206.02, F.S.; exempting certain biodiesel manufacturers from bonding requirements; amending s. 206.874, F.S.; exempting certain biodiesel manufacturers from specific taxes on diesel fuel; amending s. 206.9925, F.S.; redefining the term “pollutants” to exclude certain biodiesel; amending s. 526.202, F.S.; providing legislative findings regarding the sale of diesel containing biodiesel; amending s. 526.203, F.S.; defining the terms “biodiesel” and “diesel fuel”; establishing standards for the amount of biodiesel that must be contained in diesel fuel; requiring dealers and wholesalers to provide certified fuel analyses upon the department’s request; providing an exemption from regulation; requiring reports to the Department of Revenue; amending s. 526.205, F.S.; providing for certain persons to apply for extensions to comply with the requirements of the act; providing an effective date.

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By the Committee on Criminal Justice; and Senator Storms—

**CS for SB 1300**—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversionary programs; requiring that a juvenile civil citation and similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program; requiring the entity operating the program to do so in consultation with and agreement by the state attorney and the local law enforcement agencies; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth’s civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation and similar diversionary programs within the state; deleting a provision requiring that a law enforcement officer send a copy of a civil citation to the victim of the offense; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Wise—

**CS for SB 1414**—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to

plans under the Employee Health Care Access Act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

**CS for SB 1470**—A bill to be entitled An act relating to the capital investment tax credit; amending s. 212.08, F.S.; specifying procedures to claim a sales and use tax credit; amending s. 220.191, F.S.; authorizing a qualifying business that has insufficient corporate income tax liability to fully claim a capital investment tax credit to apply the credit against its liability for sales and use taxes to be collected, reported, and remitted to the Department of Revenue; requiring a qualifying business that receives a credit against its sales and use tax liability to make additional capital investments; requiring a qualifying business to annually report its capital investments to the Office of Tourism, Trade, and Economic Development, the President of the Senate, and the Speaker of the House of Representatives; requiring a qualifying business that fails to make the required capital investments to repay the amount of the sales and use tax credit claimed with interest; limiting the availability of the sales and use tax credit to certain businesses that have their headquarters in this state, that qualify for the capital investment tax credit under certain circumstances, and that entered into an agreement with the Department of Revenue during a certain period; limiting the annual amount of tax credits that may be approved for each eligible qualifying business; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing an effective date.

By the Committee on Health Regulation; and Senator Gaetz—

**CS for SB 1522**—A bill to be entitled An act relating to wellness or health improvement programs; amending s. 626.9541, F.S.; authorizing insurers to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to health benefit plan members; authorizing insurers to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the nonparticipants to receive rewards or incentives; requiring that the reward or incentive be disclosed in the policy or certificate; amending s. 627.6402, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 627.65626, F.S.; authorizing group health insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 641.31, F.S.; deleting provisions authorizing health maintenance organizations to offer rebates of premiums for participation in a wellness program; authorizing health maintenance organizations to offer rewards or incentives to members to encourage or reward participation in wellness or health improvement programs; authorizing the health maintenance organization to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 641.3903, F.S.; providing for a wellness or health improvement program; providing authorization to offer certain rewards or incentives for participation; authorizing verification of a nonparticipant's medical condition; providing an effective date.

By the Committee on Higher Education; and Senator Flores—

**CS for SB 1616**—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and

fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

By the Committee on Banking and Insurance; and Senators Fasano and Richter—

**CS for SB 1816**—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing for application; amending s. 626.938, F.S.; requiring certain insureds or self insureds engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; requiring such insureds or self insureds to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Children, Families, and Elder Affairs—

**CS for SB 1994**—A bill to be entitled An act relating to child protection; requiring the Secretary of Children and Family Services to establish the Child Protection Response Workgroup for the purpose of developing an implementation plan for a differential response system to be used in responding to reports of child abuse or neglect; specifying the duties of the workgroup; requiring a report to the Legislature; requiring the Secretary of Children and Family Services to establish the Child Welfare Professional Advisory Council; specifying the scope of work of the council; providing for the secretary to appoint members to the council; requiring the Department of Children and Family services to provide administrative support; providing for members to be reimbursed for per diem and travel expenses to the extent resources are available; requiring an annual report to the Legislature; providing an effective date.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Community Affairs; and Senator Bennett—

**CS for SB 1512**—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; revising and providing definitions relating to the Local Government Comprehensive Planning and Land Development Regulation Act; amending s. 163.3177, F.S.; revising requirements for comprehensive plans relating to capital improvements and future land use plan elements; amending s. 163.3180, F.S.; revising transportation concurrency requirements relating to transportation

planning and proportionate share; amending s. 163.3182, F.S.; revising the definition of the term “transportation concurrency backlog” to “transportation deficiency”; revising other definitions and provisions to conform; revising provisions relating to transportation deficiency plans and projects; amending s. 380.06, F.S.; exempting transit-oriented developments from review of transportation impacts in the developments-of-regional-impact process; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

### **CORRECTION AND APPROVAL OF JOURNAL**

The Journals of March 16 and March 22 were corrected and approved.

### **CO-INTRODUCERS**

Senators Altman—SB 844; Bennett—SB 844; Bogdanoff—SB 844; Braynon—CS for SB 578; Detert—SB 236, SB 844; Evers—SB 1294; Flores—SB 1518; Gaetz—SB 1312; Hays—SB 844; Jones—SB 236; Joyner—SB 1108; Lynn—SB 844, CS for SB 1140; Montford—SB 844; Siplin—CS for SB 1524; Sobel—SB 1108; Thrasher—SB 844

### **RECESS**

On motion by Senator Thrasher, the Senate recessed at 9:47 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:15 a.m., Thursday, March 24 or upon call of the President.