



Journal of the Senate

Number 16—Regular Session

Thursday, April 24, 2014

CONTENTS

Bills on Third Reading 609
 Call to Order 597, 601
 Committee Substitutes, First Reading 620
 House Messages, First Reading 625
 Motions 597, 620
 Remarks 601
 Reports of Committees 620
 Resolutions 601
 Special Guests 597, 599, 600, 601, 603
 Special Order Calendar 597, 603
 Vote, Disclosure 616

CALL TO ORDER

The Senate was called to order by President Gaetz at 11:00 a.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Excused: Senator Altman; Senator Negron and other conferees, periodically, for the purpose of working on Appropriations

PRAYER

Reverend Tyler Fuller, Missions Pastor, First United Methodist Church, Niceville, led the Senate in prayer. Reverend Fuller is the son of Dr. Frank Fuller, Senior Policy Advisor in the Office of the Senate President.

The following prayer was offered by Reverend Fuller:

Micah 6:8

“He has shown you, O mortal, what is good.
And what does the Lord require of you?
To act justly and to love mercy
and to walk humbly with your God.”

Proverbs 12:18

“The words of the reckless pierce like swords,
but the tongue of the wise brings healing.”

Matthew 6:33

“But seek ye first the kingdom of God, and his righteousness; and all these things shall be added to you.”

Let us pray:

Lord, we invite you into our proceedings for the day, both into our common hall and into our hearts and minds as individuals. We pray you would grant each of us wisdom, courage, and grace. Give us a heart that is in tune with your will. Guide our words, empower us to speak with grace and truth. Let us each be eager to listen and slow to speak.

Turn our eyes towards justice, and keep us mindful of the overlooked and marginalized among the people we represent. Give us love for you and love for your people: friends and enemies alike. God, we acknowledge that you are with us and we ask that you would give us eyes to see and ears to hear what you are doing and where you would lead us. Amen.

PLEDGE

Senate Pages, Alex Troutt of Lutz; Austin Gonzalez of DeLand; Cecilia “Cici” Xie of Tallahassee; and Rachel Kondrk of Palatka, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Christina Cavanagh of Fort Myers, sponsored by Senator Benacquisto, as the doctor of the day. Dr. Cavanagh specializes in family medicine.

INTRODUCTION OF FORMER SENATORS

The President recognized Congressman Mario Diaz-Balart, former Senator, and his wife, Tia, who were present in the chamber.

MOTION TO RECONSIDER BILL

Senator Evers moved that the Senate reconsider the vote by which—

CS for CS for SB 1138—A bill to be entitled An act relating to the civil liability of farmers; amending s. 768.137, F.S.; expanding an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field after harvesting to include farmers who gratuitously allow a person to enter upon their land to remove any farm produce or crops; revising exceptions to the exemption from civil liability; providing an effective date.

—passed April 23.

The motion was adopted.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

CS for SB 514—A bill to be entitled An act relating to single-gender public school programs; amending s. 1002.311, F.S.; providing requirements for a district school board when establishing a gender-specific elementary, middle, or high school; requiring school administrative and instructional personnel to participate in professional development; providing accountability requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 514**, on motion by Senator Flores, by two-thirds vote **CS for HB 313** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Flores—

CS for HB 313—A bill to be entitled An act relating to single-gender public school programs; amending s. 1002.311, F.S.; providing requirements for a district school board when establishing a gender-specific elementary, middle, or high school; requiring school administrative and instructional personnel to participate in professional development; providing accountability requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 514** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 313** was placed on the calendar of Bills on Third Reading.

CS for SB 546—A bill to be entitled An act relating to public records; amending s. 790.0601, F.S.; creating an exemption from public records requirements for certain personal identifying information held by the tax collector when an individual applies for a license to carry a concealed weapon or firearm pursuant to s. 790.06, F.S.; providing for retroactive application of the exemption; providing for disclosure of such information under specified conditions; providing for review and repeal of the exemption; providing a statement of public necessity; providing a conditional effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 546**, on motion by Senator Simpson, by two-thirds vote **CS for HB 525** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

On motion by Senator Simpson—

CS for HB 525—A bill to be entitled An act relating to public records; amending s. 790.0601, F.S.; providing an exemption from public records requirements for certain personal identifying information held by the tax collector when an individual applies for a license to carry a concealed weapon or firearm pursuant to s. 790.06, F.S.; providing for retroactive application of the exemption; providing for disclosure of such information under specified conditions; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 546** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 525** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 758** and **CS for CS for SB 790** was deferred.

CS for CS for SB 832—A bill to be entitled An act relating to motor vehicle sales; amending s. 545.01, F.S.; revising and reordering definitions; defining terms; creating s. 545.045, F.S.; prohibiting an affiliated finance company from taking specified actions relating to certain finance obligations arising from a vehicle contract that contains a third-party provider's specified automotive-related product; providing factors to determine whether an automotive-related product is similar in nature, scope, and quality to an automotive-related product offered for sale by an affiliated finance company or its related manufacturer or wholesale distributor; providing that a violation does not constitute a criminal offense; amending s. 320.27, F.S.; deleting the definition of the term "motor vehicle broker"; conforming a reference; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 832** to **CS for CS for HB 783**.

Pending further consideration of **CS for CS for SB 832** as amended, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 783** was withdrawn from the Committees on Banking and Insurance; and Judiciary.

On motion by Senator Flores—

CS for CS for HB 783—A bill to be entitled An act relating to motor vehicle sales; amending s. 545.01, F.S.; revising and reordering definitions; defining terms; creating s. 545.045, F.S.; prohibiting an affiliated finance company from taking specified actions relating to certain finance obligations arising from a vehicle contract that contains a third-party provider's specified automotive related product; providing factors to determine whether an automotive related product is similar in nature, scope, and quality to an automotive related product offered for sale by an affiliated finance company or its related manufacturer or wholesale distributor; providing that a violation does not constitute a criminal offense; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 832** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 783** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 866** and **CS for SB 828** was deferred.

On motion by Senator Braynon—

CS for CS for SB 1000—A bill to be entitled An act relating to labor pools; amending s. 448.24, F.S.; revising methods by which a labor pool is required to compensate day laborers; requiring a labor pool to provide certain notice before a day laborer's first pay period; specifying requirements for a labor pool that selects to compensate a day laborer by payroll debit card; authorizing a labor pool to deliver a wage statement electronically upon request by the day laborer; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1000** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1466** was deferred.

CS for SB 918—A bill to be entitled An act relating to the termination of pregnancies; amending s. 390.011, F.S.; defining the terms "reasonable medical judgment" and "standard medical measure" and redefining the term "viability"; amending s. 390.0111, F.S.; revising the circumstances under which a pregnancy in the third trimester may be terminated; providing the standard of medical care for the termination of a pregnancy during the third trimester; providing criminal penalties for a violation of s. 390.01112, F.S.; authorizing administrative discipline for a violation of s. 390.01112, F.S., by certain licensed professionals; creating s. 390.01112, F.S.; prohibiting the termination of a viable fetus; providing exceptions; requiring a physician to perform certain examinations to determine the viability of a fetus; providing the standard of care for the termination of a viable fetus; amending s. 797.03, F.S.; prohibiting an abortion of a viable fetus outside of a hospital; providing for severability; providing for a contingent future repeal and reversion of law; providing an effective date.

—was read the second time by title.

An amendment was considered and failed to conform **CS for SB 918** to **CS for HB 1047**.

The vote was:

Yeas—14

Abruzzo	Clemens	Margolis
Braynon	Gibson	Montford
Bullard	Joyner	Ring

Sachs	Sobel	Thompson
Smith	Soto	

Nays—22

Mr. President	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Simmons
Bradley	Gardiner	Simpson
Brandes	Grimsley	Stargel
Dean	Hays	Thrasher
Diaz de la Portilla	Hukill	
Evers	Legg	

Pending further consideration of **CS for SB 918**, on motion by Senator Flores, by two-thirds vote **CS for HB 1047** was withdrawn from the Committees on Health Policy; Judiciary; and Rules.

On motion by Senator Flores—

CS for HB 1047—A bill to be entitled An act relating to the termination of pregnancies; amending s. 390.011, F.S.; defining the terms “reasonable medical judgment,” “standard medical measure,” and “viability”; amending s. 390.0111, F.S.; revising the circumstances under which a pregnancy in the third trimester may be terminated; providing the standard of medical care for the termination of a pregnancy during the third trimester; providing criminal penalties for a violation of s. 390.01112, F.S.; authorizing administrative discipline for a violation of s. 390.01112, F.S., by certain licensed professionals; creating s. 390.01112, F.S.; prohibiting the termination of a viable fetus; providing exceptions; requiring a physician to perform certain examinations to determine the viability of a fetus; providing the standard of care for the termination of a viable fetus; amending s. 797.03, F.S.; prohibiting an abortion of a viable fetus outside of a hospital; providing for severability; providing for a contingent future repeal and reversion of law; providing an effective date.

—a companion measure, was substituted for **CS for SB 918** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1047** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senate President Pro Tempore Michael S. “Mike” Bennett, who was present in the chamber, and his wife, Dee Bennett, who was present in the gallery.

On motion by Senator Hays—

CS for CS for SB 1274—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; providing that a condominium association is ineligible for commercial residential wind-only coverage under certain conditions; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (203472)—In title, delete line 3 and insert: Corporation; amending s. 627.351, F.S.; postponing the date that certain major structures become ineligible for coverage by the corporation; providing that

Pursuant to Rule 4.19, **CS for CS for SB 1274** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 952—A bill to be entitled An act relating to workers’ compensation; amending s. 627.072, F.S.; authorizing employers to negotiate the retrospectively rated premium with insurers under certain conditions; providing an exemption; specifying requirements for the fil-

ing and approval of such plans and associated forms; providing an exception; providing legislative intent regarding the effect of other legislation; amending s. 627.281, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 952**, on motion by Senator Simpson, by two-thirds vote **CS for HB 785** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Simpson—

CS for HB 785—A bill to be entitled An act relating to workers’ compensation; amending s. 440.13, F.S.; providing that oral vitamins, nutrient preparations, dietary supplements, and certain medical food are not reimbursable; amending s. 627.072, F.S.; authorizing employers to negotiate the retrospectively rated premium with insurers under certain conditions; providing an exemption; providing requirements for the filing and approval of such plans and associated forms; providing requirements for insurers engaging in the negotiation of premiums with eligible employers; providing applicability; providing construction with respect to the passage of similar legislation; amending s. 627.281, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 952** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 785** was placed on the calendar of Bills on Third Reading.

CS for SB 104—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 104** to **CS for CS for HB 755**.

Pending further consideration of **CS for SB 104** as amended, on motion by Senator Soto, by two-thirds vote **CS for CS for HB 755** was withdrawn from the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

On motion by Senator Soto—

CS for CS for HB 755—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—a companion measure, was substituted for **CS for SB 104** as amended and read the second time by title.

Senator Soto moved the following amendment which failed:

Amendment 1 (421524) (with title amendment)—Between lines 140 and 141 insert:

Section 3. Subsection (3) is added to section 454.021, Florida Statutes, to read:

454.021 Attorneys; admission to practice law; Supreme Court to govern and regulate.—

(3) *Upon certification by the Florida Board of Bar Examiners that an applicant who is not lawfully present in the United States has fulfilled all requirements for admission to practice law in this state, the Supreme Court of Florida may admit that applicant as an attorney at law authorized to practice in this state and may direct an order be entered upon the court's records to that effect.*

And the title is amended as follows:

Delete lines 2-15 and insert: An act relating to the courts; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending s. 454.021, F.S.; authorizing the Supreme Court to admit a bar applicant who is not lawfully present in the United States; amending ss. 741.30,

The vote was:

Yeas—18

Abruzzo	Garcia	Sachs
Braynon	Gibson	Simmons
Bullard	Joyner	Smith
Clemens	Margolis	Sobel
Diaz de la Portilla	Montford	Soto
Flores	Ring	Thompson

Nays—19

Mr. President	Evers	Legg
Bean	Galvano	Richter
Benacquisto	Gardiner	Simpson
Bradley	Grimsley	Stargel
Brandes	Hays	Thrasher
Dean	Hukill	
Detert	Lee	

Senator Soto moved the following amendment which was adopted:

Amendment 2 (535776)—Delete line 193 and insert:

Section 6. This act shall take effect upon becoming a law.

Pursuant to Rule 4.19, **CS for CS for HB 755** as amended was placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

Senator Brandes introduced his mother, Mary Brandes, and aunt, Donna Hooker, who were present in the gallery.

Consideration of **CS for CS for SB 926** was deferred.

CS for SB 318—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for any portion of a meeting of the board of directors of a university direct-support organization, or of the executive committee or other committees of such board, at which any proposal seeking research funding from the organization or a plan or program for either initiating or supporting research is discussed; providing for review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 318**, on motion by Senator Stargel, by two-thirds vote **CS for HB 115** was withdrawn from the Committees on Education; Governmental Oversight and Accountability; and Rules.

On motion by Senator Stargel—

CS for HB 115—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for any portion of a meeting of the board of directors of a university direct-support organization, or of the executive committee or other committees of such board, at which any proposal seeking research funding from the organization or a plan or program for either initiating or supporting research is discussed; providing for review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 318** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 115** was placed on the calendar of Bills on Third Reading.

CS for SB 1008—A bill to be entitled An act relating to Article V constitutional conventions; creating s. 11.93, F.S.; providing a short title; creating s. 11.931, F.S.; providing for applicability; creating s. 11.932, F.S.; providing definitions; creating s. 11.933, F.S.; establishing qualifications of delegates and alternate delegates to an Article V constitutional convention; creating s. 11.9331, F.S.; providing for the appointment of delegates by the Legislature; creating s. 11.9332, F.S.; requiring majority vote approval in each chamber for the appointment of delegates; creating s. 11.9333, F.S.; authorizing the Legislature to recall a delegate and fill a vacancy; authorizing the presiding officers of the Legislature to call for a special legislative session to fill a vacancy; creating s. 11.9334, F.S.; establishing a legislative method for appointments and recalls; creating s. 11.9335, F.S.; providing for the reimbursement of delegates and alternate delegates for per diem and travel expenses; creating s. 11.9336, F.S.; requiring delegates and alternate delegates to execute a written oath of responsibilities; creating s. 11.9337, F.S.; providing for the filing of delegates' oaths and the issuance of commissions; creating s. 11.934, F.S.; providing for instructions to delegates and alternate delegates; creating s. 11.9341, F.S.; establishing duties of alternate delegates; creating s. 11.9342, F.S.; establishing circumstances under which a convention vote is declared void; creating s. 11.9343, F.S.; providing circumstances under which a delegate or alternate delegate's appointment is forfeited; creating s. 11.9344, F.S.; establishing circumstances under which the application to call an Article V convention ceases to be a continuing application and is deemed to have no effect; creating s. 11.9345, F.S.; providing penalties for a delegate or alternate delegate who votes or attempts to vote outside the scope of the Legislature's instructions or the limits of the call for a constitutional convention; creating ss. 11.935, 11.9351, and 11.9352, F.S.; establishing a delegate advisory group, its membership, duties, and responsibilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1008**, on motion by Senator Stargel, by two-thirds vote **CS for HB 609** was withdrawn from the Committees on Judiciary; Appropriations; and Rules.

On motion by Senator Stargel—

CS for HB 609—A bill to be entitled An act relating to Article V constitutional conventions; creating s. 11.93, F.S.; providing a short title;

creating s. 11.931, F.S.; providing for applicability; creating s. 11.932, F.S.; providing definitions; creating s. 11.933, F.S.; establishing qualifications of delegates and alternate delegates to an Article V constitutional convention; creating s. 11.9331, F.S.; providing for the appointment of delegates by the Legislature; creating s. 11.9332, F.S.; requiring majority vote approval in each chamber for the appointment of delegates; creating s. 11.9333, F.S.; authorizing the Legislature to recall a delegate and fill a vacancy; authorizing the presiding officers of the Legislature to call for a special legislative session to fill a vacancy; creating s. 11.9334, F.S.; establishing a legislative method for appointments and recalls; creating s. 11.9335, F.S.; providing for the reimbursement of delegates and alternate delegates for per diem and travel expenses; creating s. 11.9336, F.S.; requiring delegates and alternate delegates to execute a written oath of responsibilities; creating s. 11.9337, F.S.; providing for the filing of delegates' oaths and the issuance of commissions; creating s. 11.934, F.S.; providing for instructions to delegates and alternate delegates; creating s. 11.9341, F.S.; establishing duties of alternate delegates; creating s. 11.9342, F.S.; establishing circumstances under which a convention vote is declared void; creating s. 11.9343, F.S.; providing circumstances under which a delegate or alternate delegate's appointment is forfeited; creating s. 11.9344, F.S.; establishing circumstances under which the application to call an Article V convention ceases to be a continuing application and is deemed to have no effect; creating s. 11.9345, F.S.; providing penalties for a delegate or alternate delegate who votes or attempts to vote outside the scope of the Legislature's instructions or the limits of the call for a constitutional convention; creating ss. 11.935, 11.9351, and 11.9352, F.S.; establishing a delegate advisory group, its membership, duties, and responsibilities; providing an effective date.

—a companion measure, was substituted for **CS for SB 1008** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 609** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher, the Senate recalled—

CS for CS for HB 755—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term "family cases" has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—as previously amended this day for further consideration.

RECONSIDERATION OF AMENDMENT

On motion by Senator Thrasher, the Senate reconsidered the vote by which **Amendment 1 (421524)** failed.

On motion by Senator Thrasher, further consideration of **CS for CS for HB 755** with pending **Amendment 1 (421524)** was deferred.

RECESS

On motion by Senator Thrasher, the Senate recessed at 12:05 p.m. to reconvene at 2:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:30 p.m. A quorum present—38:

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

SPECIAL GUESTS

The President recognized former and current legislative spouses who were seated in the gallery.

ADOPTION OF RESOLUTIONS

On motion by Senator Thrasher—

By Senators Thrasher, Richter, Hays, Gaetz, Abruzzo, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hukill, Joyner, Latvala, Legg, Margolis, Montford, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, and Thompson—

SR 1750—A resolution recognizing April 24, 2014, as "Sandra Host Day" in the Florida Senate.

WHEREAS, Sandra Host has coordinated and managed the Spouse Programs of the House of Representatives and the Senate during her 30 years of service to the Florida Legislature, and

WHEREAS, throughout three decades of legislative service, Sandra Host has welcomed hundreds of legislative spouses to Tallahassee, introducing them to their extended legislative family, always showing dedication and commitment to her position, and

WHEREAS, Sandra Host's educational, social, and service-oriented programs have engaged our legislative spouses in meaningful, enjoyable, and uplifting activities, adding value to their experience in public service, and

WHEREAS, Sandra Host's warmth and grace have allowed her to forge lasting friendships with our legislative spouses which have enriched their lives and will endure for years to come, and

WHEREAS, "Selebration Sandra," which was hosted by our own First Lady of the Senate, Vicky Gaetz, was attended by a number of past and current legislative spouses, who hold Sandra Host in the highest esteem, and was held in honor of Sandra Host's pending retirement at the conclusion of the 2014 Legislative Session, NOW, THEREFORE,

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

That we express our heartfelt appreciation and utmost respect to Sandra Host for 30 years of incomparable leadership of the Spouse Programs of the House of Representatives and the Senate, and

BE IT FURTHER RESOLVED that April 24, 2014, is recognized as "Sandra Host Day" in the Florida Senate and that a copy of this resolution be presented to Sandra Host as a token of the sentiments expressed herein.

—was introduced out of order and read by title. On motion by Senator Thrasher, **SR 1750** was read the second time in full and adopted.

REMARKS

On motion by Senator Thrasher, the following remarks were ordered spread upon the Journal:

Senator Thrasher: Let me tell you a little history. Unfortunately, as old as I am, I have a lot of history. I think that is one of the things you guys remember. It is rumored that Sandra Host and I actually went to Florida State University undergraduate school at the same time. Now I will let you all be the judge of that. She obviously looks a lot younger than I am, but we did attend Florida State in similar eras. We didn't see each other for many years. Then I got elected to the House of Representatives and, the last two years, of course, I had the privilege of being Speaker. Sandra worked in the House of Representatives. I didn't know anything about the spouses' program. I was lucky to have Jean in Tallahassee with me during that time. She started telling me about it and all the good things the program did for spouses. The main thing that Jean told me, Mr. President, was that Sandra did not have a parking place in the House of Representatives. So you can imagine when your wife tells you that a good friend of hers doesn't have a parking place, Mr. President-to-be, we got her a parking place. I think that is the one thing she remembers me for most.

But we have had a great friendship. Sandra, like a lot of us when we left the House, came down to the Senate to work. Some of you may not be as fortunate as President Gaetz, Senator Richter, Senator Hays, and Senator Bennett, when he was here. We are fortunate enough to have our spouses here. Those who aren't fortunate enough to have their spouses here may not understand what the spouse coordinator does. I'll just give you a few examples. I'm sure Senator Richter and Senator Hays can add to it, but Sandra basically provides a home away from home for spouses who come up here. Not only the ones who come up all the time, but the ones who come up for days here and there when they can. She provides a warm, inviting place for spouses to come to be with other spouses. They have the camaraderie of knowing that there are other spouses down here in the same boat as they are in. That's a very positive thing. She is a counselor. I remember one time, when I was Speaker, I was walking back in my office, and I overheard my wife on the phone with one of our daughters. She said, "I guess if I died right now, he'd bury me after session." I know you've never been there Mr. President, but I heard from Sandra later, "You might want to spend a little more time talking to your wife about some of the things you are doing." That was great counsel, and I will never forget it.

They also have a lot of activities. They go to farms, visit master crafters at Florida State where they do beading, and all kinds of things. Vicky has led all of that activity. They go shopping, a lot of shopping, I can tell you. If you ever really want a good meal, you go up to that fifth floor spouses' lounge, and you get a good meal. Sandra is flexible. She found out that I like pigs in a blanket. Whenever I go up there, I get pigs in a blanket, which is one of my favorite foods. Senator Dean, I don't know about you but I can eat a lot of pigs in a blanket. I don't know, Mr. President, but she might start serving us bologna sandwiches if we get up there, because the President and I like bologna sandwiches. For thirty years, she has done this incredible job with grace, style, dignity, and class, and always with a smile.

I know that she and Bruce are getting ready to spend a lot of time together on the road, visiting their lovely daughters in California and Nashville, Tennessee. I know that they will be very, very happy. There is an old saying that I like, but don't necessarily apply it to me yet. "Wherever somebody goes, they bring a lot of happiness." Wherever Sandra has gone, she's brought happiness to the people she has served and so much joy to all of us. We love her and care so much about her. That plaque and the words in it came from our hearts. We care about you and Bruce. We simply wish you the very best. Godspeed.

Senator Richter: Thank you, Mr. President. Senator Thrasher, what wonderful words you just said about a wonderful, wonderful person. You did point out, before I go into my comments, our colleague, Senator Bennett. Look at him; look at the smile on his face up there. Leave it to him to be surrounded with all the women. Always figuring it out.

Members, we have term limits, you all know we have term limits here. We have term limits across the hall. Well, those term limits mean that you are here no more than eight years and you are gone, or you are switching chambers. But, as was just indicated, the spouses who come up here weren't necessarily term limited because they had Sandra Host full-term. I've had the good fortune to have Diana, my wife, come up for session and spend the weeks with me. I know all the colleagues don't have that good fortune, but I have had it. What we do in this process, what we do in this whole legislative process is we interact with one

another. We try to pass good legislation. What we walk away with are memories. At the end of the day, we take home our memories. Those are good memories. Those are fond memories that we carry in our pockets or in our purses. You have those memories to reflect back on the time that we've had here in Tallahassee.

So, we only come up here maybe 90 days a year; 60 for session and 30 spread around with committee meetings. But the 90 days a year that we are here, our spouses are treated to the best memories. I know, because Diana shares her experiences with me each night. When we get home, she talks about how Sandra had us go here, and Sandra did this for us, and Sandra did that for us. Sandra took us shopping. A lot of shopping, Senator Thrasher says, but it's the memories. When we walk out of here, we're not going to remember the bills that we passed or the fights that we had. We are going to remember the friendships that we endured, that we kept, that we created and the memories that go along with those friendships. Memories do not have term limits.

You've given everybody in that balcony, and many who are not here, that couldn't make the trip to recognize you today, memories that they will cherish, that they will hold forever. Memories that have one thing in common: the beautiful, wonderful, Sandra Host.

Senator Hays: Thank you, Mr. President. My memories are not as ancient as those of Senator Thrasher, but my memories and my thanks are every bit as rich and full as those of Senator Thrasher. Sandra, many times I have said that on any given Saturday or Sunday during football season, there are 22 players in the spotlight. But those guys could never accomplish what they do without the trainers, the coaches, and all the other auxiliary people that are behind the scenes enabling them to perform at the level that they do. We are no different in this body. What we are able to do is because of people like you who so graciously and so generously give your time to help our teammates, our spouses, give us the kind of support that can only come from a spouse. You are an enabler for that, and we sincerely thank you. Bruce has been so generous to share you with us. Bruce, we thank you. It has been great to build a friendship, and as one who loves my wife very dearly, it means so much to me. All summer long this year all I heard from her is "I have got to be there during Sandra's last year." If she were not here this year, I don't know what would happen. But she is here. She loves you because of what you have been able to do for her and for all of the other spouses as a friend. She sees you interacting with them and it means so much to all of us. We just thank you, thank you, thank you so much for your generosity and your love that you share with all of them. Thank you.

Senator Stargel: Thank you, Mr. President. I bring a little different perspective to this because I actually was part of the Spouse Coalition for several years when my husband was in the House of Representatives. I got to know Sandra from that aspect of it. I can say from experience that the encouragement and the strength she gives the spouses is a whole different perspective than when we are here on the floor and are in the chaos that's going on. It is harder when you are up there and you see the chaos. You see your spouse in turmoil or see the frustration, and you don't have the full picture of what's happening.

Sandra's been around for a while working for the spouses, and she would always say, "We've seen this before" or "It will be okay tomorrow" or "These things come and go," and she kind of kept the spouses calm and tempered and focused. A lot of the things they do, along with the shopping and the field trips that I did in the Spouse program, are things that I've not had the opportunity to do as a member.

We toured the Supreme Court and saw the back working of the Supreme Court, something I've not taken the time to do, when I'm not here working. They toured other facilities around here, the Mission, and various different things. It's knowledge that I've learned from that program which I am able to bring to this part of being a member here today. It is a vital process to have that camaraderie with the other spouses when you see your husband or your wife going through this process. You know that the world is not going to end and that tomorrow will be a better day and that you can be a support for your husband or wife. I also would like to say that my husband is part of the spouse program now, and she treats the men in the spouse program with the same amount of grace and respect and encouragement as she does with the women, which is quite a treat. My husband got the opportunity to read poetry with all the women on Valentine's Day a couple years ago.

It's a gender neutral organization. Men and women can be a part of it, and she has done a fabulous job. She was a real encouragement for me when I was there and still an encouragement to me today. Thank you for all that you did.

SPECIAL GUESTS

The President recognized Sandra Host, who was present in the chamber, and thanked her for her hard work and dedication toward the Spouse Programs.

SPECIAL ORDER CALENDAR

On motion by Senator Soto, the Senate resumed consideration of—

CS for CS for HB 755—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 1 (421524)** by Senator Soto.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 1 (421524)** which was adopted:

Amendment 1A (268402) (with title amendment)—Delete lines 9-11 and insert:

(3) Upon certification by the Florida Board of Bar Examiners that an applicant who is an unauthorized immigrant who was brought to this state as a minor and who has been a resident of this state for more than 10 years has fulfilled all requirements for admission to

And the title is amended as follows:

Delete lines 36-37 and insert: applicant who is an unauthorized immigrant under certain circumstances; amending ss. 741.30,

Amendment 1 (421524) as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 755** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for SB 1046—A bill to be entitled An act relating to public records; amending s. 316.066, F.S.; providing an exemption from public records requirements for certain personal contact information contained in motor vehicle crash reports; providing for future legislative review and repeal of the exemption; 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 1046** was placed on the calendar of Bills on Third Reading.

CS for SB 834—A bill to be entitled An act relating to legal notices; amending s. 50.0211, F.S.; requiring legal notices to be posted on a newspaper's website on web pages with specified titles; prohibiting

charging a fee or requiring registration for viewing online legal notices; establishing the period for which legal notices are required to be published on the statewide website; requiring that legal notices be archived on the statewide website for a specified period; deleting a provision relating to harmless error; amending s. 50.061, F.S.; clarifying payment provisions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 834**, on motion by Senator Latvala, by two-thirds vote **CS for HB 781** was withdrawn from the Committees on Governmental Oversight and Accountability; Judiciary; Appropriations; and Rules.

On motion by Senator Latvala—

CS for HB 781—A bill to be entitled An act relating to legal notices; amending s. 50.0211, F.S.; requiring legal notices to be posted on a newspaper's website on web pages with specified titles; prohibiting charging a fee or requiring registration for viewing online legal notices; establishing the period for which legal notices are required to be published on the statewide website; requiring that legal notices be archived on the statewide website for a specified period; deleting a provision relating to harmless error; amending s. 50.061, F.S.; clarifying payment provisions; providing an effective date.

—a companion measure, was substituted for **CS for SB 834** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 781** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 1320—A bill to be entitled An act relating to public records; creating s. 662.148, F.S.; providing definitions; providing an exemption from public records requirements for certain information held by the Office of Financial Regulation relating to a family trust company, licensed family trust company, or foreign licensed family trust company; providing for the authorized release of certain information by the office; authorizing the publication of certain information; providing a penalty; providing for future legislative review and repeal of the exemption; 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 CS for SB 1320** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1672—A bill to be entitled An act relating to property insurance; amending s. 626.621, F.S.; providing additional grounds for refusing, suspending, or revoking a license or appointment of an insurance agent, adjuster, customer representative, or managing general agent based on the acceptance of payment for certain referrals; amending s. 626.854, F.S.; prohibiting a public adjuster or public adjuster apprentice from choosing the persons or entities that will perform repair work; amending s. 627.351, F.S.; postponing the date that new construction or substantial improvement is not eligible for coverage by the corporation; deleting reference to the Residential Property and Casualty Joint Underwriting Association with respect to issuing certain residential or commercial policies; requiring the corporation to cease offering new commercial residential policies providing multiperil coverage after a certain date and continue offering commercial residential wind-only policies; authorizing the corporation to offer commercial residential policies excluding wind; providing exceptions; specifying the amount of the surcharge to be assessed against personal lines, commercial lines, and coastal accounts to cover a projected deficit; requiring the corporation's board to contract with the Division of Administrative Hearings to hear protests of the corporation's decisions regarding the purchase of commodities and contractual services and issue a recommended order; requiring the board to take final action in a public meeting; revising the date for submitting the annual loss-ratio report for residential coverage; amending s. 627.3518, F.S.; defining the term

“surplus lines insurer”; requiring the corporation to implement procedures for diverting ineligible applicants and existing policyholders for commercial residential coverage from the corporation by a certain date; deleting the requirement that the corporation report such procedures to the Legislature; authorizing eligible surplus lines insurers to participate in the corporation’s clearinghouse program and providing criteria for such eligibility; conforming cross-references; providing that certain applicants who accept an offer from a surplus lines insurer are considered to be renewing; repealing s. 627.3519, F.S., relating to an annual report requirement for aggregate net probable maximum losses; amending s. 627.35191, F.S.; requiring the corporation to annually provide certain estimates for the next 12-month period to the Legislature and the Financial Services Commission; amending s. 627.711, F.S.; prohibiting a mitigation inspector from offering or delivering compensation, and an insurance agency, agent, customer representative, or employee from accepting compensation for referring an owner to the inspector or inspection company; authorizing an insurer to exempt a uniform mitigation verification form from independent verification under certain circumstances; providing that the form provided to the corporation is not subject to verification and the property is not subject to reinspection under certain circumstances; amending s. 817.234; prohibiting a contractor from paying, waiving, or rebating a property insurance deductible; providing penalties; providing effective dates.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Simmons moved the following amendments which were adopted:

Amendment 1 (716160)—Delete lines 906-910 and insert:

(d) A contractor, or a person acting on behalf of a contractor, may not knowingly or willfully and with intent to injure, defraud, or deceive, pay, waive, or rebate all or part of an insurance deductible applicable to payment to the contractor, or a person acting on behalf of a contractor, for repairs to property covered by a property insurance policy. A person who violates this paragraph

Amendment 2 (153650) (with title amendment)—Between lines 912 and 913 insert:

Section 9. The board of governors of Citizens Property Insurance Corporation shall develop a plan to establish a sinkhole stabilization repair program to ensure the repair and remediation of sinkhole damage to homes and shall submit such plan to the Financial Services Commission by December 1, 2014, for review, modification, and approval. Upon the commission’s approval, the board shall implement the plan by March 31, 2015. Effective March 31, 2015, any claim against a corporation policy that covers residential sinkhole loss and for which it is determined that a covered sinkhole loss has occurred must be included in and governed by the repair program for the purpose of making stabilization repairs.

And the title is amended as follows:

Between lines 64 and 65 insert: requiring the board of governors of Citizens Property Insurance Corporation to develop, and upon commission approval, implement a plan to establish a sinkhole stabilization repair program to cover residential sinkhole loss by a certain date;

RECONSIDERATION OF AMENDMENT

On motion by Senator Latvala, the Senate reconsidered the vote by which **Amendment 2 (153650)** was adopted. **Amendment 2** was withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 1672** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 870—A bill to be entitled An act relating to insurance; amending s. 624.425, F.S.; providing that the absence of a countersignature does not affect the validity of a policy or contract; amending s. 627.7311, F.S.; providing that a county may enact and en-

force ordinances applicable to certain health care clinics; amending s. 627.902, F.S.; providing that premium financing does not apply to installment payment arrangements that do not involve the advancement of funds; amending s. 627.94072, F.S.; providing an alternative form of a nonforfeiture provision for long-term care insurance; amending s. 629.271, F.S.; authorizing reciprocal insurers to return a portion of unassigned funds to their subscribers; amending s. 631.54, F.S.; defining the term “assessment year”; amending s. 631.57, F.S.; revising provisions relating to the levy of assessments on insurers by the Florida Insurance Guaranty Association; specifying the conditions under which such assessments are paid; revising procedures and timeframes for the levying of the assessments; deleting the requirement that insurers file a final accounting report documenting the recoupment; revising an exemption for assessments; amending s. 631.64, F.S.; requiring charges or recoupments to be displayed separately on premium statements to policyholders and prohibiting their inclusion in rates; amending ss. 627.727 and 631.55, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 870**, on motion by Senator Smith, by two-thirds vote **CS for HB 375** was withdrawn from the Committees on Banking and Insurance; and Judiciary.

On motion by Senator Smith, the rules were waived and—

CS for HB 375—A bill to be entitled An act relating to insurance; amending s. 624.425, F.S.; providing that the absence of a countersignature does not affect the validity of a policy or contract; amending s. 627.94072, F.S.; authorizing the offer of a nonforfeiture benefit in the form of a return of premium under specified circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 870** and read the second time by title.

Senator Smith moved the following amendment:

Amendment 1 (481316) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 624.425, Florida Statutes, is amended to read:

624.425 Agent countersignature required, property, casualty, surety insurance.—

(1) Except as stated in s. 624.426, no authorized property, casualty, or surety insurer shall assume direct liability as to a subject of insurance resident, located, or to be performed in this state unless the policy or contract of insurance is issued by or through, and is countersigned by, an agent who is regularly commissioned and licensed currently as an agent and appointed as an agent for the insurer under this code. *However, the absence of a countersignature does not affect the validity of the policy or contract.* If two or more authorized insurers issue a single policy of insurance against legal liability for loss or damage to person or property caused by a ~~the~~ nuclear energy hazard, or a single policy insuring against loss or damage to property by radioactive contamination, whether or not also insuring against one or more other perils *that may be insured proper to insure* against in this state, such policy if otherwise lawful may be countersigned on behalf of all of the insurers by a licensed and appointed agent of ~~the any~~ insurer appearing thereon. The producing agent shall receive on each policy or contract the full and usual commission allowed and paid by the insurer to its agents on business written or transacted by them for the insurer.

Section 2. Section 627.7311, Florida Statutes, is amended to read:

627.7311 Effect of law ~~on personal injury protection policies.~~—

(1) The provisions and procedures authorized in ss. 627.730-627.7405 shall be implemented by insurers offering policies pursuant to the Florida Motor Vehicle No-Fault Law. The Legislature intends that these provisions and procedures have full force and effect regardless of their express inclusion in an insurance policy form, and a specific provision or procedure authorized in ss. 627.730-627.7405 shall control over general provisions in an insurance policy form. An insurer is not required to amend its policy form or to expressly notify providers, clai-

mants, or insureds in order to implement and apply such provisions or procedures.

(2) Sections 627.730-627.7405 do not preclude a county from enacting and enforcing an ordinance applicable to health care clinics that receive reimbursement under the Florida Motor Vehicle No-Fault Law.

Section 3. Subsection (2) of section 627.902, Florida Statutes, is amended to read:

627.902 Premium financing by an insurer or subsidiary.—

(2) ~~Nothing in~~ This part or ~~in~~ part XV of this chapter does not disallow ~~disallows~~ or otherwise apply ~~applies~~ to:

(a) Installment payment arrangements offered by an insurer if such arrangements do not involve the advancement of funds which would constitute financing; or

(b) A discount for an ~~any~~ insured who pays the entire premium for the entire policy term at the inception of the term if the discount is found to be actuarially justified by the office and approved by the office pursuant to the provisions of part I of this chapter. Such actuarially justified and approved discount ~~may shall~~ not be deemed a component of or related to premium financing.

Section 4. Subsection (2) of section 627.94072, Florida Statutes, is amended to read:

627.94072 Mandatory offers.—

(2) An insurer that offers a long-term care insurance policy, certificate, or rider in this state ~~shall must~~ offer a nonforfeiture protection provision providing reduced paid-up insurance, extended term, shortened benefit period, or ~~any~~ other benefit ~~benefits~~ approved by the office if all or part of a premium is not paid. A nonforfeiture provision may also be offered in the form of a return of premium on the death of the insured, or on the complete surrender or cancellation of the policy or contract. Nonforfeiture benefits and any additional premium for such benefits must be computed in an actuarially sound manner, using a methodology that has been filed with and approved by the office.

Section 5. Section 629.271, Florida Statutes, is amended to read:

629.271 Distribution of savings.—

(1) A reciprocal insurer may ~~from time to time~~ return to its subscribers any unused premiums, savings, or credits accruing to their accounts. ~~Any~~ Such distribution ~~may shall~~ not unfairly discriminate between classes of risks, or policies, or between subscribers, but ~~such~~ distribution may vary as to classes of subscribers based on ~~upon~~ the experience of such classes.

(2) In addition to the option provided in subsection (1), a domestic reciprocal insurer may, upon the prior written approval of the office, pay to its subscribers a portion of unassigned funds of up to 10 percent of surplus with distribution limited to 50 percent of net income from the previous calendar year. Such distribution may not unfairly discriminate between classes of risks, or policies, or between subscribers, but may vary as to classes of subscribers based on the experience of such classes.

Section 6. Subsections (2) through (9) of section 631.54, Florida Statutes, are renumbered as subsections (3) through (10), respectively, and a new subsection (2) is added to that section to read:

631.54 Definitions.—As used in this part, the term:

(2) "Assessment year" means the 12-month period, which may begin on the first day of any calendar quarter, whether January 1, April 1, July 1, or October 1, as specified in an order issued by the office directing insurers to pay an assessment to the association. Upon entry of the order, insurers may begin collecting assessments from policyholders for the assessment year.

Section 7. Subsections (3) and (4) of section 631.57, Florida Statutes, are amended to read:

631.57 Powers and duties of the association.—

(3)(a) To the extent necessary to secure ~~the~~ funds for the respective accounts for the payment of covered claims, to pay the reasonable costs to administer ~~such accounts the same, and to the extent necessary~~ to secure ~~the~~ funds for the account specified in s. 631.55(2)(b) or to retire indebtedness, including, without limitation, the principal, redemption premium, if any, and interest on, and related costs of issuance of, bonds issued under s. 631.695 and the funding of ~~any~~ reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, the office, upon certification of the board of directors, shall levy assessments *initially estimated* in the proportion that each insurer's net direct written premiums in this state in the classes protected by the account bears to the total of said net direct written premiums received in this state by all such insurers for the preceding calendar year for the kinds of insurance included within such account. Assessments shall be remitted to and administered by the board of directors in the manner specified by the approved plan and paragraph (f). Each insurer so assessed shall have at least 30 days' written notice as to the date the *initial assessment payment* is due and payable. Every assessment shall be ~~made as~~ a uniform percentage applicable to the net direct written premiums of each insurer in the kinds of insurance included within the account in which the assessment is made. The assessments levied against any insurer ~~may shall~~ not exceed in any one year more than 2 percent of that insurer's net direct written premiums in this state for the kinds of insurance included within such account during the calendar year next preceding the date of such assessments.

(b) If sufficient funds from such assessments, together with funds previously raised, are not available in any one year in the respective account to make all the payments or reimbursements then owing to insurers, the funds available shall be prorated and the unpaid portion ~~shall be paid as soon thereafter~~ as funds become available.

(c) The Legislature finds and declares that all assessments paid by an insurer or insurer group as a result of a levy by the office, including assessments levied pursuant to paragraph (a) and emergency assessments levied pursuant to paragraph (e), constitute advances of funds from the insurer to the association. An insurer may fully recoup such advances by applying the uniform assessment percentage levied by the office to all ~~a separate recoupment factor to the premium of~~ policies of the same kind or line as were considered by the office in determining the assessment liability of the insurer or insurer group *as set forth in paragraph (f)*.

1. Assessments levied under subparagraph (f)1. are paid before policy surcharges are collected and result in a receivable for policy surcharges collected in the future. This amount, to the extent it is likely that it will be realized, meets the definition of an admissible asset as specified in the National Association of Insurance Commissioners' Statement of Statutory Accounting Principles No. 4. The asset shall be established and recorded separately from the liability regardless of whether it is based on a retrospective or prospective premium-based assessment. If an insurer is unable to fully recoup the amount of the assessment because of a reduction in writings or withdrawal from the market, the amount recorded as an asset shall be reduced to the amount reasonably expected to be recouped.

2. Assessments levied under subparagraph (f)2. are paid after policy surcharges are collected so that the recognition of assets is based on actual premium written offset by the obligation to the association.

(d) ~~No~~ State funds may not ~~of any kind shall~~ be allocated or paid to the ~~said~~ association or any of its accounts.

(e)1.~~a~~ In addition to assessments ~~otherwise~~ authorized in paragraph (a), and to the extent necessary to secure the funds for the account specified in s. 631.55(2)(b) for the direct payment of covered claims of insurers rendered insolvent by the effects of a hurricane and to pay the reasonable costs to administer such claims, or to retire indebtedness, including, without limitation, the principal, redemption premium, if any, and interest on, and related costs of issuance of, bonds issued under s. 631.695 and the funding of any reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, the office, upon certification of the board of directors, shall levy emergency assessments upon insurers holding a certificate of authority. The emergency assessments payable under this paragraph by any insurer ~~may shall~~ not exceed in any single year more than 2 percent of that insurer's direct written premiums, net of refunds,

in this state during the preceding calendar year for the kinds of insurance within the account specified in s. 631.55(2)(b).

~~2.b. Any~~ Emergency assessments authorized under this paragraph shall be levied by the office upon insurers referred to in *subparagraph 1. sub-subparagraph a.*, upon certification as to the need for such assessments by the board of directors. ~~If in the event~~ the board of directors participates in the issuance of bonds in accordance with s. 631.695, emergency assessments shall be levied in each year that bonds issued under s. 631.695 and secured by such emergency assessments are outstanding, in such amounts up to such 2 percent ~~2 percent~~ limit as required in order to provide for the full and timely payment of the principal of, redemption premium, if any, and interest on, and related costs of issuance of, such bonds. The emergency assessments ~~provided for in this paragraph~~ are assigned and pledged to the municipality, county, or legal entity issuing bonds under s. 631.695 for the benefit of the holders of such bonds; in order to enable such municipality, county, or legal entity to provide for the payment of the principal of, redemption premium, if any, and interest on such bonds, the cost of issuance of such bonds, and the funding of any reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, without the necessity of any further action by the association, the office, or any other party. ~~If to the extent~~ bonds are issued under s. 631.695 and the association determines to secure such bonds by a pledge of revenues received from the emergency assessments, such bonds, upon such pledge of revenues, shall be secured by and payable from the proceeds of such emergency assessments, and the proceeds of emergency assessments levied under this paragraph shall be remitted directly to and administered by the trustee or custodian appointed for such bonds.

3.e. Emergency assessments *used to defease bonds issued under this part paragraph* may be payable in a single payment or, at the option of the association, may be payable in 12 monthly installments with the first installment being due and payable at the end of the month after an emergency assessment is levied and subsequent installments being due ~~by not later than~~ the end of each succeeding month.

4.d. If emergency assessments are imposed, the report required by s. 631.695(7) ~~must shall~~ include an analysis of the revenues generated from the emergency assessments imposed under this paragraph.

5.e. If emergency assessments are imposed, the references in sub-subparagraph (1)(a)3.b. and s. 631.695(2) and (7) to assessments levied under paragraph (a) ~~must shall~~ include emergency assessments imposed under this paragraph.

6.2. If the board of directors participates in the issuance of bonds in accordance with s. 631.695, an annual assessment under this paragraph shall continue while the bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund bonds issued pursuant to s. 631.695, unless adequate provision has been made for the payment of the bonds in the documents authorizing the issuance of such bonds.

7.3. Emergency assessments under this paragraph are not premium and are not subject to the premium tax, to any fees, or to any commissions. An insurer is liable for all emergency assessments that the insurer collects and shall treat the failure of an insured to pay an emergency assessment as a failure to pay the premium. An insurer is not liable for uncollectible emergency assessments.

(f) ~~The recoupment factor applied to policies in accordance with paragraph (c) shall be selected by the insurer or insurer group so as to provide for the probable recoupment of both assessments levied pursuant to paragraph (a) and emergency assessments over a period of 12 months, unless the insurer or insurer group, at its option, elects to recoup the assessment over a longer period. The recoupment factor shall apply to all policies of the same kind or line as were considered by the office in determining the assessment liability of the insurer or insurer group issued or renewed during a 12 month period. If the insurer or insurer group does not collect the full amount of the assessment during one 12 month period, the insurer or insurer group may apply recalculated recoupment factors to policies issued or renewed during one or more succeeding 12 month periods. If, at the end of a 12 month period, the insurer or insurer group has collected from the combined kinds or lines of policies subject to assessment more than the total amount of the assessment paid by the insurer or insurer group, the excess amount shall be disbursed as follows:~~

1. *The association, office, and insurers remitting assessments pursuant to paragraph (a) or paragraph (e) must comply with the following:*

a. *In the order levying an assessment, the office shall specify the actual percentage amount to be collected uniformly from all the policyholders of insurers subject to the assessment and the date on which the assessment year begins, which may not begin until 90 days after the association board certifies such an assessment.*

b. *Insurers shall make an initial payment to the association before the beginning of the assessment year on or before the date specified in the order of the office.*

c. *Insurers that have written insurance in the calendar year before the year in which the assessment is certified by the board shall make an initial payment based on the net direct written premium amount from the prior calendar year as set forth in the insurers' annual statements, multiplied by the uniform percentage of premium specified in the order issued by the office. Insurers that have not written insurance in the prior calendar year in any of the lines under the account which are being assessed, but that are writing insurance as of, or after, the date the board certifies the assessment to the office, shall pay an amount based on a good faith estimate of the amount of net direct written premium anticipated to be written in the subject lines of business for the assessment year, multiplied by the uniform percentage of premium specified in the order issued by the office.*

d. *Insurers shall file a reconciliation report with the association within 45 days after the end of the assessment year which indicates the amount of the initial payment to the association before the assessment year, whether such amount was based on net direct written premium contained in a prior calendar year annual statement or a good faith projection, the amount actually collected during the assessment year, and such other information contained on a form adopted by the association and provided to the insurers in advance. If the insurer collected from policyholders more than the amount initially paid, the insurer shall pay the excess amount to the association. If the insurer collected from policyholders an amount which is less than the amount initially paid to the association, the association shall credit the insurer that amount against future assessments. Such payment reconciliation report, and any payment of excess amounts collected from policyholders, shall be completed and remitted to the association within 90 days after the end of the assessment year. The association shall send a final reconciliation report on all insurers to the office within 120 days after each assessment year.*

e. *Insurers remitting reconciliation reports to the association under this paragraph are subject to s. 626.9541(1)(e). ~~If the excess amount does not exceed 15 percent of the total assessment paid by the insurer or insurer group, the excess amount shall be remitted to the association within 60 days after the end of the 12 month period in which the excess recoupment charges were collected.~~*

2. *The association may use a monthly installment method instead of the method described in sub-subparagraphs 1.b. and c. or in combination thereof based on the association's projected cash flow. If the association projects that it has cash on hand for the payment of anticipated claims in the applicable account for at least 6 months, the board may make an estimate of the assessment needed and may recommend to the office the assessment percentage that may be collected as a monthly assessment. The office may, in the order levying the assessment on insurers, specify that the assessment is due and payable monthly as the funds are collected from insureds throughout the assessment year, in which case the assessment shall be a uniform percentage of premium collected during the assessment year and shall be collected from all policyholders with policies in the classes protected by the account. All insurers shall collect the assessment without regard to whether the insurers reported premium in the year preceding the assessment. Insurers are not required to advance funds if the association and the office elect to use the monthly installment option. All funds collected shall be retained by the association for the payment of current or future claims. This subparagraph does not alter the obligation of an insurer to remit assessments levied pursuant to this subsection to the association. If the excess amount exceeds 15 percent of the total assessment paid by the insurer or insurer group, the excess amount shall be returned to the insurer's or insurer group's current policyholders by refunds or premium credits. The association shall use any remitted excess recoupment amounts to reduce future assessments.*

(g) Amounts recouped pursuant to this subsection for assessments levied under paragraph (a) due to insolvencies on or after July 1, 2010, are considered premium solely for premium tax purposes and are not subject to fees or commissions. However, insurers shall treat the failure of an insured to pay a recoupment charge as a failure to pay the premium.

~~(h) At least 15 days before applying the recoupment factor to any policies, the insurer or insurer group shall file with the office a statement for informational purposes only setting forth the amount of the recoupment factor and an explanation of how the recoupment factor will be applied. Such statement shall include documentation of the assessment paid by the insurer or insurer group and the arithmetic calculations supporting the recoupment factor. The insurer or insurer group may use the recoupment factor at any time after the expiration of the 15-day period. The insurer or insurer group need submit only one informational statement for all lines of business using the same recoupment factor.~~

~~(i) No later than 90 days after the insurer or insurer group has completed the recoupment process, the insurer or insurer group shall file with the office, for information purposes only, a final accounting report documenting the recoupment. The report shall provide the amounts of assessments paid by the insurer or insurer group, the amounts and percentages recouped by year from each affected line of business, and the direct written premium subject to recoupment by year. The insurer or insurer group need submit only one report for all lines of business using the same recoupment factor.~~

(h) Assessments levied under this subsection are levied upon insurers. This subsection does not create a cause of action by a policyholder with respect to the levying of, or a policyholder's duty to pay, such assessments.

(4) The office ~~department~~ may exempt or temporarily defer any insurer from any regular or emergency assessment if *the office finds that the insurer is impaired or insolvent or if an assessment would result in such insurer's financial statement reflecting an amount of capital or surplus less than the sum of the minimum amount required by any jurisdiction in which the insurer is authorized to transact insurance.*

Section 8. Section 631.64, Florida Statutes, is amended to read:

631.64 Recognition of assessments ~~in rates.~~—*Charges or recoupments shall be separately displayed on premium statements to enable policyholders to determine the amount charged for association assessments but may not be included in rates filed and approved by the office. The rates and premiums charged for insurance policies to which this part applies may include amounts sufficient to recoup a sum equal to the amounts paid to the association by the member insurer less any amounts returned to the member insurer by the association, and such rates shall not be deemed excessive because they contain an amount reasonably calculated to recoup assessments paid by the member insurer.*

Section 9. Subsection (5) of section 627.727, Florida Statutes, is amended to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

(5) Any person having a claim against an insolvent insurer as defined in s. 631.54(6) under ~~the provisions of~~ this section shall present such claim for payment to the Florida Insurance Guaranty Association only. In the event of a payment to a ~~any~~ person in settlement of a claim arising under ~~the provisions of~~ this section, the association is not subrogated or entitled to ~~any~~ recovery against the claimant's insurer. The association, however, has the rights of recovery as set forth in chapter 631 in the proceeds recoverable from the assets of the insolvent insurer.

Section 10. Subsection (1) of section 631.55, Florida Statutes, is amended to read:

631.55 Creation of the association.—

(1) There is created a nonprofit corporation to be known as the "Florida Insurance Guaranty Association, Incorporated." All insurers defined as member insurers in s. 631.54(7) shall be members of the association as a condition of their authority to transact insurance in this state, and, further, as a condition of such authority, an insurer ~~shall~~ agree to reimburse the association for all claim payments the association makes on ~~the said~~ insurer's behalf if such insurer is subse-

quently rehabilitated. The association shall perform its functions under a plan of operation established and approved under s. 631.58 and shall exercise its powers through a board of directors established under s. 631.56. The corporation shall have all those powers granted or permitted nonprofit corporations, as provided in chapter 617.

Section 11. This act shall take effect July 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to insurance; amending s. 624.425, F.S.; providing that the absence of a countersignature does not affect the validity of a policy or contract; amending s. 627.7311, F.S.; providing that a county may enact and enforce ordinances applicable to certain health care clinics; amending s. 627.902, F.S.; providing that premium financing does not apply to installment payment arrangements that do not involve the advancement of funds; amending s. 627.94072, F.S.; providing an alternative form of a nonforfeiture provision for long-term care insurance; amending s. 629.271, F.S.; authorizing reciprocal insurers to return a portion of unassigned funds to their subscribers; amending s. 631.54, F.S.; defining the term "assessment year"; amending s. 631.57, F.S.; revising provisions relating to the levy of assessments on insurers by the Florida Insurance Guaranty Association; specifying the conditions under which such assessments are paid; revising procedures and timeframes for the levying of the assessments; deleting the requirement that insurers file a final accounting report documenting the recoupment; revising an exemption for assessments; amending s. 631.64, F.S.; requiring charges or recoupments to be displayed separately on premium statements to policyholders and prohibiting their inclusion in rates; amending ss. 627.727 and 631.55, F.S.; conforming cross-references; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Smith moved the following amendments to **Amendment 1 (481316)** which were adopted:

Amendment 1A (425584)—Delete line 56 and insert: *which would constitute financing and do not exceed the service charges provided under s. 627.901; or*

Amendment 1B (568526) (with title amendment)—Between lines 4 and 5 insert:

Section 1. Paragraphs (b) and (c) of subsection (9) of section 440.49, Florida Statutes, are amended to read:

440.49 Limitation of liability for subsequent injury through Special Disability Trust Fund.—

(9) SPECIAL DISABILITY TRUST FUND.—

~~(b)1-~~ The Special Disability Trust Fund shall be maintained by annual assessments upon the insurance companies writing compensation insurance in ~~this the~~ state, the commercial self-insurers under ss. 624.462 and 624.4621, the assessable mutuals as defined in s. 628.6011, and the self-insurers under this chapter, which assessments ~~shall~~ become due and *must* be paid quarterly at the same time and in addition to the assessments provided ~~under in~~ s. 440.51.

1. Pursuant to this paragraph, the department shall ~~estimate~~ annually *estimate* in advance the amount necessary for the administration of this subsection and the maintenance of ~~the this fund and shall make~~ such assessment in the manner hereinafter provided. By July 1 of each year, the department shall calculate the assessment rate, which must be based on the net premiums written by carriers and self-insurers, the amount of premiums calculated by the department for self-insured employers, the sum of the anticipated disbursements and expenses of the fund for the next calendar year, and the expected fund balance for the next calendar year. Such assessment rate shall take effect January 1 of the next calendar year. Such amount shall be prorated among insurance companies writing workers' compensation insurance in the state, self-insurers, and self-insured employers.

2. A reimbursement request that has been approved but remains unpaid as of June 30, 2014, must be paid by October 31, 2014. ~~The annual assessment shall be calculated to produce during the next calendar year~~

an amount which, when combined with that part of the balance anticipated to be in the fund on December 31 of the current calendar year which is in excess of \$100,000, is equal to the average of:

a. ~~The sum of disbursements from the fund during the immediate past 3 calendar years, and~~

b. ~~Two times the disbursements of the most recent calendar year.~~

e. ~~Such assessment rate shall first apply on a calendar year basis for the period beginning January 1, 2012, and shall be included in workers' compensation rate filings approved by the office which become effective on or after January 1, 2012. The assessment rate effective January 1, 2011, shall also apply to the interim period from July 1, 2011, through December 31, 2011, and shall be included in workers' compensation rate filings, whether regular or amended, approved by the office which become effective on or after July 1, 2011. Thereafter, the annual assessment rate shall take effect January 1 of the next calendar year and shall be included in workers' compensation rate filings approved by the office which become effective on or after January 1 of the next calendar year. Assessments shall become due and be paid quarterly.~~

~~Such amount shall be prorated among the insurance companies writing compensation insurance in the state and the self insurers.~~

3. ~~The net premiums written by the companies for workers' compensation in this state and the net premium written applicable to the self insurers in this state are the basis for computing the amount to be assessed as a percentage of net premiums. Such payments shall be made by each carrier and self insurer to the department for the Special Disability Trust Fund in accordance with such regulations as the department prescribes.~~

3.4. ~~The Chief Financial Officer is authorized to receive and shall credit to the such Special Disability Trust fund any sum or sums that may at any time be contributed to the state by the United States under an any Act of Congress, or otherwise, to which the state is may be or become entitled by reason of any payments made out of the such fund.~~

(c) ~~Notwithstanding the Special Disability Trust fund assessment rate calculated pursuant to paragraph (b) this section, the rate assessed may shall not exceed 2.5 4.52 percent.~~

And the title is amended as follows:

Delete line 453 and insert: An act relating to insurance; amending s. 440.49, F.S.; revising the methodology for calculating the assessment rate against specified insurers for funding the Special Disability Trust Fund; reducing the upper limit on the rate; amending s. 624.425,

Amendment 1C (876998) (with title amendment)—Delete lines 30-48.

And the title is amended as follows:

Delete lines 456-458 and insert: amending s. 627.902, F.S.;

Amendment 1 (481316) as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 375** as amended was placed on the calendar of Bills on Third Reading.

HM 281—A memorial to the President of the United States, urging the President to issue final approval for construction and completion of the Keystone XL pipeline project.

—was read the second time by title. On motion by Senator Hays, **HM 281** was adopted and certified to the House.

CS for SB 866—A bill to be entitled An act relating to a review under the Open Government Sunshine Review Act; amending s. 893.0551, F.S., which makes confidential and exempt certain information of a patient or patient's agent, health care practitioner, and others held by the Department of Health; specifying that the Attorney General, health care regulatory boards, and law enforcement agencies may disclose certain confidential and exempt information to certain entities only if such information is relevant to an active investigation that prompted the re-

quest for the information; requiring the Attorney General, health care regulatory boards, and law enforcement agencies to take certain steps to ensure the continued confidentiality of all nonrelevant confidential and exempt information before disclosing such information; requiring a law enforcement agency to enter into a user agreement before such agency may receive information from the prescription drug monitoring database; requiring the law enforcement agency to ensure the continued confidentiality of all confidential and exempt information; authorizing a health care practitioner to share a patient's information with that patient and put such information in the patient's medical record upon consent; authorizing certain impaired practitioner consultants to access information for a specified purpose; authorizing the department to disclose a patient advisory report to a health care practitioner under certain circumstances; prohibiting an agency or person who obtains specified confidential and exempt information from disclosing such information except under certain circumstances; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 866**, on motion by Senator Bean, by two-thirds vote **HB 7177** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Bean, the rules were waived and—

HB 7177—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 893.0551, F.S., relating to an exemption from public record requirements for certain information held by the Department of Health pursuant to the prescription drug monitoring program; specifying that the Attorney General, health care regulatory boards, and law enforcement agencies may disclose confidential and exempt information in certain instances if such information is relevant to an active investigation; requiring the Attorney General, health care regulatory boards, and law enforcement agencies to take certain steps to ensure the continued confidentiality of all non-relevant confidential and exempt information before disclosing such information; authorizing the department to disclose, under certain circumstances, relevant information to a law enforcement agency, rather than requiring the department to disclose confidential and exempt information; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—a companion measure, was substituted for **CS for SB 866** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bean moved the following amendment which was adopted:

Amendment 1 (488238) (with title amendment)—Delete lines 97-146 and insert:

(c) A law enforcement agency that has initiated an active investigation involving a specific violation of law regarding prescription drug abuse or diversion of prescribed controlled substances *and that has entered into a user agreement with the department. A law enforcement agency may request information from the department but may not have direct access to its database.* The law enforcement agency may disclose to a criminal justice agency, as defined in s. 119.011, only the confidential and exempt information received from the department *that is relevant to a criminal justice agency as defined in s. 119.011 as part of an identified active investigation that prompted the request for such information is specific to a violation of prescription drug abuse or prescription drug diversion law as it relates to controlled substances. A law enforcement agency may request information from the department but may not have direct access to its database.*

(d) A health care practitioner who certifies that the information is necessary to provide medical treatment to a current patient in accordance with ss. 893.05 and 893.055.

(e) A pharmacist who certifies that the requested information will be used to dispense controlled substances to a current patient in accordance with ss. 893.04 and 893.055.

(f) A patient or the legal guardian or designated health care surrogate for an incapacitated patient, if applicable, making a request as provided in s. 893.055(7)(c)4.

(g) The patient's pharmacy, prescriber, or dispenser who certifies that the information is necessary to provide medical treatment to his or her current patient in accordance with s. 893.055.

(h) *An impaired practitioner consultant who is retained by the department under s. 456.076 for the purpose of reviewing the controlled substance prescription history of a practitioner who has agreed to be evaluated or monitored by the consultant. An impaired practitioner consultant may request information from the department but may not have direct access to the database.*

(4) *If the department determines consistent with its rules that a pattern of controlled substance abuse exists, the department may ~~shall~~ disclose such confidential and exempt information to the applicable law enforcement agency in accordance with s. 893.055(7)(4). The law enforcement agency may disclose to a criminal justice agency, as defined in s. 119.011, only the confidential and exempt information received from the department that is relevant to a criminal justice agency as defined in s. 119.011 as part of an identified active investigation that is specific to a violation of s. 893.13(7)(a)8., s. 893.13(8)(a), or s. 893.13(8)(b).*

(5) *Before disclosing confidential and exempt information to a criminal justice agency or a law enforcement agency pursuant to this section, the disclosing person or entity must take steps to ensure the continued confidentiality of all confidential and exempt information. At a minimum, these steps must include redacting any nonrelevant information.*

(6)~~(5)~~ *An ~~any~~ agency or person who obtains any ~~such~~ confidential and exempt information pursuant to this section must maintain the confidential and exempt status of that information and may not disclose such information unless authorized by law. Information shared with a state attorney pursuant to paragraph (3)(a) or paragraph (3)(c) may be released only in response to a discovery demand if such information is directly related to the criminal case for which the information was requested. Unrelated information may be released only upon an order of a court of competent jurisdiction.*

And the title is amended as follows:

Delete lines 12-20 and insert: requiring a law enforcement agency to enter into a user agreement before such agency may receive information from the prescription drug monitoring database; authorizing certain impaired practitioner consultants indirect access to information for a specified purpose; requiring the Attorney General, health care regulatory boards, and law enforcement agencies to take certain steps to ensure the continued confidentiality of all nonrelevant confidential and exempt information before disclosing such information; authorizing the department to disclose, under certain circumstances, relevant information to a law enforcement agency, rather than requiring the department to disclose confidential and exempt information; prohibiting an agency or person who obtains specified confidential and exempt information from disclosing such information except under certain circumstances; saving the

Pursuant to Rule 4.19, **HB 7177** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 828—A bill to be entitled An act relating to the court system; repealing s. 25.151, F.S., relating to a prohibition on the practice of law by a retired justice of the Supreme Court; repealing ss. 25.191 and 25.231, F.S., relating to the appointment and duties of a Clerk of the Supreme Court; amending s. 25.241, F.S.; deleting a requirement regarding the salary of the Clerk of the Supreme Court, to conform; repealing s. 25.281, F.S., relating to compensation of the Marshal of the Supreme Court; repealing s. 25.351, F.S., relating to the acquisition of books by the Supreme Court; repealing s. 26.01, F.S., relating to the number of judicial circuits; amending s. 26.021, F.S.; specifying the number of judicial circuits; repealing certain residency requirements for circuit judges; repealing s. 26.51, F.S., relating to payment of the salaries of circuit judges; amending s. 26.55, F.S.; excluding retired judges practicing law from the Conference of Circuit Judges of Florida; re-

moving a requirement that circuit court judges attend and participate in such conference; requiring that the conference operate according to the Rules of Judicial Administration; revising requirements for such conferences; repealing s. 27.55, F.S., relating to compensation and certain expenditures of public defenders; creating s. 29.23, F.S.; providing for certain judicial branch salaries; repealing ss. 35.12, 35.13, 35.19, and 35.21, F.S., relating to the chief judge, quorum, compensation of judges, and clerk, respectively, of the district courts of appeal; amending s. 35.22, F.S.; deleting a requirement for the appointment and salary of a clerk for each district court of appeal; repealing ss. 35.25 and 35.27, F.S., relating to duties of the clerk and compensation of the marshal, respectively, of the district courts of appeal; repealing s. 38.13, F.S., relating to replacement of disqualified judges of the district courts of appeal; amending s. 43.20, F.S.; revising the number of members of the Judicial Qualifications Commission to conform to requirements of the State Constitution; repealing s. 57.101, F.S., relating to the charging of costs against the losing party for certain copies of records in the Supreme Court; repealing s. 92.15, F.S., relating to an evidentiary rule regarding evidence of title to land passing from the United States; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendments which were adopted:

Amendment 1 (166104)—Delete line 96 and insert:

(12) The twelfth circuit is composed of *DeSoto*, Manatee,

Amendment 2 (368874)—Delete line 179 and insert:

Section 13. Section 35.22, Florida

Pursuant to Rule 4.19, **CS for SB 828** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 586** and **CS for CS for SB 850** was deferred.

SB 1108—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public record requirements for personal identifying information of certain dependent children of current or former agency officers or employees; making an editorial change; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motions by Senator Simpson, **SB 1108** was passed by the required constitutional two-thirds vote of the members present and voting and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 286—A bill to be entitled An act relating to concrete masonry education; providing a short title; creating the Florida Concrete Masonry Education Council, Inc.; requiring the council to operate under a written contract with the Department of Economic Opportunity; providing powers and duties of the council; providing restrictions; providing for appointment and terms of the governing board of the council; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing for collection of a voluntary assessment on concrete masonry units; requiring manufacturers who elect to pay the assessment to commit to paying the assessment for a specified period; requiring the council to adopt bylaws; providing for the adoption of bylaws and amendments to bylaws; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 286** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 172—A bill to be entitled An act relating to notaries public; creating s. 117.055, F.S.; requiring a notary public to record specified information in a notarial journal when performing certain notarial acts; requiring that a notary public retain a notarial journal for a specified period; requiring a notary public to notify the Notary Section of the Executive Office of the Governor if a notarial journal is lost, stolen, misplaced, destroyed, erased, compromised, rendered unusable, or becomes otherwise inaccessible during the retention period; requiring notary employees of a law firm to maintain a separate notarial journal for certain notarial acts pertaining to the law firm and its clients; providing that such a notarial journal is the exclusive property of the law firm; requiring the law firm to comply with notarial journal maintenance and security requirements; providing that all other notarial journals are the exclusive property of a notary public; requiring a notary public to secure a notarial journal; providing that failure to comply with notarial journal requirements does not invalidate a lawful notarization; providing that failure to comply with the notarial journal requirements constitutes grounds for suspension, nonrenewal, or denial of a notary public commission; providing applicability; amending s. 117.10, F.S.; exempting certain acts of specified law enforcement and correctional officers from the notarial journal requirements; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Soto, **CS for CS for SB 172** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Clemens	Grimsley
Abruzzo	Dean	Hays
Bean	Detert	Hukill
Benacquisto	Diaz de la Portilla	Joyner
Bradley	Evers	Latvala
Brandes	Galvano	Lee
Braynon	Gardiner	Legg
Bullard	Gibson	Margolis

Montford	Simmons	Soto
Richter	Simpson	Stargel
Ring	Smith	Thompson
Sachs	Sobel	Thrasher

Nays—1

Flores

Vote after roll call:

Yea—Garcia

HB 559—A bill to be entitled An act relating to military veterans; amending ss. 1.01 and 295.125, F.S.; revising references from the “Korean Conflict” and the “Vietnam Era” to the “Korean War” and the “Vietnam War,” respectively, and from “Korean Conflict Veteran” to “Korean War Veteran”; reordering and amending s. 320.089, F.S.; authorizing the issuance of a Combat Medical Badge license plate; revising references; establishing a method of proof of eligibility for certain specialty license plates; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **HB 559** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Hays

CS for HB 591—A bill to be entitled An act relating to newborn health screening; amending s. 383.14, F.S.; authorizing the State Public Health Laboratory to release the results of a newborn’s hearing and metabolic tests or screenings to the newborn’s health care practitioner; defining the term “health care practitioner” as it relates to such release; amending s. 383.145, F.S.; updating a reference; creating s. 383.146, F.S.; requiring an audiologist to provide an opportunity for the parent or legal guardian of an infant or toddler who is diagnosed with a permanent hearing impairment to provide contact information so that he or she may receive information directly from specified service providers; requiring the Department of Health to post on its website a list of certain service providers and institutions; requiring the audiologist to transmit a consent form to such providers; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for HB 591** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bradley	Clemens
Abruzzo	Brandes	Dean
Bean	Braynon	Detert
Benacquisto	Bullard	Diaz de la Portilla

Evers	Joyner	Simmons
Flores	Latvala	Simpson
Galvano	Lee	Smith
Garcia	Legg	Sobel
Gardiner	Margolis	Soto
Gibson	Montford	Stargel
Grimsley	Richter	Thompson
Hays	Ring	Thrasher
Hukill	Sachs	

Nays—None

CS for SB 726—A bill to be entitled An act relating to the Re-employment Assistance Appeals Commission; amending s. 443.012, F.S.; revising membership requirements of the commission; removing a provision requiring payment of a daily stipend for certain commissioners; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 726** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

HB 7009—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; revising definitions; amending s. 280.03, F.S.; clarifying provisions exempting public deposits from state security requirements; amending s. 280.04, F.S.; revising the collateral-pledging level for public deposits; amending s. 280.05, F.S.; conforming provisions to changes made by the act; amending s. 280.051, F.S.; updating terms; repealing s. 280.071, F.S., relating to the Qualified Public Depository Oversight Board; amending s. 280.085, F.S.; providing that a notice of the default or insolvency of a qualified public depository is not required under certain circumstances; amending s. 280.10, F.S.; requiring information from a nonqualified bank, savings bank, or savings association that acquires public depository by default or insolvency; amending s. 280.11, F.S.; conforming cross-references; amending s. 280.16, F.S.; deleting certain provisions relating to required reports and forms; amending s. 280.17, F.S.; revising notice requirements for public depositors; revising restrictions on loss protection provisions in certain circumstances in which a public depositor fails to comply with the notice requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **HB 7009** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Braynon	Flores
Abruzzo	Bullard	Galvano
Bean	Clemens	Garcia
Benacquisto	Dean	Gardiner
Bradley	Diaz de la Portilla	Gibson
Brandes	Evers	Grimsley

Hays	Montford	Sobel
Hukill	Richter	Soto
Joyner	Ring	Stargel
Latvala	Sachs	Thompson
Lee	Simmons	Thrasher
Legg	Simpson	
Margolis	Smith	

Nays—None

Vote after roll call:

Yea—Detert

CS for SB 762—A bill to be entitled An act relating to family care councils; amending s. 393.502, F.S.; revising the membership of the family care council within each service area of the Agency for Persons with Disabilities; requiring consent of a grandchild’s parent or legal guardian for appointment of a grandparent to a family care council; requiring the parent or legal guardian to provide notice of consent to the agency; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 762** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Flores

CS for CS for CS for SB 702—A bill to be entitled An act relating to pharmacy audits; creating s. 465.1885, F.S.; enumerating the rights of pharmacies relating to audits of pharmaceutical services which are conducted by certain entities; providing a list of audits not subject to such rights; providing an exemption from the right to notice of an on-site audit under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for CS for SB 702** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Detert	Joyner
Abruzzo	Diaz de la Portilla	Latvala
Bean	Evers	Lee
Benacquisto	Flores	Legg
Bradley	Galvano	Margolis
Brandes	Gardiner	Montford
Braynon	Gibson	Richter
Bullard	Grimsley	Ring
Clemens	Hays	Sachs
Dean	Hukill	Simmons

Simpson	Soto	Thrasher	Flores	Latvala	Simpson
Smith	Stargel		Galvano	Lee	Smith
Sobel	Thompson		Garcia	Legg	Sobel
			Gardiner	Margolis	Soto
Nays—None			Gibson	Montford	Stargel
			Grimsley	Richter	Thompson
Vote after roll call:			Hays	Ring	Thrasher
Yea—Garcia			Hukill	Sachs	
			Joyner	Simmons	

CS for HB 731—A bill to be entitled An act relating to the POW-MIA Chair of Honor Memorial; creating s. 265.0031, F.S.; providing legislative intent; defining the term “Capitol Complex”; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to designate an area of the Capitol Complex for the memorial; requiring the department to consult with the Department of Veterans’ Affairs and the Florida chapters of Rolling Thunder, Inc., regarding specific aspects of the memorial; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Hukill, **CS for HB 731** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Ring
Bradley	Gardiner	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Dean	Joyner	Thompson
Detert	Latvala	Thrasher
Diaz de la Portilla	Lee	

Nays—None

Vote after roll call:

Yea—Richter

CS for CS for SB 708—A bill to be entitled An act relating to insurance claims; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.409, F.S.; providing that a claim for residential property insurance cannot be denied based on certain credit information; amending s. 627.4133, F.S.; providing that a policy or contract may not be cancelled based on certain credit information; amending s. 627.7015, F.S.; revising the rule requirements relating to the property insurance mediation program administered by the department; creating s. 627.70151, F.S.; providing grounds for challenging an umpire’s impartiality in estimating the amount of a property loss; amending s. 627.706, F.S.; redefining the terms “neutral evaluator” and “professional engineer”; amending s. 627.7074, F.S.; specifying grounds for denying, suspending, or revoking approval of a neutral evaluator; creating s. 627.7142, F.S.; establishing a Homeowner Claims Bill of Rights for residential property insurance policyholders; providing that such bill of rights does not provide a cause of action; providing effective dates.

—as amended April 23 was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 708** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bradley	Clemens
Abruzzo	Brandes	Dean
Bean	Braynon	Detert
Benacquisto	Bullard	Diaz de la Portilla

Nays—None

Vote after roll call:

Yea—Evers

Yea to Nay—Flores

CS for CS for SB 820—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—as amended April 23 was read the third time by title.

On motions by Senator Bullard, **CS for CS for SB 820** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for SB 862—A bill to be entitled An act relating to prescription drug monitoring; amending s. 893.055, F.S.; defining and redefining terms; revising provisions relating to the comprehensive electronic database system and prescription drug monitoring program maintained by the Department of Health; allowing impaired practitioner consultants retained by the department access to certain information; providing requirements for the release of information shared with a state attorney in response to a discovery demand; providing procedures for the release of information to a law enforcement agency during an active investigation; requiring the department to adopt a user agreement by rule; requiring the department to enter into a user agreement with the law enforcement agency requesting the release of information; providing requirements for the user agreement; requiring a law enforcement agency under a user agreement to conduct annual audits; providing for the restriction, suspension, or termination of a user agreement; providing for access to the program database by the program manager and designated support staff; authorizing the department to provide a patient advisory report to the appropriate health care practitioner if the program manager determines that a specified pattern exists; authorizing the department to provide relevant information that does not contain personal identifying information to a law enforcement agency if the program manager determines that a specified pattern exists; authorizing the law enforcement agency to use such information to determine whether an active investigation is warranted; authorizing the department to fund the program with up to \$500,000 of funds generated under ch. 465, F.S.;

authorizing the department to seek federal or private funds to support the program; repealing language creating a direct-support organization to fund the program; deleting obsolete provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for SB 862** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for SB 1142—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing that a person who counterfeits, forges, alters, clones, or possesses a ticket, card, wristband, or other medium that accesses or is associated with a specified ticket, token, or paper with the intent to defraud commits a misdemeanor of the first degree; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets, cards, wristbands, or other media that access or are associated with a specified ticket, token, or paper; amending s. 817.361, F.S.; defining terms; prohibiting the sale, offer for sale, or transfer of certain multiuse tickets or a card, wristband, or other medium that accesses or is associated with such multiuse ticket; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the sale, offer for sale, or transfer of certain multiuse tickets; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for SB 1142** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

HB 1049—A bill to be entitled An act relating to divers; amending s. 327.331, F.S.; defining the terms “divers-down buoy” and “divers-down symbol”; revising the definition of “divers-down flag”; requiring all divers to prominently display a divers-down flag or buoy in the area in which

the diving occurs; requiring vessel operators encountering divers-down buoys to take specified actions; prohibiting a divers-down buoy from being used or displayed onboard a vessel; conforming provisions to changes made by the act; making technical changes; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **HB 1049** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 1308—A bill to be entitled An act relating to insurer solvency; amending s. 624.10, F.S.; providing additional definitions applicable to the Florida Insurance Code; amending s. 624.319, F.S.; clarifying that production of documents does not waive the attorney-client or work-product privileges; amending s. 624.402, F.S.; conforming a cross-reference; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer’s annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; requiring insurers reinsuring through a captive insurance company to file a report containing certain information; amending s. 625.121, F.S.; revising the Standard Valuation Law; distinguishing the provisions from valuations done pursuant to the National Association of Insurance Commissioner’s (NAIC) valuation manual and incorporating certain provisions included in the manual; exempting certain documents from civil proceedings; revising the methods for evaluating the valuation of industrial life insurance policies; revising provisions relating to calculating additional premium; updating provisions relating to reserve calculations for indeterminate premium plans; creating s. 625.1212, F.S.; providing for the valuation of policies and contracts after the adoption of the NAIC’s valuation manual; providing applicability; defining terms; requiring the office to value insurer reserves; requiring actuarial opinions of the reserves and a supporting memorandum to the opinions; requiring the insurer to apply the standard prescribed in the valuation manual; providing exceptions; providing requirements for a principle-based valuation of reserves; requiring an insurer to submit certain data to the office; directing the Financial Services Commission to adopt rules; creating s. 625.1214, F.S.; providing for the use of confidential information; prohibiting the use of such information in private civil actions; amending s. 627.476, F.S.; revising the Standard Nonforfeiture Law; distinguishing provisions subject to the valuation manual and providing for the application of tables found in the manual; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company which a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling

interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to annually file a registration statement by a specified date; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing sanctions for persons who violate certain provisions relating to the acquisition of controlling stock; creating s. 628.804, F.S.; providing for the groupwide supervision of international insurance groups; defining terms; providing for the selection of a groupwide supervisor; authorizing the commission to adopt rules; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing effective dates and a contingent effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1308** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Dean

HB 7031—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451; conforming cross-references; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway program; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215 F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent's designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term "Next Generation Sunshine State Standards"; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s.

1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending a. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term "adult high school credit program"; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term "student with a disability"; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students

with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education post-secondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 1013.54, F.S., relating to the cooperative development and use of satellite educational facilities; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Montford, **HB 7031** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Galvano	Montford
Abruzzo	Garcia	Richter
Bean	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

CS for SB 1190—A bill to be entitled An act relating to family law; providing legislative findings; creating Part III of ch. 61, F.S., entitled the “Collaborative Law Act”; creating s. 61.55, F.S.; declaring the purpose of the act; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; declaring that a collaborative law process commences when the parties enter into a collaborative law participation agreement; providing that a tribunal may not order a party to participate in a collaborative law process over the party’s objection; providing conditions under which a collaborative law process is concluded; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that the effective date of specified provisions are contingent upon approval and publication of Florida Supreme Court rules governing specified subjects; providing effective dates.

—was read the third time by title.

On motion by Senator Lee, **CS for SB 1190** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 132—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; authorizing the collection of annual use fees for the Fallen Law Enforcement Officers license plate, the Florida Sheriffs Association license plate, the Keiser University license plate, and the Moffitt Cancer Center license plate; amending s. 320.08058, F.S.; revising provisions relating to the distribution of annual use funds to the Astronauts Memorial Foundation, Inc., for the Challenger/Columbia specialty license plate; requiring the St. Johns River Alliance, Inc., and National Hispanic Corporate Achievers, Inc., to each record a certain number of sales within a certain timeframe; requiring the Department of Highway Safety and Motor Vehicles to discontinue the plates under certain circumstances; providing for repeal on a specified date; creating a Fallen Law Enforcement Officers license plate, a Florida Sheriffs Association license plate, a Keiser University license plate, and a Moffitt Cancer Center license plate; establishing an annual use fee for the plates; providing for the distribution of use fees received from the sale of such plates; providing effective dates.

—as amended April 23 was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 132** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Latvala
Abruzzo	Evers	Lee
Bean	Flores	Legg
Benacquisto	Galvano	Margolis
Bradley	Garcia	Montford
Brandes	Gibson	Richter
Braynon	Grimsley	Ring
Bullard	Hays	Sachs
Clemens	Hukill	Simmons
Dean	Joyner	Simpson

Smith Soto Thompson
Sobel Stargel Thrasher

Nays—1

Gardiner

Vote after roll call:

Yea—Detert

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for CS for SB 132** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

CS for CS for SB 132 revises provisions relating to the distribution of annual use funds to the Astronauts' Memorial Foundation, Inc.

I work for the Astronauts' Memorial Foundation, Inc.

As permitted by Senate Rule, I may vote on this matter.

Senator Thad Altman, 16th District

CS for HB 7081—A bill to be entitled An act relating to tax administration; amending s. 196.1995, F.S.; requiring certain real property improvements and tangible personal property additions to occur within a specified period in order to qualify for a specified ad valorem tax exemption; amending s. 212.03, F.S.; providing that certain charges for the impoundment of an aircraft, boat, or motor vehicle by a law enforcement agency are not subject to taxation; amending s. 212.07, F.S.; conforming a cross-reference; providing that a dealer who willfully fails to collect certain taxes or fees after the Department of Revenue provides notice commits a criminal offense; providing civil and criminal penalties; amending s. 212.12, F.S.; deleting provisions providing criminal and civil penalties for failing to register a business as a dealer and for failing to collect specified taxes after the department provides notice; amending s. 212.14, F.S.; authorizing the department to adopt rules; defining the term "person"; amending s. 212.18, F.S.; providing that a person who engages in acts requiring a certificate of registration and willfully fails to register after the department provides notice commits a criminal offense; providing criminal penalties; reenacting s. 212.20(6)(c), F.S., relating to the disposition of funds collected from the imposition of specified fees, to incorporate the amendments made by the act to s. 212.18(3), F.S., in a reference thereto; amending s. 213.0535, F.S.; providing that certain tax data may be published as statistics under certain circumstances; amending s. 213.13, F.S.; revising the date for transmitting certain funds collected by the clerks of court to the department; amending s. 213.21 F.S.; authorizing the department to delegate to the executive director of the department greater compromise authority for closing agreements; creating s. 213.295, F.S.; providing definitions; providing that a person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses an automated sales suppression device, a zapper, or phantomware commits a criminal offense; providing civil and criminal penalties; providing that automated sales suppression devices, zappers, and phantomware are contraband articles; amending s. 443.131, F.S.; requiring employers to produce certain records in order to receive a reduced contribution rate; amending s. 443.141, F.S.; revising the interest rate for unpaid employer contributions or reimbursements; increasing the number of days during which an employer may protest a determination and assessment; providing that certain local ordinances conveying ad valorem tax exemptions shall not be invalidated on specified grounds if the local governing body acted in accordance with this act; providing effective dates.

—was read the third time by title.

On motion by Senator Hukill, **CS for HB 7081** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

SB 392—A bill to be entitled An act relating to state speed zones; amending s. 316.183, F.S.; conforming a provision to changes made by the act; making technical changes; amending s. 316.187, F.S.; raising the maximum allowable speed limit on certain highways; increasing the maximum allowable speed limit on roadways under the jurisdiction of the Department of Transportation; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **SB 392** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz de la Portilla	Lee
Bean	Evers	Richter
Benacquisto	Flores	Ring
Bradley	Galvano	Simmons
Brandes	Garcia	Simpson
Braynon	Gardiner	Smith
Bullard	Grimsley	Soto
Clemens	Hays	Stargel
Dean	Latvala	Thrasher

Nays—11

Abruzzo	Joyner	Sachs
Detert	Legg	Sobel
Gibson	Margolis	Thompson
Hukill	Montford	

SB 566—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award, the Florida Medallion Scholars award, or the Florida Gold Seal Vocational Scholars award, to identify a social or civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed; providing examples of volunteer service work; requiring that the hours of volunteer service work performed be documented in writing and the document be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; deleting obsolete provisions; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Montford moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (877064) (with title amendment)—Before line 24 insert:

Section 1. Paragraph (c) of subsection (2) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(2)

(c) A student graduating from high school in the 2012-2013 academic year and thereafter is eligible to accept an initial award for 2 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 2 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. *For a student who is unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation for at least 18 months, the 2-year eligibility period for his or her initial award and the 5-year renewal period begin upon the completion of his or her religious or service obligation. The full-time religious or service obligation must be documented in writing and verified by the entity for which the student completed such obligation.* If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.

And the title is amended as follows:

Delete line 3 and insert: Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award and renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begins upon the completion of the religious or service obligation; requiring verification from the entity for which the student completed such obligation; amending ss. 1009.534, 1009.535,

On motion by Senator Lee, **SB 566** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Galvano	Montford
Abruzzo	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—1

Flores

Vote after roll call:

Yea—Brandes

CS for CS for SB 764—A bill to be entitled An act relating to hearsay; amending s. 90.803, F.S.; providing that certain statements are an

exception to the hearsay rule and thus admissible; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Detert moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (400988)—Delete lines 15-37 and insert:

(25) *DOMESTIC VIOLENCE.*—A statement describing any act of domestic violence, as such is defined in s. 741.28, that was made to enable law enforcement assistance to meet an ongoing emergency.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment:

Amendment 2 (971002) (with title amendment)—Delete lines 9-37 and insert:

Section 1. Section 90.807, Florida Statutes, is created to read:

90.807 *Residual exception.*—A statement not specifically covered by s. 90.803 or s. 90.804 but having equivalent circumstantial guarantees of trustworthiness is not excluded by the hearsay rule if the court determines that:

(1) *The statement is offered as evidence of a material fact;*

(2) *The statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and*

(3) *The general purposes of this code and the interests of justice will best be served by admission of the statement into evidence.*

However, a statement may not be admitted under this section unless the proponent of the statement makes known to the adverse party, sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to meet it, the proponent's intention to offer the statement and the particulars of the statement, including the name and address of the declarant.

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to hearsay; creating s. 90.807, F.S.; creating a residual hearsay exception for certain statements; requiring the court to make specified determinations regarding a statement for the residual exception to apply; providing for notice of intention to offer such statement; providing an effective date.

WHEREAS, domestic violence cases are often difficult to resolve due to the subsequent refusal of a victim to testify or other unique factors, and

WHEREAS, if a victim's prior statements satisfy the credibility requirements of s. 90.803 or s. 90.804, Florida Statutes, such statements should be admitted as evidence by the court, NOW, THEREFORE,

On motion by Senator Simmons, **Amendment 2 (971002)** was withdrawn.

On motion by Senator Detert, further consideration of **CS for CS for SB 764** was deferred.

MOTION

On motion by Senator Thrasher, the rules were waived and **CS for CS for SB 764** was retained on the Bills on Third Reading Calendar.

On motion by Senator Lee, by unanimous consent—

CS for SB 650—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 733.604, F.S., which provides exemptions from public records requirements for the inventories of an estate or elective estate filed with the clerk of court or the accountings filed with the clerk of court in an estate proceeding; saving the exemptions from repeal under the Open Government Sunset Review Act; providing an effective date.

—was taken up out of order and read the third time by title.

On motions by Senator Lee, **CS for SB 650** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

On motion by Senator Brandes, by unanimous consent—

SB 1262—A bill to be entitled An act relating to public records and meetings; amending s. 627.0628, F.S.; providing an exemption from public records and public meetings requirements for trade secrets used to design an insurance flood loss model held in records or discussed in meetings of the Florida Commission on Hurricane Loss Projection Methodology, the Office of Insurance Regulation, or the appointed consumer advocate; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was taken up out of order and read the third time by title.

On motions by Senator Brandes, **SB 1262** was passed by the required constitutional two-thirds vote of the members present and voting and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Detert

On motion by Senator Richter, by unanimous consent—

CS for CS for SB 1278—A bill to be entitled An act relating to public records; amending s. 655.057, F.S.; providing an exemption from public records requirements for certain informal enforcement actions by the Office of Financial Regulation, to which penalties apply for willful disclosure of such confidential information; providing an exemption from public records requirements for certain trade secrets held by the office, to which penalties apply for willful disclosure of such confidential information; defining terms; providing for future legislative review and repeal of the section; providing a statement of public necessity; providing a contingent effective date.

—as amended April 23 was taken up out of order and read the third time by title.

On motions by Senator Richter, **CS for CS for SB 1278** as amended was passed by the required constitutional two-thirds vote of the members present and voting and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Sachs
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Hukill, Simmons

On motion by Senator Ring, by unanimous consent—

SB 1678—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for social security numbers of current and former agency employees held by an employing agency; saving the exemption from repeal under the Open Government Sunset Review Act; authorizing an employing agency to disclose the social security number of a current or former agency employee under certain circumstances; providing an effective date.

—was taken up out of order and read the third time by title.

On motions by Senator Ring, **SB 1678** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 782—A bill to be entitled An act relating to government data practices; amending s. 257.36, F.S.; requiring the Division of Library and Information Services of the Department of State to adopt rules providing procedures for an agency to establish schedules for the physical destruction or other disposal of records containing personal identification information; creating part IV of ch. 282, F.S., consisting of s. 282.801, F.S.; providing definitions; requiring an agency that collects and maintains personal identification information to post a privacy policy on the agency’s website; prescribing minimum requirements for a privacy policy; requiring an agency to provide notice of the installation of cookies on an individual’s computer; requiring that an individual who would otherwise be granted access to an agency’s website be granted access even if he or she declines to have the cookie installed; providing an exception; requiring that privacy policy requirements be specified in a contract between a public agency and a contractor; providing exceptions; specifying that a violation does not create a civil cause of action; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature by a specified date; providing report requirements; creating s. 429.55, F.S.; requiring the Agency for Health Care Administration to provide specified data on assisted living facilities by a certain date; providing minimum requirements for such data; authorizing the agency to create a comment webpage regarding assisted living facilities; providing minimum requirements; authorizing the agency to provide links to certain third-party websites; authorizing the agency to adopt rules; amending s. 408.05, F.S.; dissolving the Center for Health Information and Policy Analysis within the Agency for Health Care Administration; requiring the agency to coordinate a system to promote access to certain data and information; requiring that certain health-related data be included within the system; assigning duties to the agency relating to the collection and dissemination of data; establishing conditions for the funding of the system; requiring the Office of Program Policy Analysis and Government Accountability to monitor the agency’s implementation of the health information system; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature after completion of the implementation; providing report requirements; reenacting s. 120.54(8), F.S., relating to rulemaking, to incorporate the amendment made to s. 257.36, F.S., in a reference thereto; amending ss. 20.42, 381.026, 395.301, 395.602, 395.6025, 408.07, 408.18, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing appropriations; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 782** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 1150—A bill to be entitled An act relating to medical tourism; amending s. 288.0001, F.S.; requiring an analysis of medical tourism in the Economic Development Programs Evaluation; amending s. 288.901, F.S.; requiring Enterprise Florida, Inc., to collaborate with the Department of Economic Opportunity to market this state as a health care destination; amending s. 288.923, F.S.; requiring the Division of Tourism Marketing to include in its 4-year plan a discussion of the promotion of medical tourism; creating s. 288.924, F.S.; requiring the plan to promote national and international awareness of the qualifications, scope of services, and specialized expertise of health

care providers in this state, to promote national and international awareness of certain business opportunities to attract practitioners to destinations in this state, and to include an initiative to showcase qualified health care providers; requiring a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation to be allocated for the medical tourism marketing plan; requiring the Florida Tourism Industry Marketing Corporation to create a matching grant program; specifying criteria for the grant program; requiring that a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation be allocated for the grant program; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 1150** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

HB 7029—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; providing that simulating a firearm or weapon while playing or wearing certain clothing or accessories is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system; providing actions that constitute simulating a firearm or weapon while playing; providing criteria for determining whether certain student conduct warrants disciplinary action; providing criteria for determining appropriate consequences for such conduct; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **HB 7029** was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Legg
Abruzzo	Evers	Montford
Bean	Flores	Richter
Benacquisto	Galvano	Ring
Bradley	Garcia	Simmons
Brandes	Gardiner	Simpson
Braynon	Grimsley	Soto
Bullard	Hays	Stargel
Clemens	Hukill	Thompson
Dean	Latvala	Thrasher
Detert	Lee	

Nays—6

Gibson	Margolis	Smith
Joyner	Sachs	Sobel

HB 7097—A bill to be entitled An act relating to ratification of rules of the Office of Insurance Regulation; ratifying specified rules requiring title insurance agencies and the retail offices of certain title insurance underwriters to electronically submit certain statistical data, for the sole

and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **HB 7097** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

MOTIONS

On motion by Senator Thrasher, the rules were waived and the bills remaining on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, April 25, 2014.

On motion by Senator Thrasher, the rules were waived and **CS for SB 582** was removed from the Special Order Calendar for Monday, April 28, 2014.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, April 24, 2014: CS for SB 514, CS for SB 546, CS for SB 758, CS for CS for SB 790, CS for CS for SB 832, CS for SB 866, CS for CS for SB 1000, CS for CS for SB 1466, CS for SB 918, CS for CS for SB 1274, CS for SB 952, CS for SB 104, CS for SB 318, CS for SB 1008, SB 1046, CS for SB 834, CS for CS for SB 1320, CS for SB 1672, CS for SB 870, HM 281.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Appropriations recommends the following pass: SB 712; CS for CS for CS for SB 746; CS for SB 810; CS for SB 876; SB 886; CS for SB 1090; CS for SB 1206

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: SB 142; CS for SB 312; CS for CS for SB 364; CS for SB 484; SB 510; CS for SB 518; SB 550; CS for SB 638; SB 734; CS for CS for SB 798; CS for SB 872; CS for CS for SB 898; CS for SB 950; CS for SB 1018; CS for SB 1030; CS for SB 1122; CS for SB 1328; CS for SB 1354; SB 1394; SB 1582

The bills with committee substitute attached were placed on the Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations; and Senator Hays—

CS for SB 142—A bill to be entitled An act relating to access to health care for the underserved; amending s. 766.1115, F.S.; revising the definition of the term “contract”; extending the period of time for which a health care provider remains an agent of the state after an individual under his or her care is deemed ineligible; requiring that a contract with a governmental contractor for health care services include a provision allowing a voluntary contribution toward certain dental laboratory work; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; amending s. 466.00673, F.S.; delaying the future repeal of provisions authorizing the health access dental license; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senators Simpson, Dean, Abruzzo, Garcia, Stargel, Sachs, and Brandes—

CS for CS for SB 312—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; authorizing a property appraiser to grant an agricultural classification after the application deadline upon a showing of extenuating circumstances; providing that participation in certain dispersed water storage programs does not change a land’s agricultural classification for assessment purposes; amending s. 212.08, F.S.; expanding the exemption for certain farm equipment from the sales and use tax imposed under ch. 212, F.S., to include irrigation equipment, replacement parts and accessories for irrigation equipment, and repairs of irrigation equipment; amending s. 373.4591, F.S.; authorizing agricultural landowners to establish baseline wetland and surface water conditions before implementing certain best management practice implementation agreements; requiring establishment of a process for review of proposed baseline condition determinations; providing an effective date.

By the Committees on Appropriations; Criminal Justice; and Communications, Energy, and Public Utilities; and Senator Brandes—

CS for CS for CS for SB 364—A bill to be entitled An act relating to computer crimes; amending s. 721.071, F.S.; conforming a cross-reference; amending s. 815.02, F.S.; revising legislative findings; amending s. 815.03, F.S.; defining and redefining terms; amending s. 815.04, F.S.; providing that a person who willfully, knowingly, and without authorization introduces a computer contaminant or modifies or destroys data, programs, or supporting documentation residing or existing internal or external to a computer, computer system, computer network, or electronic device commits an offense against intellectual property; providing that a person who willfully, knowingly, and without authorization discloses or takes data, programs, or supporting documentation that is a trade secret or is confidential residing or existing internal or external to a computer, computer system, computer network, or electronic device commits an offense against intellectual property; providing criminal penalties; amending s. 815.06, F.S.; defining terms; providing that a person who willfully, knowingly, and without authorization accesses a computer, computer system, computer network, or electronic device, disrupts the ability to transmit data to or from a computer, computer system, computer network, or electronic device, damages a computer, computer system, computer network, or electronic device, or engages in the audio or video surveillance of an individual without the individual’s authorization by accessing a computer, computer system, computer network, or electronic device commits an offense against the users of computer networks and electronic devices; providing exceptions; providing applicability; providing criminal penalties; creating s. 815.061, F.S.; defining the term “public utility”; prohibiting a person from willfully, knowingly, and without authorization engaging in specified activities against a computer, computer system, computer network, or electronic device owned, operated, or used by a public utility; providing criminal penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senators Braynon and Brandes—

CS for CS for SB 484—A bill to be entitled An act relating to the rental car surcharge; amending s. 212.0606, F.S.; providing an alternative surcharge for use of a motor vehicle pursuant to an agreement with a car-sharing service for less than a specified number of consecutive hours; defining the term “car-sharing service”; providing applicability; making technical changes; providing an effective date.

By the Committee on Appropriations; and Senator Ring—

CS for SB 510—A bill to be entitled An act relating to local government neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a local government neighborhood improvement district may authorize the district to incur certain debts and pledge the special assessment power of the district to pay such debts for the purpose of financing certain capital projects; providing conditions on the exercise of such power; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senators Flores and Altman—

CS for CS for SB 518—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; revising child restraint requirements for children who are of certain age to include a child booster seat; providing exceptions; subjecting a violation to penalties; providing an effective date.

By the Committee on Appropriations; and Senator Hukill—

CS for SB 550—A bill to be entitled An act relating to traveling across county lines to commit a felony offense; creating s. 843.22, F.S.; defining the terms “county of residence” and “felony offense” for the purpose of the crime of traveling across county lines with the intent to commit a felony offense; providing a criminal penalty; amending s. 903.046, F.S.; adding the crime of traveling across county lines with the intent to commit a felony offense to the factors a court must consider in determining whether to release a defendant on bail; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Brandes—

CS for CS for SB 638—A bill to be entitled An act relating to charities; amending s. 212.08, F.S.; excluding charitable organizations or sponsors disqualified by the Department of Agriculture and Consumer Services from receiving certain tax exemptions; amending s. 212.084, F.S.; requiring the Department of Revenue to revoke or deny a sales tax exemption to charitable organizations or sponsors disqualified by the department; providing for a limited appeal of the denial or revocation of the sales tax exemption; amending s. 496.403, F.S.; revising the applicability of the Solicitation of Contributions Act; amending s. 496.404, F.S.; defining terms; redefining the term “professional solicitor”; amending s. 496.405, F.S.; revising the timeframe within which a charitable organization or sponsor must report changes to certain information provided to the department on an initial or renewal registration statement; providing for the automatic expiration of a registration for failure to file a renewal or financial statement by a certain date; deleting a provision to extend the time to file a renewal statement; deleting a requirement that the renewal statement be filed subsequent to the financial statement; specifying the information that must be submitted by a parent organization on a consolidated financial statement; requiring a parent organization to attach certain Internal Revenue Service forms and schedules to a consolidated financial statement; extending the time allowed for the department to review certain initial or renewal registration statements; providing that failure of a charitable organization or sponsor to make certain disclosures in a registration statement results in the automatic suspension of an active registration for a specified period; prohibiting the officers, directors, trustees, or employees of a charitable organization or sponsor from allowing certain persons to solicit contributions on behalf of the charitable organization or sponsor; specifying that the prohibition against certain persons soliciting contributions on behalf of a charitable organization or sponsor due to the commission of certain felonies includes those felonies committed

in any state as well as any misdemeanor in another state which constitutes a disqualifying felony in this state; authorizing the department to deny or revoke the registration of a charitable organization or sponsor under certain circumstances; requiring a charitable organization or sponsor that has ended solicitation activities in this state to notify the department in writing; making technical changes; creating s. 496.4055, F.S.; defining the term “conflict of interest transaction”; requiring the board of directors of a charitable organization or sponsor, or an authorized committee thereof, to adopt a policy regarding conflict of interest transactions; specifying certain requirements of the policy; requiring a charitable organization or sponsor to provide the department with a copy of the policy; amending s. 496.407, F.S.; requiring that the financial statements of certain charitable organizations or sponsors be audited or reviewed; specifying requirements and standards for the audit or review of a financial statement; requiring that an alternative financial statement submitted by certain charitable organizations or sponsors be prepared by a certified public accountant or other professional; authorizing the department to require an audit or review of any financial statement and to extend the time to file a financial statement under certain circumstances; providing that the registration of a charitable organization or sponsor be suspended upon its failure to file a financial statement within an extension period; making technical changes; creating s. 496.4071, F.S.; requiring certain charitable organizations or sponsors to report specified supplemental financial information to the department by a certain date; creating s. 496.4072, F.S.; requiring certain charitable organizations or sponsors who solicit contributions for a specific disaster relief effort to submit quarterly financial statements to the department; specifying information to be included in the quarterly financial statement and the length of the required reporting period; requiring the department to post notice of specific disaster relief efforts subject the reporting requirements; amending ss. 496.409 and 496.410, F.S.; prohibiting a professional fundraising consultant or professional solicitor from entering into a contract or agreement with a charitable organization or sponsor that has not complied with certain requirements; extending the time that the department may review initial or renewal registration statements of professional fundraising consultants or professional solicitors which contain certain disclosures; providing that the failure of a professional fundraising consultant or professional solicitor to make certain disclosures in an initial or renewal registration statement results in automatic suspension of an active registration; prohibiting the officers, trustees, directors, or employees of a professional fundraising consultant or a professional solicitor from allowing certain persons to solicit contributions on behalf of the professional fundraising consultant or professional solicitor; specifying that the prohibition against acting as a professional solicitor or the employment of certain persons by a professional solicitor due to the commission of certain felonies includes those felonies committed in any state as well as any misdemeanor in another state which constitutes a disqualifying felony in this state; authorizing the department to deny or revoke the registration of a professional fundraising consultant or professional solicitor under certain circumstances; revising required information in the initial or renewal application of a professional solicitor; deleting a provision authorizing the payment of a single registration fee for certain professional solicitors; requiring a professional solicitor to provide additional specified information to the department in a solicitation notice; creating s. 496.4101, F.S.; requiring each officer, director, trustee, or owner of a professional solicitor and any employee of a professional solicitor that conducts certain telephonic solicitations to obtain a solicitor license from the department; specifying application information and the application procedure for a solicitor license; requiring that each applicant for a solicitor license submit a complete set of their fingerprints to certain agencies, entities, or vendors; requiring that the applicant's fingerprints be submitted to the Department of Law Enforcement for state processing; requiring the Department of Law Enforcement to forward the applicant's fingerprints to the Federal Bureau of Investigation for national processing; providing that fees for fingerprint processing and retention be borne by the applicant; providing for retention of the fingerprints; requiring the department to notify the Department of Law Enforcement of individuals who are no longer licensed; requiring that a solicitor license be renewed annually or expire automatically upon nonrenewal; requiring that an applicant for a solicitor license pay certain licensing fees; providing that licensing fees be deposited into the General Inspection Trust Fund; requiring that an applicant for a solicitor license report changes in information submitted to the department in a specified manner along with a processing fee; specifying violations; requiring the department to adopt rules allowing applicants to engage in solicitation activities without a solicitor license

on an interim basis; authorizing the department to deny or revoke a solicitor license under specified circumstances; requiring that certain administrative proceedings be conducted pursuant to chapter 120; amending ss. 496.411 and 496.412, F.S.; expanding and revising required solicitation disclosures of charitable organizations, sponsors, and professional solicitors; requiring that certain exempt charitable organizations or sponsors also provide such solicitation disclosures; requiring that such solicitation disclosures be placed online under certain circumstances; creating s. 496.4121, F.S.; defining the term “collection receptacle”; requiring that collection receptacles display permanent signs or labels; specifying requirements for the physical appearance of such labels or signs and the information displayed thereon; requiring that a charitable organization or sponsor using a collection receptacle provide certain information to a donor upon request; amending s. 496.415, F.S.; providing that the submission of false, misleading, or inaccurate information in a document connected with a solicitation or sales promotion is unlawful; providing that the failure to remit specified funds to a charitable organization or sponsor is unlawful; amending s. 496.419, F.S.; increasing administrative fines for violations of the Solicitation of Contributions Act; creating s. 496.4191, F.S.; requiring the department to immediately suspend a registration or processing of an application for registration for a specified period if the registrant, applicant, or any officer or director thereof is criminally charged with certain offenses; creating s. 496.430, F.S.; requiring the department to disqualify a charitable organization or sponsor from receiving a sales tax exemption under specified circumstances; providing that a charitable organization or sponsor may appeal a disqualification order; specifying appeal procedure; providing that a disqualification order remains effective for a specified period; requiring the department to provide a final disqualification order to the Department of Revenue within a specified period; providing that a final disqualification order is conclusive as to a charitable organization or sponsor’s right to a sales tax exemption; requiring the Department of Revenue to revoke or deny a sales tax exemption to a charitable organization or sponsor subject to a final disqualification order within a specified period; prohibiting a charitable organization or sponsor from appealing or challenging the revocation or denial of a sales tax exemption certificate under certain circumstances; creating s. 496.431, F.S.; providing for severability; amending s. 741.0305, F.S.; conforming a cross-reference; providing an appropriation and authorizing positions; providing an effective date.

By the Committee on Appropriations; and Senators Sobel and Abruzzo—

CS for SB 734—A bill to be entitled An act relating to cancer control and research; amending s. 1004.435, F.S.; revising definitions; revising the membership of the Florida Cancer Control and Research Advisory Council and selection of the council chairperson; authorizing renewal of member terms; revising compensation of council members; renaming the Florida Cancer Plan; requiring the council to collaborate with the Florida Biomedical Research Advisory Council to formulate and review a statewide research plan; requiring the council to develop and review a statewide treatment plan; deleting council, Board of Governors, and State Surgeon General duties relating to the awarding of grants and contracts for cancer-related programs; deleting council duties relating to the development of written summaries of treatment alternatives; deleting financial aid provisions and the Florida Cancer Control and Research Fund; amending ss. 458.324 and 459.0125, F.S.; conforming provisions; providing an effective date.

By the Committee on Gaming; and Senators Sobel, Soto, Clemens, Abruzzo, and Margolis—

CS for SB 742—A bill to be entitled An act relating to racing animals; amending s. 550.2415, F.S.; revising the prohibition on the use of medication or drugs on animals; revising penalties for such use; revising procedures for testing animals for medication or drugs; requiring the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation to maintain records of greyhounds injured while racing; providing for the content of such records; providing fines for making false statements on an injury form; providing an effective date.

By the Committees on Appropriations; Judiciary; and Regulated Industries; and Senator Ring—

CS for CS for CS for SB 798—A bill to be entitled An act relating to residential properties; amending s. 509.013, F.S.; revising the definition of the term “public lodging establishment”; amending s. 509.032, F.S.; providing that timeshare projects are not subject to annual inspection requirements; amending s. 509.221, F.S.; providing nonapplicability of certain public lodging establishment requirements to timeshare projects; amending s. 509.241, F.S.; providing that a condominium association that does not own any units classified as timeshare projects is not required to apply for or receive a public lodging establishment license; amending s. 509.242, F.S.; revising the definition of the term “public lodging establishment” to include a “timeshare project”; deleting reference to the term “timeshare plan” in the definition of “vacation rental”; defining the term “timeshare project”; amending s. 509.251, F.S.; providing that timeshare projects within separate buildings or at separate locations but managed by one licensed agent may be combined in a single license application; amending s. 712.05, F.S.; clarifying existing law relating to notification for purposes of preserving marketable title; amending s. 718.111, F.S.; authorizing an association to inspect and repair abandoned condominium units; providing conditions to determine if a unit is abandoned; providing a mechanism for an association to recover costs associated with maintaining an abandoned unit; providing that in the absence of an insurable event, the association or unit owners are responsible for repairs; removing uninsured losses as a common expense of a condominium; providing that an owner may consent in writing to the disclosure of certain contact information; requiring an outgoing condominium association board or committee member to relinquish all official records and property of the association within a specified time; providing a civil penalty for failing to relinquish such records and property; amending s. 718.112, F.S.; providing that a board or committee member’s participation in a meeting via real-time videoconferencing, Internet-enabled videoconferencing, or similar electronic or video communication counts toward a quorum and that such member may vote as if physically present; prohibiting the board from voting via e-mail; amending s. 718.116, F.S.; clarifying the meaning of the term “previous owner”; limiting the present owner’s liability for unpaid assessments to those that accrued before the association acquired title; repealing s. 718.50151, F.S., relating to the Community Association Living Study Council and its membership functions; amending s. 718.707, F.S.; extending the date by which a condominium parcel must be acquired in order for a person to be classified as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; providing that an owner may consent in writing to the disclosure of certain contact information; requiring an outgoing cooperative association board or committee member to relinquish all official records and property of the association within a specified time; providing a civil penalty for failing to relinquish such records and property; providing dates by which financial reports for an association must be completed; specifying that members must receive copies of financial reports; requiring specific types of financial statements for associations of varying sizes; providing exceptions; providing a mechanism for waiving or increasing financial reporting requirements; amending s. 719.106, F.S.; providing for suspension from office of a director or officer who is charged with one or more of certain felony offenses; providing procedures for filling such vacancy or reinstating such member under specific circumstances; providing a mechanism for a person who is convicted of a felony to be eligible for board membership; creating s. 719.128, F.S.; providing emergency powers of a cooperative association; amending s. 720.303, F.S.; providing that an owner may consent in writing to the disclosure of certain contact information; amending s. 720.306, F.S.; providing for specified notice to members in lieu of copies of an amendment; creating s. 720.316, F.S.; providing emergency powers of a homeowners’ association; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Richter and Soto—

CS for CS for SB 872—A bill to be entitled An act relating to Alzheimer’s disease; amending s. 252.355, F.S.; requiring the Division of Emergency Management, in coordination with local emergency management agencies, to maintain a registry of persons with special needs; requiring the division to develop and maintain a special needs shelter registration program by a specified date; requiring specified agencies and authorizing specified health care providers to provide registration

information to special needs clients or their caregivers and to assist emergency management agencies in registering persons for special needs shelters; amending s. 381.0303, F.S.; providing additional staffing requirements for special needs shelters; requiring special needs shelters to establish designated shelter areas for persons with Alzheimer's disease or related forms of dementia; authorizing the Department of Health, in coordination with the division, to adopt rules relating to standards for the special needs registration program; creating s. 381.82, F.S.; establishing the Ed and Ethel Moore Alzheimer's Disease Research Program within the department; requiring the program to provide grants and fellowships for research relating to Alzheimer's disease; creating the Alzheimer's Disease Research Grant Advisory Board; providing for appointment and terms of members; providing for organization, duties, and operating procedures of the board; requiring the department to provide staff to assist the board in carrying out its duties; requiring the board to annually submit recommendations for proposals to be funded; requiring a report be submitted to the Governor, Legislature, and State Surgeon General; exempting certain activities of the board from the Administrative Procedures Act; authorizing the department to adopt rules; providing that implementation of the program is subject to appropriation; amending s. 430.502, F.S.; updating the name of the memory disorder clinic established in Brevard County; requiring the Department of Elderly Affairs to develop minimum performance standards for memory disorder clinics to receive base-level annual funding; requiring the department to provide incentive-based funding, subject to appropriation, for certain memory disorder clinics; providing an effective date.

By the Committees on Appropriations; Commerce and Tourism; and Communications, Energy, and Public Utilities; and Senators Abruzzo and Soto—

CS for CS for CS for SB 898—A bill to be entitled An act relating to the communications services tax; amending s. 202.11, F.S.; revising the definition of the term “information services” to include certain data processing and other services; providing applicability; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Stargel—

CS for CS for SB 950—A bill to be entitled An act relating to educator certification; amending s. 1004.04, F.S.; providing requirements for certain instructional personnel who supervise or direct preservice field experience courses or internships; amending s. 1012.2315, F.S.; authorizing a school district to assign to a school that has earned failing grades certain newly hired instructional personnel; amending s. 1012.27, F.S.; revising the powers of a district school superintendent to include filling instructional positions and assigning newly hired instructional personnel; amending s. 1012.56, F.S.; deleting an obsolete provision; revising acceptable means of demonstrating mastery of general knowledge, subject area knowledge, and professional preparation and education competence; authorizing the State Board of Education to adopt rules; revising components of a competency-based professional development certification and education competency program; repealing s. 1012.56(17), F.S., relating to a study to compare the performance of certain certificateholders; amending s. 1012.585, F.S.; revising certain requirements for the renewal or reinstatement of a professional certificate; amending s. 1012.98, F.S.; authorizing a consortium of certain charter schools to develop a professional development system; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Detert—

CS for CS for SB 1018—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 493.6108, F.S.; removing the requirement that an applicant for private investigative, private security, and repossession services provide a written statement by a fingerprint technician or licensed physician under certain conditions; amending s. 493.6113, F.S.; revising recertification training requirements for Class “G” licensees; amending s. 493.6115, F.S.; adding specific handguns to the list of firearms a Class “G” licensee may carry while performing his or her duties; amending s. 493.6305, F.S.; authorizing specified Class “D” licensees to carry an

authorized concealed firearm under certain circumstances; amending s. 501.016, F.S.; requiring a health studio to maintain a bond in favor of the department, rather than the state; authorizing liability for specified injuries to be determined in an administrative proceeding or through a civil action; providing that certain claims may be paid only upon an order of the department issued in an administrative proceeding; requiring that a claim against the bond be filed on a form affidavit adopted by rule of the department; providing the process by which a consumer may file a claim against a bond or other form of security; requiring a health studio to pay the department indebtedness determined by final order within 30 days; providing the process by which the department may make a demand if the health studio fails to timely make the payment; providing that the department shall be awarded attorney fees and costs in certain circumstances; amending s. 501.059, F.S.; prohibiting a telephone solicitor or a person from initiating an outbound telephone call to a consumer, a donor, or a potential donor under certain circumstances; repealing s. 501.143, F.S., relating to the Dance Studio Act; amending s. 501.603, F.S.; defining the term “novelty payment”; conforming a cross-reference; amending s. 501.611, F.S.; requiring the bond required of a commercial telephone seller to be in favor of the department for the use and benefit of a purchaser who is injured by specified acts; requiring that a claim against the bond be filed on a form affidavit adopted by rule of the department; providing procedures that a purchaser must follow in filing a claim against the bond or other form of security; providing for payment of indebtedness by the commercial telephone seller to the department; requiring the department to make demand on a surety if a commercial telephone seller fails to pay certain indebtedness within 30 days and providing a process; providing that attorney fees and costs must be awarded to the department in certain circumstances; conforming provisions to changes made by the act; amending s. 501.616, F.S.; prohibiting a commercial telephone seller or salesperson from accepting a novelty payment; deleting a provision that prohibits a commercial telephone seller or salesperson from requiring payment to be made by credit card; amending s. 501.913, F.S.; providing that the registration certificate for each brand of antifreeze distributed in this state expires 1 year from the date of issue; amending s. 525.16, F.S.; requiring all previous fines to be disregarded if a new violation of provisions relating to gasoline and oil inspections has not occurred within 3 years after the date of a previous violation; creating s. 526.015, F.S., relating to lubricating oil standards and labeling requirements; prohibiting a person from selling, distributing, or offering for sale or distribution lubricating oil that does not meet specified standards or labeling requirements; requiring such noncompliant products to be placed under a stop-sale order and the lot identified and tagged by the department; prohibiting a person from selling, distributing, or offering for sale or distribution a product under stop-sale order; requiring the department to issue a release order under certain circumstances; repealing s. 526.50(6), F.S., relating to the definition of terms related to the sale of brake fluid; amending s. 526.51, F.S.; providing that a permit authorizing a registrant to sell brake fluid in this state is valid for a specified period from the date of issue; conforming provisions to changes made by the act; amending s. 539.001, F.S.; requiring that a claim against the bond be filed on a form affidavit adopted by rule of the department; providing the procedure that a consumer must follow in filing a claim against a bond or other form of security filed with the department by a pawnbroker; providing for payment of indebtedness by the pawnbroker to the department; providing the procedure that a consumer must follow if the pawnbroker fails to make the payment; providing that the agency shall be awarded attorney fees and costs in certain circumstances; amending s. 559.929, F.S.; requiring that a claim against the bond be filed on a form affidavit adopted by rule of the department; providing the procedure that a consumer must follow in filing a claim against a bond or other form of security filed with the department by a seller of travel; providing for payment of indebtedness by the seller of travel to the department; providing procedures that the agency must follow if the seller of travel fails to pay certain indebtedness within 30 days and providing a process; providing that the agency shall be awarded attorney fees and costs in certain circumstances; amending s. 943.059, F.S.; providing an exception relating to the acknowledgement of arrests covered by a sealed criminal history record for a person seeking to be licensed to carry a concealed weapon or concealed firearm; providing applicability; amending ss. 205.1969 and 501.015, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committees on Appropriations; and Health Policy; and Senators Bradley, Bean, Brandes, Galvano, Sobel, Soto, Gardiner, Stargel, and Simpson—

CS for CS for SB 1030—A bill to be entitled An act relating to low-THC cannabis; creating s. 456.60, F.S.; defining terms; authorizing specified physicians to order low-THC cannabis for use by specified patients; providing conditions; providing education requirements for physicians; providing duties of the Department of Health; requiring the department to create a compassionate use registry; providing requirements for the registry; requiring the department to authorize a specified number of dispensing organizations; authorizing the department to adopt specified rules; requiring the department to establish the Office of Compassionate Use; providing for inspections of dispensing organizations by the department and law enforcement agencies; providing requirements and duties for a dispensing organization; providing exceptions to specified laws; creating s. 385.30, F.S.; encouraging state universities with both medical and agricultural programs to participate in specified Federal Food and Drug Administration-approved research directed toward refractory or intractable epilepsy relief in pediatric patients; authorizing participating state universities to annually request a grant from the department; requiring a state university that requests a grant to submit a specified report to the department; providing applicability; creating s. 1004.441, F.S.; authorizing state universities with both medical and agricultural programs to conduct specified research on low-THC cannabis; authorizing the use of current state or privately obtained research funds to support such research; authorizing the department to submit a budget amendment request to use excess funds in the Biomedical Research Trust Fund to implement this act; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Bean, Gibson, Bradley, and Galvano—

CS for CS for SB 1122—A bill to be entitled An act relating to emergency allergy treatment; amending s. 381.88, F.S.; defining terms; expanding provisions to apply to all emergency allergy reactions, rather than to insect bites only; creating s. 381.885, F.S.; authorizing certain health care practitioners to prescribe epinephrine auto-injectors to an authorized entity; authorizing such entities to maintain a supply of epinephrine auto-injectors; authorizing certified individuals to use epinephrine auto-injectors; authorizing uncertified individuals to use epinephrine auto-injectors under certain circumstances; providing immunity from liability; providing an effective date.

By the Committees on Agriculture; and Commerce and Tourism; and Senator Brandes—

CS for CS for SB 1182—A bill to be entitled An act relating to secondary metals recyclers; providing for a type two transfer of the regulation of secondary metals recyclers from the Department of Revenue to the Department of Agriculture and Consumer Services; amending s. 213.05, F.S.; repealing provision that requires that the Department of Revenue regulate the registration of secondary metals recyclers; amending s. 213.053, F.S.; authorizing the Department of Revenue to share specified information with the Department of Agriculture and Consumer Services; conforming provisions to changes made by the act; amending s. 319.30, F.S.; redefining the term “certificate of registration number”; amending s. 538.18, F.S.; redefining terms; amending s. 538.19, F.S.; requiring the Department of Agriculture and Consumer Services, rather than the Department of Law Enforcement, to approve the form of certain records maintained by secondary metals recyclers; amending s. 538.20, F.S.; authorizing investigators of the Department of Agriculture and Consumer Services to inspect regulated metals property and records of secondary metals recyclers; amending s. 538.21, F.S.; clarifying a provision of law; amending s. 538.23, F.S.; providing criminal penalties for specified prohibited acts and practices; amending s. 538.25, F.S.; revising required application information for a secondary metals recycler registration; requiring that a secondary metals recycler maintain certain insurance coverage throughout the registration period; requiring that certain applicants for a secondary metals recycler registration be fingerprinted by certain agencies, entities, or vendors; requiring such agencies, entities, or vendors to submit a complete set of the applicant’s fingerprints to the Department of Law Enforcement for state processing; requiring the Department of Law Enforcement to forward the applicant’s fingerprints to the Federal Bureau of Investigation for national processing; providing that fees for fingerprint processing and retention be borne by the applicant; providing for retention of the fingerprints; requiring the department to notify the Department of Law

Enforcement of certain individuals who are no longer registered as secondary metals recyclers; requiring the department to screen results of background checks; requiring that fees be deposited into the General Inspection Trust Fund, rather than the Operating Trust Fund; requiring a secondary metals recycler to allow personnel of the Department of Agriculture and Consumer Services to inspect a registration at the listed place of business; providing remedies to the Department of Agriculture and Consumer Services if a secondary metals recycler fails to allow such inspection; repealing certain civil fines; revising criteria to deny or revoke a registration as a secondary metals recycler; providing for immediate suspension of an application for registration or a registration if the applicant or registrant, or an owner, officer, director, or trustee of an applicant or registrant is convicted of certain felonies; conforming provisions to changes made by the act; amending s. 538.26, F.S.; prohibiting a secondary metals recycler from purchasing or allowing any person to purchase certain metals on a Sunday; revising the list of regulated metals subject to certain purchase restrictions; creating s. 538.27, F.S.; providing administrative penalties; specifying administrative procedures; providing for the collection of administrative fines; creating s. 538.29, F.S.; authorizing the Department of Agriculture and Consumer Services to adopt certain rules and forms; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senator Latvala—

CS for CS for SB 1328—A bill to be entitled An act relating to inspectors general; amending s. 20.055, F.S.; revising provisions relating to the duties, appointment, and removal of agency inspectors general; updating a cross-reference; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Grimsley—

CS for CS for SB 1354—A bill to be entitled An act relating to health care; amending s. 409.967, F.S.; revising contract requirements for Medicaid managed care programs; providing requirements for plans establishing a drug formulary or preferred drug list; requiring the use of a standardized prior authorization form; providing requirements for the form and for the availability and submission of the form; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; creating s. 627.42392, F.S.; requiring health insurers to use a standardized prior authorization form; providing requirements for the form and for the availability and submission of the form; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; providing an exemption; creating s. 627.42393, F.S.; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; providing an exemption; amending s. 627.6131, F.S.; prohibiting an insurer from retroactively denying a claim in certain circumstances; amending s. 627.6471, F.S.; requiring insurers to post preferred provider information on a website; specifying that changes to such a website must be made within a certain time; amending s. 627.6515, F.S.; applying provisions relating to prior authorization and override protocols to out-of-state groups; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim in certain circumstances; creating s. 641.393, F.S.; requiring the use of a standardized prior authorization form by a health maintenance organization; providing requirements for the availability and submission of the form; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; providing an exemption; creating s. 641.394, F.S.; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; providing an exemption; providing an effective date.

By the Committee on Appropriations; and Senator Legg—

CS for SB 1394—A bill to be entitled An act relating to education; amending s. 402.56, F.S.; adding a superintendent of schools to the membership of the Children and Youth Cabinet; amending s. 1003.4285, F.S.; revising the requirements to earn a Merit designation on a standard high school diploma; providing an effective date.

By the Committee on Criminal Justice; and Senator Bean—

CS for SB 1416—A bill to be entitled An act relating to sexual predator and sexual offender absconders; creating s. 16.581, F.S.; providing legislative findings; creating the Sexual Predator and Sexual Offender Absconder Strike Force within the Department of Law Enforcement; providing definitions; providing for the membership and terms of the strike force; requiring the department to provide administrative services to the strike force; requiring the strike force to organize by a specified date; providing for meetings; specifying the duties of the strike force; requiring an annual report to the Governor and the Legislature; providing an appropriation; providing an effective date.

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

CS for SB 1424—A bill to be entitled An act relating to the regulation of summer camps; amending s. 409.175, F.S.; requiring the Department of Children and Families to create an online registry of persons who have passed the background screening requirements for employment in summer camps; authorizing the department to adopt rules; providing an effective date.

By the Committee on Appropriations; and Senator Dean—

CS for SB 1582—A bill to be entitled An act relating to rehabilitation of petroleum contamination sites; amending s. 287.0595, F.S.; removing the restriction of applicability for certain contracts for pollution response action; amending s. 376.3071, F.S.; revising legislative findings and intent regarding the Petroleum Restoration Program and the rehabilitation of contamination sites; providing requirements for site rehabilitation contracts and procedures for payment of rehabilitation work under the Petroleum Restoration Program; limiting eligibility for funding under the Early Detection Incentive Program; deleting obsolete provisions relating to reimbursement for certain cleanup expenses; repealing s. 376.30711, F.S., relating to preapproved site rehabilitation; amending s. 376.30713, F.S.; providing that applicants can use a demonstration of a cost savings in meeting the required cost share commitment if bundling multiple sites; requiring the department to determine whether such cost savings demonstrations is acceptable; amending ss. 376.301, 376.302, 376.305, 376.30714, 376.3072, 376.3073, and 376.3075, 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 Abruzzo—

CS for SB 1584—A bill to be entitled An act relating to the Baker Act; requiring the Department of Children and Families to create a work group to provide recommendations relating to revision of the Baker Act; requiring the work group to make recommendations on specified topics; providing for membership of the work group; providing for meetings; requiring the work group to meet by a specified date; requiring a review of draft recommendations by a specified date; requiring the work group to submit a report to specified entities and the Legislature by a specified date; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 7175; has passed as amended CS for CS for HB 479, CS for CS for HB 561, CS for CS for HB 773, CS for CS for HB 791, CS for HB 7023; has passed by the required constitutional two-thirds vote of the members voting CS for CS for HB 775 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Economic Affairs Committee and Representative(s) Goodson—

HB 7175—A bill to be entitled An act relating to Department of Transportation; amending s. 11.45, F.S., deleting a provision authorizing the Auditor General to conduct audits of transportation corporations authorized under the Florida Transportation Corporation Act; amending s. 20.23, F.S.; providing for the Florida Transportation Commission to monitor certain aspects of the Mid-Bay Bridge Authority; repealing provisions for the Florida Statewide Passenger Rail Commission; amending s. 316.530, F.S.; deleting a provision relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; revising the weight reduction used to determine unlawful weight of certain vehicles equipped with idle-reduction technology; amending s. 332.007, F.S.; authorizing the department to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement; providing that certain lease-purchase agreements are not invalidated; providing an exception from a requirement to purchase all plant materials from Florida commercial nursery stock; amending s. 335.06, F.S.; providing for improvement and maintenance of certain roads that provide access to the state park system; amending s. 335.065, F.S.; authorizing the department to enter into certain concession agreements; providing for use of agreement revenues; providing that the agreements are subject to applicable federal laws; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of motor vehicle registration; amending s. 337.14, F.S.; providing an exception to a provision that prohibits certain contractors and affiliates from qualifying to provide certain services to the department; providing construction; amending s. 337.168, F.S., relating to confidentiality of bid information; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; revising provisions for disposition of property by the department; authorizing the department to contract for auction services for conveyance of property; amending s. 337.251, F.S.; revising criteria for leasing certain department property; revising the time for the department to accept proposals for lease after a notice is published; directing the department to establish an application fee by rule; providing criteria for the fee and for the proposed lease; amending s. 338.161, F.S.; revising provisions authorizing the department to use its electronic toll collection and video billing systems to collect certain charges for an owner of a transportation facility; amending s. 338.26, F.S.; revising the uses of fees generated from Alligator Alley tolls to include the cost of design and construction of a fire station that may be used by certain local governments and certain related operating costs; providing that excess tolls, after payment of certain expenses, be transferred to the Everglades Trust Fund; creating s. 339.041, F.S.; providing legislative intent; describing the types of department property eligible for factoring future revenues received by the department from leases for wireless communication facilities on department property; authorizing the department to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate; prohibiting the department from pledging state credit; allowing the department to make certain covenants; providing for the appropriation and payment of moneys received from such agreements to investors; requiring the proceeds from such leases to be used for certain fixed capital expenditures; amending s. 339.175, F.S.; revising membership and governance of a metropolitan planning organization; revising powers and duties of the Metropolitan Planning Organization Advisory Council; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the department for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the Department of Transportation and a governmental entity; repealing the Florida Transportation Corporation Act; repealing ss. 339.401, 339.402, 339.403, 339.404, 339.405, 339.406, 339.407, 339.408, 339.409, 339.410, 339.411, 339.412, 339.414, 339.415, 339.416, 339.417, 339.418, 339.419, 339.420, and 339.421, F.S.; removing provisions for corporations to be authorized by and to act on behalf of the department for promotion and development of transportation facilities and systems; amending s. 343.82, F.S., relating to the Northwest Florida Transportation Corridor Authority and s. 343.922, F.S., relating to Tampa Bay Area Regional Transportation Authority; removing provisions for certain funding and assistance sources; amending s. 373.4137, F.S.; revising legislative intent for implementation of mitigation to offset environmental impact of department projects; revising provisions for environmental impact inventories for transportation projects proposed by the department or a transportation

authority; revising criteria for mitigation of projected impacts; requiring the Department of Transportation to include funding for environmental mitigation for projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising provisions related to public service warning signs; amending s. 479.01, F.S., relating to outdoor advertising signs; revising and deleting definitions; amending s. 479.02, F.S.; revising duties of the Department of Transportation relating to signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs to commercial or industrial zones; defining the terms "parcel" and "utilities"; requiring a local government to use specified criteria to determine zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; authorizing a permit for a sign in an unzoned commercial or industrial area in certain circumstances; prohibiting specified uses and activities from being independently recognized as commercial or industrial; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; requiring notice to owners of intervening privately owned lands before the department enters upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect or construct outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; prohibiting the department from granting a transfer of an existing permit or issuing an additional permit during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; revising permit tag placement requirements for signs; deleting a provision that allows a permittee to provide its own replacement tag; revising requirements for permitting certain signs visible to more than one highway; deleting provisions limiting a pilot program to specified locations; deleting redundant provisions relating to certain new or replacement signs; deleting provisions requiring maintenance of statistics on the pilot program; amending s. 479.08, F.S.; revising provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; authorizing the cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures for the department to issue a permit as a conforming or non-conforming sign to the owner of an unpermitted sign; providing a penalty; amending s. 479.106, F.S.; revising provisions relating to the removal, cutting, or trimming of trees or vegetation to increase sign face visibility; providing that a specified penalty is applied per sign facing; amending s. 479.107, F.S.; deleting a fine for specified violations; amending s. 479.11, F.S.; prohibiting signs on specified portions of the interstate highway system; amending s. 479.111, F.S.; clarifying a reference to a certain agreement; amending s. 479.15, F.S.; deleting a definition; revising provisions relating to relocation of certain signs on property subject to public acquisition; amending s. 479.156, F.S.; clarifying provisions relating to the regulation of wall murals; amending s. 479.16, F.S.; exempting certain signs from specified provisions; exempting from permitting certain signs placed by tourist-oriented businesses, certain farm signs placed during harvest seasons, certain acknowledgment signs on publicly funded school premises, and certain displays on specific sports facilities; prohibiting certain permit exemptions from being implemented or continued if the implementations or continuations will adversely impact the allocation of federal funds to the Department of Transportation; directing the department to notify a sign owner that the sign must be removed if federal funds are adversely impacted; authorizing the department to remove the sign and assess costs to the sign owner under certain circumstances; amending s. 479.24,

F.S.; clarifying provisions relating to compensation paid for the department's acquisition of lawful signs; amending s. 479.25, F.S.; revising provisions relating to local government action with respect to erection of noise-attenuation barriers that block views of lawfully erected signs; deleting provisions to conform to changes made by the act; amending s. 479.261, F.S.; expanding the logo sign program to the limited access highway system; conforming provisions related to a logo sign program on the limited access highway system; amending s. 479.262, F.S.; clarifying provisions relating to the tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; establishing a pilot program for the School District of Palm Beach County authorizing signage on certain school district property to recognize the names of the school district's business partners; providing for expiration of the program; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing to commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for the removal of parking meters and parking time-limit devices under certain circumstance; providing for municipalities and counties to pay the cost of removal; providing for a moratorium on new parking meters of other parking time-limit devices on the state right-of-way; providing an exception; amending s. 2 of chapter 85-364, Laws of Florida, relating to the Department of Transportation; authorizing tolls from the Pinellas Bayway to be used for maintenance costs; removing provisions for funding of certain projects; amending s. 110.205, F.S.; conforming cross-references; providing effective dates.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Health & Human Services Committee, Healthy Families Subcommittee and Representative(s) Hager, Berman, Brodeur, Combee, Edwards, Harrell, Kerner, Lee, Magar, McGhee, Moskowitz, Murphy, Pafford, Peters, Pigman, Powell, Pritchett, Rooney, Stewart—

CS for CS for HB 479—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; providing definitions; conforming a cross-reference; creating s. 397.487, F.S.; providing legislative findings; requiring the Department of Children and Families to create a voluntary certification program for recovery residences; requiring the department to approve credentialing entities to develop and administer the certification program; requiring an approved credentialing entity to establish a process for certifying recovery residences that meet certain qualifications; requiring an approved credentialing entity to establish certain fees; requiring a credentialing entity to conduct onsite inspections of a recovery residence; requiring background screening of employees of a recovery residence; providing for denial, suspension, or revocation of certification; providing a criminal penalty for advertising a recovery residence as a "certified recovery residence" unless certified; creating s. 397.4871, F.S.; providing legislative intent; requiring the department to create a voluntary certification program for recovery residence administrators; directing the department to approve at least one credentialing entity by a specified date to develop and administer the certification program; requiring an approved credentialing entity to establish a process for certifying recovery residence administrators who meet certain qualifications; requiring an approved credentialing entity to establish certain fees; requiring background screening of applicants for recovery residence administrator certification; providing for suspension or revocation of certification; providing a criminal penalty for advertising oneself as a "certified recovery residence administrator" unless certified; creating s. 397.4872, F.S.; providing exemptions from disqualifying offenses; requiring credentialing entities to provide the department with a list of all certified recovery residences and recovery residence administrators by a date certain; requiring the

department to publish the list on its website; allowing recovery residences and recovery residence administrators to be excluded from the list; amending s. 397.407, F.S.; providing conditions for a licensed service provider to refer patients to certified recovery residences or recovery residences owned and operated by the licensed service provider; defining the term "refer"; amending ss. 212.055, 394.9085, 397.405, 397.416, and 440.102, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Fresen—

CS for CS for HB 561—A bill to be entitled An act relating to attorneys for dependent children with special needs; creating s. 39.01305, F.S.; providing legislative findings and intent; defining the term "dependent child"; requiring appointment of an attorney to represent a dependent child who meets one or more specified criteria; requiring that, if one is available, an attorney who is willing to represent a child without additional compensation be appointed; requiring that the appointment be in writing; requiring that the appointment continue in effect until the attorney is allowed to withdraw or is discharged by the court or until the case is dismissed; requiring that an attorney not acting in a pro bono capacity be adequately compensated for his or her services and have access to funding for certain costs; providing for financial oversight by the Justice Administrative Commission; providing a limit on attorney fees; requiring the Department of Children and Families to develop procedures to identify dependent children who qualify for an attorney; providing rulemaking authority; providing applicability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

By Regulatory Affairs Committee, Business & Professional Regulation Subcommittee and Representative(s) Hutson, Saunders—

CS for CS for HB 773—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising and providing definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of commission proceedings; amending s. 548.006, F.S.; clarifying the jurisdiction of the commission over certain amateur and professional matches; amending s. 548.007, F.S.; revising the applicability of chapter 548, F.S.; repealing s. 548.013, F.S., relating to a requirement that foreign copromoters be licensed; amending s. 548.014, F.S.; conforming provisions to changes made by the act; repealing s. 548.015, F.S., relating to the authority of the commission to require a concessionaire to file a form of security with the commission; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires and booking agents; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.052, F.S.; revising requirements for providing an advance payment or loan against a purse to a participant; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; authorizing a promoter to issue a specified amount of complimentary tickets that are not included in gross receipts; requiring authorization from the commission to issue complimentary tickets that are not included in gross receipts in an amount greater than a specified amount; providing application requirements and procedures; providing that certain promoters are not required to report specified information; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.066, F.S.; conforming a provision to changes made by the act; amending s. 548.07, F.S.; revising the procedure for suspension of licensure; amending s. 548.073, F.S.; requiring that commission hearings be held in accordance with the Administrative Procedure Act; providing an appropriation; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; Judiciary; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Renuart, Hutson—

CS for CS for HB 791—A bill to be entitled An act relating to coastal management; amending s. 161.053, F.S.; revising permit requirements for coastal construction and excavation; authorizing the Department of Environmental Protection, in consultation with the Fish and Wildlife Conservation Commission, to grant areawide permits for certain structures; requiring the department to adopt rules; creating s. 258.435, F.S.; requiring the Department of Environmental Protection to promote the public use of aquatic preserves and their associated uplands; authorizing the department to receive gifts and donations for specified purposes; providing restrictions for moneys received; authorizing the department to grant privileges and concessions for accommodation of visitors in and use of aquatic preserves and their associated uplands; providing criteria for granting such concessions; providing restrictions on such privileges and concessions and prohibiting them from being assigned or transferred without the department's consent; requiring the department to post descriptions of proposed privileges and concessions on the department's website; requiring the department to provide an opportunity for public comment on agreements for such privileges and concessions; amending s. 380.276, F.S.; authorizing the department to allow state agencies and local governments to use additional safety and warning devices at public beaches under certain conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Economic Affairs Committee, Economic Development & Tourism Subcommittee and Representative(s) Hutson, Campbell—

CS for HB 7023—A bill to be entitled An act relating to economic development; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for a new business development for a specified period; providing exceptions; amending s. 163.31801, F.S.; prohibiting a county, municipality, or special district from imposing certain new or existing impact fees on a new business development for a specified period; providing exceptions; amending s. 163.3202, F.S.; requiring each county and municipality to adopt or amend and enforce certain land development regulations within a specified period after submitting a comprehensive plan; amending s. 212.098, F.S.; providing a sales tax refund for purchases of electricity by certain eligible businesses; providing an annual cap on the total amount of tax refunds that may be approved; authorizing the Department of Revenue to adopt rules; amending s. 288.0001, F.S.; requiring the Office Of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to provide an analysis of the New Markets Development Program to the Governor and Legislature within a specified period and periodically thereafter; amending s. 288.005, F.S.; providing definitions; creating s. 288.006, F.S.; providing legislative intent; restricting the use of loan program funds; providing for the reversion of appropriated funds in the event of a termination of a loan program or loan program contract; requiring eligible recipients and loan administrators to avoid potential conflicts of interest; defining the term "immediate family"; providing additional eligibility requirements for eligible recipients and loan administrator applicants; authorizing the Auditor General to conduct audits; authorizing the Department of Economic Opportunity to adopt rules; amending s. 288.018, F.S.; increasing the maximum grant amount that an organization may receive from the department under the Regional Rural Development Grants Program; renaming a "rural area of critical economic concern" as a "rural area of opportunity"; amending s. 288.987, F.S.; increasing the amount of funds that may be spent on staffing and administrative expenses of the Florida Defense Support Task Force; amending s. 290.0411, F.S.; revising legislative intent for purposes of the Florida Small Cities Community Development Block Grant Program; amending s. 290.044, F.S.; requiring the department to adopt rules establishing a competitive selection process for loan guarantees and grants awarded under the block grant program; revising the criteria for the award of grants; amending s. 290.046, F.S.; revising limits on the number of grants that an applicant may apply for and receive; requiring the department to conduct a site

visit before awarding a grant; requiring the department to rank applications according to criteria established by rule and distribute funds according to the rankings; revising scoring factors to consider in ranking applications; revising requirements for public hearings; providing that the creation of a citizen advisory task force is discretionary; deleting a provision requiring a local government to obtain department consent for an alternative citizen participation plan; amending s. 290.047, F.S.; revising the maximum percentages and amounts of block grant funds that may be spent on certain costs and expenses; amending s. 290.0475, F.S.; conforming provisions to changes made by the act; correcting a reference; amending s. 290.048, F.S.; deleting a provision authorizing the department to adopt and enforce strict requirements concerning an applicant's written description of a service area; amending s. 331.3051, F.S.; requiring Space Florida to consult with the Florida Tourism Industry Marketing Corporation in developing a space tourism marketing plan; authorizing Space Florida to enter into an agreement with the corporation for a specified purpose; revising the research and development duties of Space Florida; amending s. 443.1116, F.S.; defining the term "employer-sponsored training"; revising components required for approval of a short-time compensation plan; revising eligibility requirements for short-time compensation benefits; amending s. 443.141, F.S.; providing an employer payment schedule for contributions to the Unemployment Compensation Trust Fund; providing for applicability; amending ss. 125.271, 163.3177, 163.3187, 163.3246, 211.3103, 212.098, 218.67, 288.065, 288.0655, 288.0656, 288.1088, 288.1089, 290.0055, 339.2819, 339.63, 373.4595, 380.06, 380.0651, 985.686, and 1011.76, F.S.; renaming "rural areas of critical economic concern" as "rural areas of opportunity"; providing an effective date.

—was referred to the Committees on Community Affairs; Military and Veterans Affairs, Space, and Domestic Security; Banking and Insurance;

Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Regulatory Affairs Committee, Government Operations Subcommittee, Business & Professional Regulation Subcommittee and Representative(s) Hutson—

CS for CS for CS for HB 775—A bill to be entitled An act relating to public records; creating s. 548.062, F.S.; providing an exemption from public records requirements for proprietary confidential business information in reports required to be filed with the Florida State Boxing Commission by a promoter or obtained by the commission through an audit of a promoter's books and records; defining the term "proprietary confidential business information"; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 23 was corrected and approved.

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 6:00 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, April 25 or upon call of the President.