



Journal of the Senate

Number 3—Regular Session

Wednesday, March 18, 2015

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	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

PRAYER

The following prayer was offered by Pastor Steven Kyle, Hiland Park Baptist Church, Panama City:

Dear Heavenly Father,

Today, we thank you for your love, we thank you for your grace, and we thank you for your mercy that sustain us. Father, we thank you for the gift of life and providing for our daily needs. Lord, we thank you for the freedom that you have given to this great country of ours, and we pray for the safety of our many military men and women around this world.

Today, God, we ask for wisdom and guidance for the men and women serving the people of the State of Florida in the Senate. Our prayer is for their safety and that you receive honor and glory through the decisions made. Father, we pray that you will continue to use this Senate to govern our state as they protect the innocent and sustain our God-given freedoms. May they sense your strength and resolve even during the most difficult of times. We ask you to bless and encourage their families.

Lord, even though we do not know tomorrow or even the next hour, we praise you for your omniscient sovereignty. May your hand be the hand that guides the United States of America. God, may your hand be the hand that guides the State of Florida. Please, Father, use these Senators as vessels of your perfect will and accomplish your divine plans through their work.

Father, we thank you for your salvation, peace, and purpose. We thank you, Father, for the power of prayer linking our temporary to your eternal.

I pray this prayer today in the name of my Savior, Jesus Christ. Amen.

PLEDGE

Senate Pages, CJ Burns of Winter Park; Desmond Auber of Tallahassee, son of Robin Auber with the Senate Appropriations Subcommittee on Health and Human Services; Patricia Luis of West Palm Beach; Nikki Mauldin of Tallahassee, daughter of Lisa Johnson with the Senate Committee on Banking and Insurance; and Emily Correia of Fleming Island, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Bean—

By Senator Bean—

SR 1068—A resolution recognizing March 2015 as “Brain Injury Awareness Month” in Florida.

WHEREAS, each year, about 136,000 Floridians suffer traumatic brain injuries, and

WHEREAS, more than 9,800 Floridians sustain permanent, lifelong disabilities from traumatic brain injury, resulting in a life-altering experience that may include serious physical, cognitive, and emotional impairments, and

WHEREAS, more than 214,000 Floridians currently live with permanent disabilities resulting from a traumatic brain injury, but the lack of public awareness is so pervasive that traumatic brain injury is known in the disability community as the “silent epidemic,” and

WHEREAS, traumatic brain injury attributable to roadside bombs and blasts is one of the signature wounds of the global War on Terror, and military personnel who return to this state with traumatic brain injuries require additional state and local resources, and

WHEREAS, most cases of traumatic brain injury are preventable, and enhanced public awareness of traumatic brain injury is essential in injury prevention, the development of effective treatment, and securing necessary resources, and

WHEREAS, founded in 1985, the Brain Injury Association of Florida, Inc., is the only statewide nonprofit corporation whose mission is to improve the quality of life for all persons with brain injury and their families by creating a better future through brain injury awareness, research, prevention, education, support services, and advocacy, NOW, THEREFORE,

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

That March 2015 is recognized as “Brain Injury Awareness Month” in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Brain Injury Association of Florida, Inc., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Bean, **SR 1068** was read the second time by title and adopted.

On motion by Senator Garcia—

By Senator Garcia—

SR 298—A resolution recognizing March 2015 as “A Safe Haven for Newborns Month” in Florida.

WHEREAS, tragic cases of infant abandonment have occurred in Florida and across the nation, and

WHEREAS, A Safe Haven for Newborns provides a safe and legal alternative to the parents of newborns who might otherwise be at risk of abandonment, and

WHEREAS, A Safe Haven for Newborns provides the opportunity for other Florida couples to fulfill their dream of being parents by opening the door to adoption, and

WHEREAS, in creating A Safe Haven for Newborns, the Gloria M. Silverio Foundation has provided invaluable services to Florida families and vital leadership in the effort to end the practice of newborn abandonment, NOW, THEREFORE,

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

That March 2015 is recognized as “A Safe Haven for Newborns Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Garcia, **SR 298** was read the second time by title and adopted.

On motion by Senator Montford—

By Senator Montford—

SR 1586—A resolution recognizing and celebrating March 18, 2015, as “Florida Agriculture Day.”

WHEREAS, National Agriculture Day was established in 1973 to increase public awareness of the vital role of agriculture in the United States, and

WHEREAS, the world population is expected to reach 9.6 billion by 2040, and Florida farmers and ranchers play an increasingly important role in meeting global demands for healthy, wholesome, safe, and nutritious food, and

WHEREAS, the agriculture industry is part of the very fabric of this state, fostering ingenuity and preserving Florida’s rural character and values, and

WHEREAS, Florida’s 47,500 farms produce nearly 300 different commodities on more than 9 million acres of land, employing 2 million Floridians and contributing more than \$100 billion to Florida’s economy each year, and

WHEREAS, Florida is one of the national leaders in agriculture, ranking first in the nation in production of oranges, grapefruit, sweet corn, snap beans, cucumbers, squash, sugarcane, and watermelons, and

WHEREAS, Florida farmers and ranchers are responsible stewards of the land, maintaining 9.25 million acres of greenspace and conserving more than 11 billion gallons of fresh water each year, NOW, THEREFORE,

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

That March 18, 2015, is recognized as “Florida Agriculture Day” as part of the larger celebration of “National Agriculture Day,” in which we honor Florida farmers and ranchers, who produce the safest and most abundant food supply in the world, as well as the researchers, entrepreneurs, businesses, and innovators who support farm families and help drive the agriculture economy in this state.

—was introduced out of order and read by title. On motion by Senator Montford, **SR 1586** was read the second time by title and adopted.

SPECIAL GUESTS

Senator Montford recognized Commissioner of Agriculture Adam Putnam who was present in the chamber.

MOMENT OF SILENCE

At the request of Senator Gaetz, the Senate observed a moment of silence honoring the service members of the Louisiana National Guard and the United States Marine Corps who passed away when their UH-60M Black Hawk helicopter crashed during training exercises near Eglin Air Force Base in Pensacola on March 10, 2015.

National Guard members included Chief Warrant Officer 4 George Wayne Griffin, Jr., Chief Warrant Officer 4 George David Strother, Staff Sergeant Lance Bergeron, and Staff Sergeant Thomas Florich. Marine Corps members included Captain Stanford H. Shaw III, Master Sergeant Thomas A. Saunders, Staff Sergeant Marcus S. Bawol, Staff Sergeant Trevor P. Blaylock, Staff Sergeant Liam A. Flynn, Staff Sergeant Kerry M. Kemp, and Staff Sergeant Andrew C. Seif.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Simmons, by two-thirds vote **SB 1556** was withdrawn from the Committees on Regulated Industries; Finance and Tax; and Appropriations; and referred to the Committees on Commerce and Tourism; Finance and Tax; and Appropriations.

BILLS ON THIRD READING

CS for SB 428—A bill to be entitled An act relating to trust funds administered by the Department of Environmental Protection; amending s. 20.25501, F.S.; codifying the Administrative Trust Fund, Environmental Laboratory Trust Fund, and Working Capital Trust Fund; requiring the department to administer such trust funds; providing for the funding of such trust funds; creating s. 376.41, F.S.; codifying provisions relating to the Minerals Trust Fund; creating s. 403.0874, F.S.; codifying provisions relating to the Air Pollution Control Trust Fund; amending s. 403.1832, F.S.; removing provisions relating to federal aid; authorizing the department to transfer all outstanding appropriations supported by federal grants to the Federal Grants Trust Fund; providing for expiration; amending s. 403.709, F.S.; increasing the amount of funding for mosquito control; limiting the amount of the funding that may be used for a solid waste management grant program; deleting obsolete provisions; reenacting s. 403.7095(3), F.S., to incorporate the amendment made to s. 403.709, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

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

Amendment 1 (234606)—Delete line 122 and insert:
and public nonfederal sources, with funds that have restrictions imposed by the grantor or donor separately accounted for received by the department and to

On motion by Senator Hays, **CS for SB 428** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Gibson
Benacquisto	Detert	Grimsley
Bradley	Diaz de la Portilla	Hays
Brandes	Evers	Hukill

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

Nays—None

Vote after roll call:

Yea—Garcia

SPECIAL ORDER CALENDAR

On motion by Senator Joyner—

SB 94—A bill to be entitled An act relating to the Closing the Gap grant program; amending s. 381.7355, F.S.; requiring that a project proposal under the grant program address racial and ethnic disparities in morbidity and mortality rates relating to sickle cell disease in addition to other priority areas; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 94** was placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner—

CS for SB 132—A bill to be entitled An act relating to disabled parking permits; amending s. 320.0848, F.S.; authorizing certain veterans to provide the Department of Highway Safety and Motor Vehicles alternative documentation for renewal or replacement of a disabled parking permit; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 132** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for SB 144—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for certain identifying and location information of current or former impaired practitioner consultants retained by an agency or certain current or former employees of an impaired practitioner consultant and the spouses and children of such consultants or employees, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 144** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

SB 158—A bill to be entitled An act relating to the civil liability of farmers; amending s. 768.137, F.S.; providing that 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 applies at any time, rather than only after harvesting; revising exceptions to the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 158** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 200—A bill to be entitled An act relating to public records; creating s. 197.3225, F.S.; providing an exemption from public records requirements for e-mail addresses obtained by a tax collector for the purpose of electronically sending certain tax notices or obtaining the consent of a taxpayer for electronic transmission of certain tax notices; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 200** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for CS for SB 202—A bill to be entitled An act relating to insurer notifications; amending s. 627.421, F.S.; authorizing a policyholder of personal lines insurance to elect delivery of policy documents by electronic means; amending s. 627.43141, F.S.; defining the term “optional coverage”; revising the requirements applicable to insurers when providing a notice of change in policy terms for a renewal policy to include the requirement that the notice be an advance notice and to allow such notice to be sent separately from the notice of renewal premium within a specified timeframe; requiring the insurer to provide a sample copy of the notice of change in policy terms to the insurance agent at a specified time; prohibiting the use of such notice to add optional coverage that increases the policy’s premium unless the policyholder approves the optional coverage; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 202** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

CS for CS for SB 234—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.041, F.S.; revising the definition of the term “motor vehicle insurance” to include a policy that insures more than four automobiles; amending s. 627.728, F.S.; revising the definition of the term “policy” to include a policy that insures more than four automobiles; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 234** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 290—A bill to be entitled An act relating to carrying a concealed weapon or a concealed firearm; amending s. 790.01, F.S.; providing an exemption from criminal penalties for carrying a concealed weapon or a concealed firearm when evacuating pursuant to a mandatory evacuation order during a declared state of emergency; defining the term “in the act of evacuating”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 290** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 394—A bill to be entitled An act relating to public lodging establishments; creating s. 509.095, F.S.; requiring specified public lodging establishments to waive certain policies for individuals who are currently on active duty who present a valid military identification card; prohibiting duplication of military identification cards; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 394** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

SB 462—A bill to be entitled An act relating to family law; providing legislative findings; providing a directive to the Division of Law Revision and Information; creating s. 61.55, F.S.; providing a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process commences when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 462** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for SB 7000—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 341.3026, F.S., relating to an exemption from public record requirements for certain information held by a public transit provider; removing superfluous language; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 7000** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

SB 7004—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1005.38, F.S., relating to exemptions from public records and meeting requirements for investigatory records held by and portions of meetings conducted by the Commission for Independent Education in disciplinary proceedings; saving the exemptions from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7004** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

SB 7008—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 497.172, F.S., relating to an exemption from public meeting requirements for portions of meetings of the Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services at which licensure examination questions or answers are discussed; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7008** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

SB 7010—A bill to be entitled An act relating to a review under the Open Government Sunshine Act; amending s. 517.2016, F.S., relating to

an exemption from public records requirements for information that would reveal examination techniques or procedures used by the Office of Financial Regulation under the Florida Securities and Investor Protection Act; saving the exemption from repeal under the Open Government Sunshine Act; making technical changes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7010** was placed on the calendar of Bills on Third Reading.

SB 7036—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising the date of the presidential preference primary; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7036**, pursuant to Rule 3.11(3), there being no objection, **HB 7035** was withdrawn from the Committees on Ethics and Elections; and Rules.

On motion by Senator Richter—

HB 7035—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising the date of the presidential preference primary; providing an effective date.

—a companion measure, was substituted for **SB 7036** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **HB 7035** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	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

Nays—None

MOTION

On motion by Senator Simmons, by two-thirds vote **HB 7035** was ordered immediately certified to the House.

MOTIONS

On motion by Senator Lee, portions of Senate Rule 2.39 were waived and the following deadlines and policies were applied to all bills on the agenda to be considered by the Committee on Appropriations on Wednesday, March 25, 2015:

- The deadline for filing amendments to any bill on the agenda is 1:30 p.m., Monday, March 23, 2015.
- The deadline for filing amendments to amendments and substitute amendments to any bill on the agenda is 1:30 p.m., Tuesday, March 24, 2015.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Sobel, by two-thirds vote, **SB 1440** was withdrawn from the committees of reference and further consideration.

On motion by Senator Simpson, by two-thirds vote, **SB 218** was withdrawn from the committees of reference and further consideration.

On motion by Senator Garcia, by two-thirds vote, **SB 820** was withdrawn from the committees of reference and further consideration.

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 Wednesday, March 18, 2015: SB 94, CS for SB 132, CS for SB 144, SB 158, CS for SB 200, CS for CS for SB 202, CS for CS for SB 234, CS for CS for SB 290, CS for CS for SB 394, SB 462, CS for SB 7000, SB 7004, SB 7008, SB 7010, SB 7036.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Community Affairs recommends a committee substitute for the following: SB 1114

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 778

The Committee on Health Policy recommends a committee substitute for the following: SB 628

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1136; SB 1190; SB 1222

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1284

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Health Policy recommends committee substitutes for the following: SB 512; SB 904; SB 1052; SB 1208

The bills with committee substitute attached were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1216

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 806

The bill with committee substitute attached was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 420

The bill with committee substitute attached was referred to the Committee on Fiscal Policy under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 782; SB 824; SB 962

The bills with committee substitute attached were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 856

The Committee on Community Affairs recommends a committee substitute for the following: SB 286

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

The Committee on Health Policy recommends committee substitutes for the following: SB 614; SB 1390

The bills with committee substitute attached were referred to the Committee on Regulated Industries under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 630

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 552; SB 7034

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on General Government recommends the following pass: SB 558; SB 694; SB 1220

The bills were referred to the Committee on Fiscal Policy under the original reference.

Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 688; SB 818

The bills with committee substitute attached were referred to the Committee on Appropriations under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 286—A bill to be entitled An act relating to classified advertisement websites; creating s. 501.181, F.S.; defining terms; encouraging the Department of Management Services to designate a specified number of state safe-haven facilities in each county based upon population; authorizing public state buildings to serve as state safe-haven facilities; encouraging local governments to approve the use of public local governmental buildings as local safe-haven facilities; limiting the liability of the state and any local government, and of the officers, employees, or agents of the state or any local government, that provides a state safe-haven facility or local safe-haven facility; limiting actions for injury or damages against the state or any local government, or of the

officers, employees, or agents of the state or any local government, arising from a sales transaction; providing an effective date.

By the Committee on Community Affairs; and Senator Grimsley—

CS for SB 420—A bill to be entitled An act relating to animal control; amending s. 588.17, F.S.; providing a procedure for adopting or humanely disposing of impounded stray livestock, except cattle, as an alternative to sale or auction; amending s. 588.18, F.S.; requiring a county animal control center to establish fees and be responsible for damages caused while impounding livestock; amending s. 588.23, F.S.; conforming provisions to changes made by the act; amending s. 828.073, F.S.; authorizing certain municipalities to take custody of an animal found neglected or cruelly treated or to order the owner of such an animal to provide certain care at the owner's expense; authorizing county courts to remand animals to the custody of certain municipalities; authorizing the allocation of auction proceeds to certain municipalities; conforming provisions to changes made by the act; amending s. 828.27, F.S.; deleting obsolete provisions; clarifying that certain provisions relating to local animal control are not the exclusive means of enforcing animal control laws; providing an effective date.

By the Committee on Health Policy; and Senators Thompson and Soto—

CS for SB 512—A bill to be entitled An act relating to HIV testing; amending s. 381.004, F.S.; revising and providing definitions; specifying the notification and consent procedures for performing an HIV test in a health care setting and a nonhealth care setting; amending s. 456.032, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Hays—

CS for SB 552—A bill to be entitled An act relating to public records; creating s. 420.6231, F.S.; defining the term “individual identifying information”; creating a public records exemption for individual identifying information of a person contained in a Point-in-Time Count and Survey or data in a Homeless Management Information System; providing for retroactive application of the exemption; specifying that the exemption does not preclude the release of aggregate information; providing for future review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 614—A bill to be entitled An act relating to drug prescription by advanced registered nurse practitioners and physician assistants; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances to an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic to a physician licensed under ch. 458 or ch. 459, F.S.; amending s. 458.347, F.S.; expanding the prescribing authority of a licensed physician assistant; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, rather than to monitor and alter drug therapies; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license for or disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term “practitioner” to include advanced registered nurse practitioners and physician assistants under the Florida Com-

prehensive Drug Abuse Prevention and Control Act; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant is an exception from a prohibition relating to the possession of drugs or narcotics during probation; reenacting s. 310.071(3), F.S., to incorporate the amendment made to s. 310.071, F.S., in a reference thereto; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., to incorporate the amendment made to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., to incorporate the amendment made to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.347(4)(e) and (9)(c), 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., to incorporate the amendment made to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), 464.018(2), and 464.0205(1)(b), (3), and (4)(b), F.S., to incorporate the amendment made to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., to incorporate the amendment made to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., to incorporate the amendment made to s. 948.03, F.S., in references thereto; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 628—A bill to be entitled An act relating to behavior analysts; amending s. 20.43, F.S.; establishing the Board of Applied Behavior Analysis within the Division of Medical Quality Assurance; amending s. 456.001, F.S.; including licensed behavior analysts and licensed assistant behavior analysts in the definition of the term “health care practitioner”; amending s. 456.0135, F.S.; requiring an application for licensure under ch. 470, F.S., to include certain fingerprinting requirements; providing a directive to the Division of Law Revision and Information to create ch. 470, F.S., entitled “Behavior Analysts”; creating s. 470.40, F.S.; providing a purpose; creating s. 470.41, F.S.; defining terms; creating s. 470.415, F.S.; creating the Board of Applied Behavior Analysis; providing for membership and terms of members; creating s. 470.42, F.S.; creating rulemaking authority for the board and the Department of Health; creating s. 470.43, F.S.; providing requirements for licensure as a behavior analyst or assistant behavior analyst; creating s. 470.44, F.S.; providing requirements for renewal of license; creating s. 470.45, F.S.; establishing maximum fees for applications, initial licenses, and license renewals; requiring fees collected by the department to be deposited into a specified trust fund; creating s. 470.46, F.S.; providing grounds for denial of license or disciplinary action; creating s. 470.47, F.S.; providing penalties for practicing applied behavior analysis without a license or wrongfully identifying oneself as a licensed behavior analyst or licensed assistant behavior analyst; creating s. 470.48, F.S.; providing exceptions to applicability of ch. 470, F.S.; providing an effective date.

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

CS for SB 630—A bill to be entitled An act relating to transfers to minors; amending s. 710.102, F.S.; defining the term “general power of appointment”; amending s. 710.105, F.S.; specifying that certain transfers from a trust are considered as having been made directly by the grantor of the trust; amending s. 710.123, F.S.; authorizing custodianships established by irrevocable gift and by irrevocable exercise of power of appointment to terminate when a minor attains the age of 25, subject to the minor's right in such custodianships to compel distribution of the property upon attaining the age of 21; limiting liability of financial institutions for certain distributions of custodial property; reenacting ss. 710.117(2) and 710.121(2) and (6), F.S., to incorporate the amendment made to s. 710.105, F.S., in references thereto; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and Senator Hays—

CS for CS for SB 778—A bill to be entitled An act relating to local government construction preferences; creating s. 255.0991, F.S.; prohibiting local ordinances and regulations from restricting competition for the award of a contract for construction services based upon certain conditions; requiring a state college, county, municipality, school district, or other political subdivision of the state to make specified dis-

closures in competitive solicitation documents; providing applicability; providing an effective date.

By the Committee on Community Affairs; and Senator Montford—

CS for SB 782—A bill to be entitled An act relating to county officials; amending s. 145.19, F.S.; requiring, beginning in a specified fiscal year, that a county official's adjusted salary rate be identical to the official's adjusted salary rate in the prior fiscal year if the official's adjusted salary rate would otherwise be less than the prior fiscal year's adjusted salary rate due to certain circumstances; providing an effective date.

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

CS for SB 806—A bill to be entitled An act relating to the regulation of financial institutions; amending s. 655.005, F.S.; redefining the terms "main office" and "principal office"; amending s. 655.047, F.S.; requiring mailed semiannual assessments to be received by the Office of Financial Regulation by a specified date; requiring electronically transmitted semiannual assessments to be transmitted to the office by specified dates; amending s. 655.60, F.S.; deleting the requirement that the office select a licensed or certified appraiser to conduct certain appraisals; deleting the requirement that the office approve the cost of certain appraisals before payment of that cost by a state financial institution, subsidiary, or service corporation; amending s. 658.19, F.S.; revising the individuals for whom certain information must be provided to the office on an application for authority to organize a banking corporation or trust company; amending s. 660.33, F.S.; conforming a cross-reference; amending s. 663.08, F.S.; requiring an international banking corporation to provide its annual certification of capital accounts to the office by a specified date; reenacting ss. 655.960(8) and 663.302(1)(a), F.S., to incorporate the amendment made to s. 655.005, F.S., in references thereto; reenacting ss. 658.165(1), 665.013(3), and 667.003(3), F.S., to incorporate the amendment made to s. 658.19, F.S., in references thereto; reenacting s. 658.12(4), F.S., to incorporate the amendment made to s. 660.33, F.S., in references thereto; providing an effective date.

By the Committee on Community Affairs; and Senator Evers—

CS for SB 824—A bill to be entitled An act relating to public-private partnerships; transferring, renumbering, and amending s. 287.05712, F.S.; revising definitions; deleting provisions creating the Public-Private Partnership Guidelines Task Force; requiring a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs; specifying payment methods; authorizing a responsible public entity to alter the statutory timeframe for accepting proposals for a qualifying project under certain circumstances; deleting a provision that requires approval of the local governing body before a school board enters into a comprehensive agreement; requiring a responsible public entity to include a design criteria package in a solicitation; specifying requirements for the design criteria package; revising the conditions necessary for a responsible public entity to approve a comprehensive agreement; deleting provisions relating to notice to affected local jurisdictions; providing that fees imposed by a private entity must be applied as set forth in the comprehensive agreement; restricting provisions in financing agreements that could result in a responsible public entity's losing ownership of real or tangible personal property; deleting a provision that required a responsible public entity to comply with specific financial obligations; providing duties of the Department of Management Services; revising provisions relating to construction of the act; providing an effective date.

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

CS for SB 856—A bill to be entitled An act relating to health provider contracts; amending ss. 627.6474, 636.035, and 641.315, F.S.; providing that a contract between a health insurer, a prepaid limited health service organization, or a health maintenance organization, respectively, or a third-party administrator thereof, and a licensed ophthalmologist or optometrist may not require the licensee to provide vision care services as a condition of providing any other service or to purchase certain materials or services from specified entities; providing that a contract between a health insurer, a prepaid limited health service organization, or a health maintenance organization, respectively, or a third-party

administrator thereof, and a licensed optician may not require the licensee to purchase certain materials from specified entities; providing that a violation of the act's prohibitions constitutes a specified unfair insurance trade practice; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 904—A bill to be entitled An act relating to home health services; amending s. 400.462, F.S.; defining a term; amending s. 400.464, F.S.; allowing home health agencies to operate related offices inside of the main office's geographic service area without an additional license; amending s. 400.506, F.S.; providing for the licensure of more than one nurse registry operational site within the same geographic service area; authorizing a licensed nurse registry to operate a satellite office; requiring a nurse registry operational site to keep all original records; requiring a nurse registry to provide notice and certain evidence before it relocates an operational site or opens a satellite office; reenacting ss. 400.497, 817.505(3)(h), 400.506(3), F.S., to incorporate the amendment made to s. 400.506, F.S., in references thereto; providing an effective date.

By the Committee on Community Affairs; and Senator Legg—

CS for SB 962—A bill to be entitled An act relating to public records; creating s. 190.0121, F.S.; providing an exemption from public records requirements for certain surveillance recordings held by a community development district; providing exceptions; defining the term "resident" of a community development district; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Health Policy; and Senator Brandes—

CS for SB 1052—A bill to be entitled An act relating to the Florida Right to Try Act; providing a short title; creating s. 385.213, F.S.; defining terms; authorizing a manufacturer of an investigational drug, biological product, or device to make such drug, product, or device available to certain eligible patients with a terminal illness without charge or for a specified cost; authorizing the manufacturer to require eligible patients to participate in certain data collection; specifying that an insurer, a health plan, or a government health care program is not required to provide coverage for the cost of such drug, product, or device; authorizing such entities to provide coverage under specified circumstances; specifying that such entities are not required to cover care or treatment needed as the result of the use of such drug, product, or device except under certain circumstances; specifying that the Department of Corrections and the Department of Juvenile Justice are not required to provide coverage for such drugs, products, or devices for individuals in the departments' custody; prohibiting a state regulatory board or agency from taking action against the licenses of certain health care providers or against the licenses or Medicare certifications of certain health care institutions for specified actions with respect to an eligible patient's access to, treatment with, or use of investigational drugs, biological products, or devices; specifying when an investigational drug, biological product, or device may continue to be offered by the manufacturer if the drug, product, or device is found to be ineffective under certain circumstances; requiring certain information relating to clinical trials to be provided to a patient taking an investigational drug, biological product, or device outside of the clinical trial; providing that the section does not create a private cause of action against certain manufacturers, entities, and individuals for any harm to an eligible patient which results from the use of an investigational drug, biological product, or device under certain circumstances; providing a criminal penalty for an official, employee, or agent of the state who blocks or attempts to block the access of an eligible patient to certain investigational drugs, biological products, or devices; creating s. 408.064, F.S.; requiring the Agency for Health Care Administration to establish and maintain a database that allows a state resident to electronically submit a plan that indicates his or her directives for compassionate and palliative care; requiring the database to serve as a clearinghouse of plan information that is accessible by certain health care providers; authorizing the agency to subscribe to or participate in a national or private clearinghouse in lieu of establishing and maintaining an independent clearinghouse; requiring the agency to publish and disseminate certain information and provide certain training relating to the clearinghouse; amending ss. 395.1041, 400.142, and

400.487, F.S.; authorizing hospital personnel, nursing home facility staff, and home health agency personnel, respectively, to withhold or withdraw cardiopulmonary resuscitation if an individual has a Physician Order for Life-Sustaining Treatment (POLST); amending s. 400.605, F.S.; requiring the Department of Elder Affairs in consultation with the Agency for Health Care Administration to adopt by rule procedures for the implementation of POLSTs in hospice care; amending s. 400.6095, F.S.; authorizing a hospice care team to withhold or withdraw cardiopulmonary resuscitation if an individual has a POLST; amending s. 401.35, F.S.; requiring the Department of Health to establish circumstances and procedures for honoring a POLST; amending s. 401.45, F.S.; authorizing emergency medical transportation providers to withhold or withdraw cardiopulmonary resuscitation or other medical interventions if an individual has a POLST; providing requirements for a POLST to be valid; amending s. 429.255, F.S.; authorizing assisted living facility staff to withhold or withdraw cardiopulmonary resuscitation if an individual has a POLST; amending s. 429.73, F.S.; requiring the Department of Elder Affairs to adopt rules for the implementation of POLSTs in adult family-care homes; authorizing a provider of such home to withhold or withdraw cardiopulmonary resuscitation if an individual has a POLST; providing immunity from civil and criminal liability to a provider for such actions; amending s. 765.205, F.S.; authorizing a health care surrogate to provide written consent for a POLST; providing an effective date.

By the Committee on Community Affairs; and Senator Stargel—

CS for SB 1114—A bill to be entitled An act relating to membership associations that receive public funds; creating s. 617.221, F.S.; defining the term “membership association”; requiring a membership association that receives a specified percentage of its budget from public funds to file an annual report with the Legislature; requiring that such a report provide specified information; prohibiting a membership association from expending public funds on litigation against the state; providing an effective date.

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

CS for SB 1136—A bill to be entitled An act relating to title insurance; amending s. 631.401, F.S.; revising procedures and requirements relating to the recovery of assessments from title insurers through surcharges assessed on policies; revising provisions relating to surcharges collected in excess of the assessments paid by title insurers; revising requirements for the payment of excess surcharges to the Insurance Regulatory Trust Fund; authorizing the Financial Services Commission and the Department of Financial Services to adopt rules for certain purposes; providing an effective date.

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

CS for SB 1190—A bill to be entitled An act relating to insurer solvency; amending s. 624.407, F.S.; revising the amount of surplus which must be possessed by insurers applying for an original certificate of authority; defining the term “health benefit plan”; amending s. 624.408, F.S.; revising the amount of surplus which must be possessed by insurers in order to retain a certificate of authority; authorizing the Office of Insurance Regulation to reduce certain surplus requirements under specified circumstances; defining the term “health benefit plan”; amending s. 624.4085, F.S.; revising the term “life and health insurer” to include specified health maintenance and prepaid limited health service organizations; amending s. 636.043, F.S.; revising the due date and required content for the mandatory annual report of a prepaid limited health service organization to the office; revising the time periods to be covered by such organization’s required quarterly reports to the office; amending s. 641.19, F.S.; defining the term “management services organization”; amending s. 641.201, F.S.; providing that a health maintenance organization is considered an insurer for purposes of specified provisions of law relating to insolvent insurers, requirements for the directors of domestic insurers, the payment of dividends and distributions of other property by domestic stock insurers, penalties for domestic and mutual stock insurers that illegally pay dividends, and certain restrictions on premiums written; providing that health maintenance organizations are considered life and health insurers for purposes of specified provisions of law relating to insurer surplus requirements; amending s. 641.225, F.S.; conforming provisions to changes made by the

act; amending s. 641.26, F.S.; revising the due date and required content for the mandatory annual report and audited financial statement of a health maintenance organization which must be submitted to the office; amending s. 641.27, F.S.; revising the annual limit applicable to health maintenance organizations for the examination expenses incurred by the office; amending s. 641.35, F.S.; excluding receivables from a management services organization from being included in the assets of a health maintenance organization for purposes of determining the organization’s financial condition; repealing s. 641.365, F.S., relating to the payment of dividends and distributions of other property by health maintenance organizations; amending ss. 817.234 and 817.50, F.S.; conforming cross-references; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 1208—A bill to be entitled An act relating to dietetics and nutrition; amending s. 468.503, F.S.; defining the term “commission”; redefining terms; amending s. 468.505, F.S.; authorizing certain registered or certified individuals to use specified titles and designations; amending s. 468.509, F.S.; requiring the Board of Medicine to waive the examination requirement for specified applicants; amending s. 468.516, F.S.; providing that a licensed dietitian/nutritionist treating a patient who is under the active care of a licensed physician or licensed chiropractor is not precluded from ordering a therapeutic diet if otherwise authorized to order such a diet; providing an effective date.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 1216—A bill to be entitled An act relating to connected-city corridors; amending s. 163.3246, F.S.; providing legislative intent; designating Pasco County as a pilot community; requiring the state land planning agency to provide a written certification to Pasco County within a certain timeframe; providing requirements for certain plan amendments; requiring the Office of Program Policy Analysis and Government Accountability to submit a report and recommendations to the Governor and the Legislature by a certain date; providing requirements for the report; amending s. 190.005, F.S.; requiring community development districts up to a certain size located within a connected-city corridor to be established pursuant to an ordinance; providing an effective date.

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

CS for SB 1222—A bill to be entitled An act relating to the Division of Insurance Agent and Agency Services; amending s. 626.015, F.S.; revising the definition of “general lines agent,” to remove a restriction with respect to agents transacting health insurance; limiting the types of health insurance agents; amending s. 626.0428, F.S.; revising licensure requirements of certain agents in charge of an agency’s place of business; amending s. 626.221, F.S.; revising examination requirements and exemptions for applicants for certain agent and adjuster licenses; amending s. 626.241, F.S.; revising the scope of license examinations for agents and adjusters; amending s. 626.2817, F.S.; revising requirements of certain precensure education courses for insurance agents and other licensees; amending s. 626.311, F.S.; conforming provisions to changes made by the act; amending s. 626.732, F.S.; revising requirements relating to knowledge, experience, and instruction for applicants for a license as a general lines or personal lines agent; amending s. 626.7351, F.S.; revising qualifications for a customer representative’s license; amending s. 626.748, F.S.; requiring agents to maintain certain records for a specified time period after policy expiration; amending ss. 626.7851 and 626.8311, F.S.; revising requirements relating to the knowledge, experience, or instruction for life agents and health agents, respectively; amending s. 626.9541, F.S.; providing that certain provisions relating to illegal dealings in premiums are applicable notwithstanding any other provision of law; amending s. 627.4553, F.S.; requiring an insurance agent to provide and retain certain information upon surrender of an annuity or life insurance policy under certain circumstances; amending s. 631.341, F.S.; authorizing certain notices of insolvency to be delivered to policyholders by certain methods; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Soto—

CS for SB 1284—A bill to be entitled An act relating to the maintenance of agency final orders; amending s. 119.021, F.S.; conforming a provision to changes made by the act; amending s. 120.53, F.S.; requiring agencies to electronically transmit certain agency final orders to a centralized electronic database maintained by the Division of Administrative Hearings; providing the methods by which such final orders can be searched; requiring each agency to maintain a list of final orders that are not required to be electronically transmitted to the database; providing a timeframe for electronically transmitting or listing the final orders; authorizing agencies to maintain subject matter indexes of final orders issued before a specified date or to electronically transmit such orders to the database; providing that the centralized electronic database is the official compilation of administrative final orders issued on or after a specified date for each agency; requiring an agency to redact information exempt from public records requirements before electronically transmitting final orders to the database; deleting obsolete provisions regarding filing, indexing, and publishing final orders; amending s. 120.533, F.S.; requiring the Department of State to provide standards and guidelines for the certification and electronic transmittal and the secure transmittal and maintenance of agency final orders; authorizing the department to adopt rules; authorizing the department to provide for an alternative official compiler of agency final orders under certain circumstances; conforming provisions to changes made by the act; amending s. 213.22, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Health Policy; and Senator Hays—

CS for SB 1390—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term “public food service establishment” to exclude certain events for the purposes of exemption from licensure and inspection; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections—

CS for SB 7034—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 97.0585(3) and (5), F.S., relating to an exemption from public records requirements for certain information of persons who are victims of stalking or aggravated stalking; removing the scheduled repeal of the exemption; providing an effective date.

ENROLLING REPORTS

SB 700, SB 702, SB 704, and SB 706 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 18, 2015.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 3 and March 17 were corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 132, CS for CS for SB 394; Detert—SB 7048; Hukill—SB 7022; Sobel—CS for SB 784; Soto—SB 938, SB 1220; Stargel—CS for SB 784

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 11:42 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 24 or upon call of the President.