



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—35:

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Excused: Senator Soto

PRAYER

The following prayer was offered by LaQuisha Persak, an employee with the Office of the Secretary of the Senate:

Heavenly Father, we come before you today with gratitude and a humble heart, for you, in your divine wisdom, saw it fit for us to be present today. We thank you for all of our leaders in government, but specifically, we thank you for our State Senators. We thank you for you have called them here for a time such as this.

Lord, we pray that you guide them today with a spirit of wisdom as they consider important state business that is before them. Why pray for wisdom? Because wisdom is the ability to judge correctly and to follow the best course of action based on the knowledge and understanding of a thing.

Proverbs 4:7 states that, "Wisdom is the principal thing and that in all of our getting, to get understanding."

James 1:5 encourages us, "If you need wisdom, ask our generous God, and he will give it to you. He will not rebuke you for asking."

So God, we are asking for your wisdom today. We thank you for both hearing and answering our prayer today. In your son's name I pray. Amen.

PLEDGE

Senate Pages, David Howle of Pahokee; Kiara Thompson, Senator Thompson's granddaughter, of Tallahassee; Emily Mauch of Green Cove Springs; Carly Ritterband of Niceville; and Alyssa Chunn of Monticello, 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. Michelle Henne of St. Petersburg, sponsored by Senator Joyner, as the doctor of the day. Dr. Henne specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Dean—

By Senators Dean, Bradley, Montford, and Soto—

SR 1770—A resolution recognizing April 2016 as "Springs Protection Awareness Month" in Florida.

WHEREAS, Florida's springs are essential to the environment, economy, and residents of, and visitors to, this state, and

WHEREAS, the Floridan Aquifer, one of the most productive in the world, supports more than 700 natural springs, giving this state the world's highest concentration of springs, and

WHEREAS, more than 93 percent of Florida residents rely on this groundwater supply for their drinking water, and

WHEREAS, groundwater plays a vital role in the state's economy, and

WHEREAS, springs are a natural resource that must be protected because they reflect groundwater conditions and provide an important habitat for wildlife, including species listed as threatened or endangered under the Endangered Species Act, and

WHEREAS, springs provide important recreational resources and opportunities that are enjoyed by residents and visitors alike, and

WHEREAS, Florida's springs discharge more than 19 billion gallons of fresh water each day, which is essential for sustaining spring runs and associated receiving water bodies, and

WHEREAS, healthy springs reflect the State of Florida's commitment to sustain and protect ground and surface water resources, NOW, THEREFORE,

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

That April 2016 is recognized as "Springs Protection Awareness Month" in Florida, and all levels of government are encouraged to support springs protection, restoration, and preservation awareness.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

—as amended February 18, was read the third time by title.

Senator Legg moved the following amendment:

Amendment 1 (323094)—Between lines 117 and 118 insert:

(33) That portion of the S.R. 56 extension from Meadow Pointe Boulevard to U.S. 301/S.R. 41 in Pasco County is designated as the “Speaker Will Weatherford Highway.”

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

Senator Legg moved the following amendment to **Amendment 1 (323094)** which was adopted by two-thirds vote:

Amendment 1A (514222)—Delete line 5 and insert:

(33) Upon completion of construction, that portion of the S.R. 56 extension from Meadow

Amendment 1 (323094), as amended, was adopted by two-thirds vote.

Senator Soto offered the following amendment which was moved by Senator Thompson and adopted by two-thirds vote:

Amendment 2 (146142)—Between lines 117 and 118 insert:

(33) That portion of Pleasant Hill Road between Spinning Reel Lane and Sun Cove Drive in Osceola County is designated as “Astronaut Joseph M. Acaba Road.”

On motion by Senator Montford, **CS for CS for SB 114**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—1

Detert

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

HB 541—A bill to be entitled An act relating to addresses of legal residence; amending s. 97.021, F.S.; defining the term “address of legal residence”; amending ss. 97.053 and 97.057, F.S.; requiring a voter registration application to include the applicant’s address of legal re-

sidence and certain additional distinguishing information; specifying that an applicant’s failure to include such distinguishing information on a voter registration application does not affect his or her qualifications to register or vote or cast a ballot; conforming a provision; amending s. 98.015, F.S.; providing that a list of valid addresses maintained by a supervisor of elections include certain additional distinguishing information; providing duties of the supervisor relating to voter registration applications; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **HB 541** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Brandes, Diaz de la Portilla, Sachs

CS for CS for SB 828—A bill to be entitled An act relating to insurance guaranty association assessments; amending s. 631.914, F.S.; requiring the Office of Insurance Regulation to levy assessments for certain purposes; revising and providing requirements for the levy of assessments; requiring insurers and self-insurance funds to report certain premiums; requiring insurers to collect policy surcharges and pay assessments to the association; revising requirements for reporting premium for assessment calculations; revising and providing requirements and limitations for remittance of assessments to the association; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 828** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

SB 586—A bill to be entitled An act relating to responsibilities of health care providers; repealing s. 383.336, F.S., relating to practice

parameters for physicians performing caesarean section deliveries in provider hospitals; amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants or surgical technologists employed by or contracting with a facility to be certified; providing exceptions to such certification requirements; creating s. 395.0192, F.S.; requiring a hospital to notify certain obstetrical physicians within a specified timeframe before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **SB 586**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gibson	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

CS for CS for HB 59—A bill to be entitled An act relating to agritourism; amending s. 570.85, F.S.; providing legislative intent; prohibiting a local government from enforcing a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land; specifying that the prohibition does not apply to local regulation of substantial offsite impacts relating to such activities; amending s. 570.86, F.S.; revising the definition of the term “agritourism activity” to include civic and ceremonial activities; amending s. 570.87, F.S.; providing conditions under which agritourism activities on farms or on lands classified as agricultural lands do not limit, restrict, or divest the land of such classification; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **CS for CS for HB 59**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Diaz de la Portilla, Sachs

CS for CS for SB 826—A bill to be entitled An act relating to mobile homes; amending s. 723.006, F.S.; revising certain notice requirements for written complaints; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules to implement board member training requirements; providing notice and requirements of such rules; amending s. 723.031, F.S.; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; providing that a mobile home park owner is deemed to have disclosed the passing on of certain taxes and assessments under certain circumstances; requiring the non-ad valorem assessments to be a part of the lot rental amount; requiring that a renewed rental agreement remain under the same terms unless certain notice is provided; amending s. 723.059, F.S.; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; amending s. 723.075, F.S.; revising the rights that mobile home owners exercise if they form an association; authorizing mobile home owners to become members upon incorporation of the association; defining the terms “member” and “shareholder”; deleting provisions relating to memberships of successors to home owners; amending s. 723.078, F.S.; specifying voting requirements for homeowners’ associations; specifying the requirements for a majority of votes; authorizing members to vote by secret ballot and absentee ballot; prohibiting the tape recording or videotaping of meetings between the board of directors or its committees and the park owner; amending s. 723.0781, F.S.; providing a date on which certain provisions are effective; providing that board members may not be considered in violation of such provisions until after a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 826** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson
Flores	Legg	
Gaetz	Margolis	

Nays—None

Vote after roll call:

Yea—Abruzzo, Altman, Bean, Diaz de la Portilla, Sachs

CS for SB 1066—A bill to be entitled An act relating to anatomical gifts; amending s. 765.521, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain an integrated website link to the organ donation registry; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 1066** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dean	Hays
Altman	Detert	Hukill
Bean	Evers	Hutson
Benacquisto	Flores	Joyner
Bradley	Gaetz	Latvala
Brandes	Galvano	Lee
Braynon	Garcia	Legg
Bullard	Gibson	Margolis
Clemens	Grimsley	Montford

Negron	Simmons	Sobel
Richter	Simpson	Stargel
Ring	Smith	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

Consideration of **CS for SB 250** was deferred.

CS for HB 479—A bill to be entitled An act relating to special districts; amending s. 11.40, F.S.; conforming cross-references; amending s. 189.011, F.S.; revising legislative intent with respect to the Uniform Special District Accountability Act to include dependent special districts; amending s. 189.016, F.S.; deleting a provision requiring a special district to transmit certain budgets to the local government under specific circumstances; specifying the period for which certain budget information must be posted on the special district’s website; amending s. 189.02, F.S.; specifying the Legislature’s authority to create dependent special districts by special act; creating s. 189.022, F.S.; providing for the identification of a dependent special district as dependent in its charter; amending s. 189.031, F.S.; providing for the identification of an independent special district as independent in its charter; transferring, renumbering, and amending ss. 189.034 and 189.035, F.S.; authorizing the Legislative Auditing Committee, for districts created by special act, or local general purpose governments, for districts created by local ordinance or resolution, to convene public hearings for special districts that fail to file specified required reports; deleting related provisions requiring the committee to provide certain notice to the Legislature or local general-purpose government, as appropriate, when a special district fails to file certain required reports or requested information, to conform; amending s. 189.061, F.S.; requiring the Department of Economic Opportunity to exclude inactive special districts from the official list of special districts; revising procedures for maintaining the official list of special districts; specifying that the official list or determination of status of a special district does not constitute final agency action; providing procedures for use in resolving inconsistencies in status determinations of special districts as identified in the official lists; amending s. 189.062, F.S.; revising the criteria that must be documented before a special district may be declared inactive; authorizing the repeal of certain special acts of inactive special districts by general law; requiring the department to remove special districts declared inactive from the official list of special districts; requiring the department to keep a separate list of inactive districts; amending s. 189.064, F.S.; revising the required content of the special district handbook; creating s. 189.0653, F.S.; requiring special districts created by special act or local ordinance to provide specified information to the committee or local general-purpose government, as appropriate; amending s. 189.067, F.S.; conforming cross-references; amending s. 189.068, F.S.; conforming cross-references; specifying that certain dependent special districts may be reviewed by specified local general purpose governments; amending s. 189.069, F.S.; revising the list of items required to be included on the websites of special districts; amending ss. 189.071 and 189.072, F.S.; conforming provisions to changes made by the act; amending s. 298.301, F.S.; revising notice requirements for certain assessments proposed to be levied by water management districts; re-enacting ss. 165.0615(16) and 189.074(2)(e) and (3)(g), F.S., relating to municipal conversion of independent special districts upon elector-initiated and approved referendum and the voluntary merger of independent special districts, respectively; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Stargel, **CS for HB 479**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Brandes	Detert
Altman	Braynon	Evers
Bean	Bullard	Flores
Benacquisto	Clemens	Gaetz
Bradley	Dean	Galvano

Garcia	Latvala	Ring
Gibson	Lee	Simmons
Grimsley	Legg	Simpson
Hays	Margolis	Smith
Hukill	Montford	Sobel
Hutson	Negron	Stargel
Joyner	Richter	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

CS for SB 1004—A bill to be entitled An act relating to security system plans; amending s. 119.071, F.S.; revising exceptions to a public records exemption; amending s. 281.301, F.S.; providing exceptions to a public records exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 1004** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Legg
Altman	Gaetz	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Evers	Lee	Thompson

Nays—None

Vote after roll call:

Yea—Abruzzo, Diaz de la Portilla, Sachs

Consideration of **CS for SB 1174** was deferred.

CS for SB 1046—A bill to be entitled An act relating to farm vehicles; amending s. 316.003, F.S.; defining the term “covered farm vehicle” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.302, F.S.; providing exemptions for covered farm vehicles and the operators of such vehicles from specified federal regulations relating to controlled substances and alcohol use and testing, commercial driver licenses, physical qualifications and examinations, hours of service of drivers, and inspection, repair, and maintenance when operating under certain conditions, notwithstanding specified statutory provisions; providing applicability; conforming a cross-reference; amending s. 322.53, F.S.; exempting the driver of a covered farm vehicle from commercial driver license requirements; amending ss. 316.3025 and 316.3026, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for SB 1046** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores
Bradley	Dean	Gaetz

Galvano	Latvala	Simmons
Garcia	Lee	Simpson
Gibson	Legg	Smith
Grimsley	Margolis	Sobel
Hays	Montford	Stargel
Hukill	Negron	Thompson
Hutson	Richter	
Joyner	Ring	

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

SB 1202—A bill to be entitled An act relating to discounts on public park entrance fees and transportation fares; creating s. 125.029, F.S.; requiring counties to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the county department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; creating s. 163.58, F.S.; requiring certain regional transportation authorities to provide a partial or a full discount on fares for certain disabled veterans; creating s. 166.0447, F.S.; requiring municipalities to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouse and parents of certain deceased military members, law enforcement officers, firefighters, emergency medical technicians, and paramedics; requiring that individuals seeking the discount present information satisfactory to the municipal department which evidences eligibility; defining the term “park entrance fee”; providing certain exclusions; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **SB 1202** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 1174—A bill to be entitled An act relating to residential facilities; amending s. 419.001, F.S.; specifying applicability of siting requirements for community residential homes; providing applicability with respect to local land use and zoning; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1174** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 7040—A bill to be entitled An act relating to workforce development; amending s. 20.60, F.S.; conforming provisions to changes made by the act; amending s. 115.01, F.S.; authorizing a county or state official to be granted leave of absence from his or her office to serve in the National Guard of any state; amending ss. 212.08, 220.183, and 250.10, F.S.; conforming provisions to changes made by the act; amending s. 250.482, F.S.; revising applicability of provisions with respect to immunity from penalization by employers for National Guard members ordered into state active duty; amending s. 250.81, F.S.; revising legislative intent; amending ss. 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 420.624, 427.013, 427.0155, 427.0157, 433.091, and 443.1116, F.S.; conforming provisions to changes made by the act; amending s. 445.003, F.S.; providing implementation of the federal Workforce Innovation and Opportunity Act through a 4-year plan; revising the requirements of the plan; deleting a provision authorizing an optional federal partner to fulfill certain state planning and reporting requirements; deleting a provision requiring all optional federal program partners to participate in the second year of the plan; providing for program administration; deleting certain eligibility requirements for businesses; deleting the authority of CareerSource Florida, Inc., to negotiate and settle certain issues with the United States Department of Labor; requiring CareerSource Florida, Inc., to enter into a memorandum with the Florida Department of Education to ensure compliance with the state plan for workforce development; conforming provisions to changes made by the act; amending s. 445.004, F.S.; specifying membership requirements for the CareerSource Florida, Inc., board of directors; revising the entities required to collaborate with CareerSource Florida, Inc., to establish certain performance accountability measures; revising requirements for the performance accountability measures; deleting references to outcome tiers for such measures; deleting a provision requiring certain job placement reporting; conforming provisions to changes made by the act; amending s. 445.006, F.S.; providing for the development of a state plan to include strategic and operational elements; deleting a requirement that the strategic plan be updated or modified each year; revising requirements for the strategic and operational plans; conforming provisions to changes made by the act; amending s. 445.007, F.S.; revising local workforce development board membership requirements; authorizing CareerSource Florida, Inc., to waive a certain board representative requirement under certain circumstances; requiring CareerSource Florida, Inc., to establish regional planning areas subject to certain requirements by a certain date; requiring local workforce development boards and selected officials to prepare a regional workforce development plan; conforming provisions to changes made by the act; amending s. 445.0071, F.S.; conforming provisions to changes made by the act; amending s. 445.009, F.S.; requiring the local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner detailing certain contributions; providing that costs will be allocated pursuant to a policy established by the Governor under certain circumstances; specifying the systems that may be accessed with the one-stop delivery system; conforming provisions to changes made by the act; amending s. 445.07, F.S.; requiring the Department of Education to

consult with the Department of Economic Opportunity in preparing, or contracting with an entity to prepare, certain economic security reports; amending ss. 445.014, 445.016, 445.017, 445.021, 445.022, 445.024, 445.025, 445.026, 445.030, 445.031, 445.048, 445.051, 985.622, 1002.83, 1003.491, 1003.492, 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and 1009.25, F.S.; conforming provisions to changes made by this act; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Detert, **CS for SB 7040**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for SB 846—A bill to be entitled An act relating to divers-down warning devices; amending s. 327.331, F.S.; revising the definitions of the terms “divers-down buoy,” “divers-down flag,” and “divers-down symbol”; defining the term “divers-down warning device”; expanding the types of indicators or devices allowed to be used to signal the presence of submerged divers; specifying requirements for divers-down warning devices; amending ss. 327.395 and 327.73, F.S.; conforming provisions to changes made by the act; reenacting s. 327.33(1), F.S., relating to reckless or careless operation of a vessel, to incorporate the amendment made to s. 327.331, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **CS for SB 846** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

SB 914—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 medical and personal identifying information of an applicant for or a recipient of the property tax exemption for totally and permanently disabled persons; providing for retroactive application; authorizing disclosure of such information under certain conditions; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 914** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Joyner

Vote after roll call:

Yea—Abruzzo, Sachs

SB 7048—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.55, F.S., which provides an exemption from public records requirements for information relating to client records and donor information collected by regional autism centers; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **SB 7048** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Sachs

CS for CS for CS for SB 540—A bill to be entitled An act relating to estates; creating s. 731.1055, F.S.; providing that the validity and the effect of a specified disposition of real property be determined by Florida law; amending s. 731.106, F.S.; conforming provisions to changes made by the act; amending s. 736.0802, F.S.; defining the term “pleading”; authorizing a trustee to pay attorney fees and costs from the assets of the trust without specified approval or court authorization in certain circumstances; requiring the trustee to serve a written notice of intent upon each qualified beneficiary of the trust before the payment is made; requiring the notice of intent to contain specified information and to be served in a specified manner; providing that specified qualified beneficiaries may be entitled to an order compelling the refund of a specified payment to the trust; requiring the court to award specified attorney fees and costs in certain circumstances; authorizing the court to prohibit a trustee from using trust assets to make a specified payment; authorizing the court to enter an order compelling the return of specified attorney fees and costs to the trust with interest at the statutory rate; requiring the court to deny a specified motion unless the court finds a reasonable basis to conclude that there has been a breach of the trust; authorizing a court to deny the motion if it finds good cause to do so; authorizing the movant to show that a reasonable basis exists, and a trustee to rebut the showing, through specified means; authorizing the court to impose such remedies or sanctions as it deems appropriate; providing that a trustee is authorized to use trust assets in a specified manner if a claim or defense of breach of trust is withdrawn, dismissed, or judicially resolved in a trial court without a determination that the trustee has committed a breach of trust; providing that specified proceedings, remedies, and rights are not limited; amending ss. 736.0816 and 736.1007, 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 Hukill, **CS for CS for CS for SB 540** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Sachs

CS for CS for SB 752—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former personnel employed in an agency’s office of inspector general or internal audit department whose duties include auditing or investigating certain activities that could lead to criminal prosecution or administrative discipline, and the spouses and children thereof; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for CS for SB 752** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Joyner

Vote after roll call:

Yea—Richter, Sachs

CS for SB 762—A bill to be entitled An act relating to public records; amending s. 397.6815, F.S.; providing an exemption from public records requirements for a petition for involuntary assessment and stabilization of a substance abuse impaired person, court orders, and related records, and personal identifying information on certain court dockets; providing exceptions; providing for release of a petition to a guardian advocate; providing retroactive application; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for SB 762** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Sachs

RECONSIDERATION OF BILL

On motion by Senator Stargel, the rules were waived and the Senate reconsidered the vote by which—

SB 586—A bill to be entitled An act relating to responsibilities of health care providers; repealing s. 383.336, F.S., relating to practice parameters for physicians performing caesarean section deliveries in provider hospitals; amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants or surgical technologists employed by or contracting with a facility to be certified; providing exceptions to such certification requirements; creating s. 395.0192, F.S.; requiring a hospital to notify certain obstetrical physicians within a

specified timeframe before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing an effective date.

—as amended, passed this day.

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

Amendment 1 (274194) (with title amendment)—Delete lines 20-84.

And the title is amended as follows:

Delete lines 6-10 and insert: creating s. 395.0192,

On motion by Senator Stargel, **SB 586**, as amended, was passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Sachs

SPECIAL ORDER CALENDAR

On motion by Senator Garcia—

CS for SB 12—A bill to be entitled An act relating to mental health and substance abuse; amending s. 29.004, F.S.; including services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system; amending s. 39.001, F.S.; providing legislative intent regarding mental illness for purposes of the child welfare system; amending s. 39.407, F.S.; requiring assessment findings to be provided to the plan that is financially responsible for a child's care in residential treatment under certain circumstances; amending s. 39.507, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in adjudicatory hearings and orders; providing requirements for certain court orders; amending s. 39.521, F.S.; providing for consideration of mental health issues and involvement in treatment-based mental health programs in disposition hearings; providing requirements for certain court orders; amending s. 394.455, F.S.; defining terms; revising definitions; amending s. 394.4573, F.S.; requiring the Department of Children and Families to submit a certain assessment to the Governor and the Legislature by a specified date; redefining terms; providing essential elements of a coordinated system of care; providing requirements for the department's annual assessment; authorizing the department to award certain grants; deleting duties and measures of the department regarding continuity of care management systems; amending s. 394.4597, F.S.; revising the prioritization of health care surrogates to be selected for involuntary patients; specifying certain persons who are prohibited from being selected as an individual's representative; amending s. 394.4598, F.S.; specifying certain persons who are prohibited from being appointed as a person's guardian advocate; amending s. 394.462, F.S.; requiring that counties develop and implement transportation plans; providing requirements for the plans; revising requirements for transportation to receiving facilities and treatment facilities; deleting ex-

ceptions to such requirements; amending s. 394.463, F.S.; authorizing county or circuit courts to enter ex parte orders for involuntary examinations; requiring a facility to provide copies of ex parte orders, reports, and certifications to managing entities and the department, rather than the Agency for Health Care Administration; requiring the managing entity and department to receive certain orders, certificates, and reports; requiring the managing entity and the department to receive and maintain copies of certain documents; prohibiting a person from being held for involuntary examination for more than a specified period of time; providing exceptions; requiring certain individuals to be released to law enforcement custody; providing exceptions; amending s. 394.4655, F.S.; providing for involuntary outpatient services; requiring a service provider to document certain inquiries; requiring the managing entity to document certain efforts; providing requirements for the appointment of state counsel; making technical changes; amending s. 394.467, F.S.; revising criteria for involuntary inpatient placement; requiring a facility filing a petition for involuntary inpatient placement to send a copy to the department and managing entity; providing requirements for the appointment of state counsel; revising criteria for a hearing on involuntary inpatient placement; revising criteria for a procedure for continued involuntary inpatient services; specifying requirements for a certain waiver of the patient's attendance at a hearing; requiring the court to consider certain testimony and evidence regarding a patient's incompetence; amending s. 394.46715, F.S.; revising rulemaking authority of the department; amending s. 394.656, F.S.; revising the membership of the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee; providing duties for the committee; authorizing a not-for-profit community provider or managing entity to apply for certain grants; revising eligibility for such grants; defining a term; creating s. 394.761, F.S.; authorizing the agency and the department to develop a plan for revenue maximization; requiring the plan to be submitted to the Legislature by a certain date; amending s. 394.875, F.S.; requiring the department to modify licensure rules and procedures to create an option for a single, consolidated license for certain providers by a specified date; amending s. 394.9082, F.S.; providing a purpose for behavioral health managing entities; revising definitions; providing duties of the department; requiring the department to revise its contracts with managing entities; providing duties for managing entities; deleting provisions relating to legislative findings and intent, service delivery strategies, essential elements, reporting requirements, and rulemaking authority; amending s. 397.311, F.S.; defining the terms "informed consent" and "involuntary services"; revising the definition of the term "qualified professional"; conforming a cross-reference; amending s. 397.675, F.S.; revising the criteria for involuntary admissions due to substance abuse or co-occurring mental health disorders; amending s. 397.679, F.S.; specifying the licensed professionals who may complete a certificate for the involuntary admission of an individual; amending s. 397.6791, F.S.; providing a list of professionals authorized to initiate a certificate for an emergency assessment or admission of a person with a substance abuse disorder; amending s. 397.6793, F.S.; revising the criteria for initiation of a certificate for an emergency admission for a person who is substance abuse impaired; amending s. 397.6795, F.S.; revising the list of persons who may deliver a person for an emergency assessment; amending s. 397.681, F.S.; prohibiting the court from charging a fee for involuntary petitions; amending s. 397.6811, F.S.; revising the list of persons who may file a petition for an involuntary assessment and stabilization; amending s. 397.6814, F.S.; prohibiting a fee from being charged for the filing of a petition for involuntary assessment and stabilization; amending s. 397.6819, F.S.; revising the responsibilities of service providers who admit an individual for an involuntary assessment and stabilization; requiring a managing entity to be notified of certain recommendations; amending s. 397.695, F.S.; authorizing certain persons to file a petition for involuntary outpatient services of an individual; providing procedures and requirements for such petitions; amending s. 397.6951, F.S.; requiring that certain additional information be included in a petition for involuntary outpatient services; amending s. 397.6955, F.S.; requiring a court to fulfill certain additional duties upon the filing of a petition for involuntary outpatient services; amending s. 397.6957, F.S.; providing additional requirements for a hearing on a petition for involuntary outpatient services; amending s. 397.697, F.S.; authorizing a court to make a determination of involuntary outpatient services; authorizing a court to order a respondent to undergo treatment through a privately funded licensed service provider under certain circumstances; prohibiting a court from ordering involuntary outpatient services under certain circumstances; requiring the service provider to document certain inquiries; requiring the managing entity to document

certain efforts; requiring a copy of the court's order to be sent to the department and managing entity; providing procedures for modifications to such orders; amending s. 397.6971, F.S.; establishing the requirements for an early release from involuntary outpatient services; amending s. 397.6975, F.S.; requiring the court to appoint certain counsel; providing requirements for hearings on petitions for continued involuntary outpatient services; requiring notice of such hearings; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; creating s. 397.6978, F.S.; providing for the appointment of guardian advocates if an individual is found incompetent to consent to treatment; providing a list of persons prohibited from being appointed as an individual's guardian advocate; providing requirements for a facility requesting the appointment of a guardian advocate; requiring a training course for guardian advocates; providing requirements for the training course; providing requirements for the prioritization of individuals to be selected as guardian advocates; authorizing certain guardian advocates to consent to medical treatment; providing exceptions; providing procedures for the discharge of a guardian advocate; amending s. 409.967, F.S.; requiring managed care plans to provide for quality care; amending s. 409.973, F.S.; providing an integrated behavioral health initiative; amending s. 491.0045, F.S.; revising registration requirements for interns; repealing s. 394.4674, F.S., relating to the comprehensive plan and report on the deinstitutionalization of patients in a treatment facility; repealing s. 394.4985, F.S., relating to the implementation of a districtwide information and referral network; repealing s. 394.745, F.S., relating to the annual report on the compliance of providers under contract with the department; repealing s. 397.331, F.S., relating to definitions and legislative intent; repealing part IX of chapter 397, consisting of ss. 397.801, 397.811, and 397.821, F.S., relating to substance abuse impairment services coordination; repealing s. 397.901, F.S., relating to prototype juvenile addictions receiving facilities; repealing s. 397.93, F.S., relating to target populations for children's substance abuse services; repealing s. 397.94, F.S., relating to the information and referral network for children's substance abuse services; repealing s. 397.951, F.S., relating to substance abuse treatment and sanctions; repealing s. 397.97, F.S., relating to demonstration models for children's substance abuse services; repealing s. 397.98, F.S., relating to utilization management for children's substance abuse services; amending ss. 39.407, 212.055, 394.4599, 394.495, 394.496, 394.9085, 397.321, 397.405, 397.407, 397.416, 397.4871, 409.966, 409.972, 440.102, 744.704, and 790.065, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Garcia moved the following amendments which were adopted:

Amendment 1 (776344)—Delete lines 784-789 and insert:
that includes the managing entity and is open to participation from individuals with behavioral health needs, their families, providers, law enforcement, and other parties. The county or counties, in collaboration with the managing entity, shall document the designated receiving system through memorandum of agreement or other binding arrangements. The county or counties and the managing entity shall approve the designated receiving system by October 31, 2017, and the county or counties shall review, update as necessary, and reapprove the designated receiving system at least once every three years. The designated receiving system shall function as a no-wrong-door model and may be organized in any manner which functions as a no-wrong-door model that responds to individual needs and integrates services among various providers. Such models include but are not limited to:

Amendment 2 (889952)—Delete lines 1006-1020 and insert:
developed and implemented by each county, in consultation with the managing entity and in accordance with this section. A county may enter into a memorandum of understanding with the governing boards of nearby counties to establish a shared transportation plan. When multiple counties enter into a memorandum of understanding for this purpose, the counties shall provide a copy of the agreement to the managing entity. The transportation plan shall describe methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or involuntary assessment and stabilization under s. 397.675, and may identify responsibility for transportation between participating facilities when necessary and agreed to by the facility. The plan may rely on emergency medical transport services or private transport companies as appropriate. The

plan shall comply with the transportation provisions of ss. 394.462, 397.6772, 397.6795, 397.6822, and 397.697.

Amendment 3 (113384) (with title amendment)—Delete lines 1629-1635.

And the title is amended as follows:

Delete lines 61-62 and insert: certain efforts; making technical

Amendment 4 (723728) (with title amendment)—Delete lines 1894-1900.

And the title is amended as follows:

Delete lines 67-68 and insert: managing entity; revising criteria for a

Amendment 5 (739756)—Between lines 2115 and 2116 insert:

(m) *One representative of the National Alliance of Mental Illness;*

Amendment 6 (944810)—Delete lines 2260-2263 and insert:

(g) *“Managing entity” means a corporation selected by and under contract with the department to manage the daily operational*

Amendment 7 (324962)—Delete lines 2297-2318.

Amendment 8 (318332)—Between lines 2464 and 2465 insert:

(6) *NETWORK ACCREDITATION AND SYSTEMS COORDINATION AGREEMENTS.—*

(a)1. *The department shall identify acceptable accreditations which address coordination within a network and, if possible, between the network and major systems and programs with which the network interacts, such as the child welfare system, state courts system, and the Medicaid program. In identifying acceptable accreditations, the department shall consider whether the accreditation facilitates integrated strategic planning, resource coordination, technology integration, performance measurement, and increased value to consumers through choice of access to services, improved coordination of services, and effectiveness and efficiency of service delivery.*

2. *All managing entities under contract as of July 1, 2016, shall earn accreditation deemed acceptable by the department pursuant to paragraph (a) by June 30, 2019. Managing entities whose initial contract with the state is executed after July 1, 2016, shall earn network accreditation within 3 years after the contract execution date. Pursuant to paragraph (4)(j) above, the department may continue the contract of a managing entity that earns the network accreditation within the required timeframe and maintains it throughout the contract term.*

(b) *If no accreditations are available or deemed acceptable which address coordination between the network and other major systems and programs, by July 1, 2017, for managing entities under contract as of July 1, 2016, and within one year after the contract execution date for managing entities initially under contract after that date, each managing entity shall enter into a memorandum of understanding detailing mechanisms for communication and coordination with any community-based care lead agencies, state court system, sheriff's offices, public defenders, offices of regional conflict counsel Medicaid managed medical assistance plans, and homeless coalitions in its service area. Such entities shall cooperate with the managing entities in entering into such memoranda.*

(c) *By February 1 of each year, beginning in 2018, each managing entity shall develop and submit to the department a plan for the enhancement of the behavioral health system of care of the managing entity's service area, if appropriate, based on the assessed behavioral health care needs of the service area. Individual sections of the plan shall address:*

1. *The designated receiving systems developed pursuant to s. 394.4573, and shall give consideration to evidence-based, evidence-informed, and innovative practices for diverting individuals from the acute behavioral health care system and addressing their needs once they are in the system in the most efficient and cost-effective manner.*

2. Treatment and recovery services, and shall emphasize the provision of care coordination and the use of recovery-oriented, peer-involved approaches.

3. Coordination between the behavioral health system of care and other systems such as the child welfare system, state courts system and Medicaid program.

(d) If the plan recommends additional funding, the plan shall describe, at a minimum, the specific needs that would be met, the specific services that would be purchased, the estimated benefits of the services, the projected costs, the projected number of individuals that would be served, and any other information indicating the estimated benefit to the community. The managing entity shall include consumers and their family members, local governments, law enforcement agencies, providers, community partners, and other stakeholders when developing the plan.

(e) Subject to a specific appropriation by the Legislature, the department may award system improvement grants to managing entities based on the submission of the plans as described and required in paragraphs (c) and (d).

(7) PERFORMANCE MEASUREMENT AND ACCOUNTABILITY.—

(a) Managing entities shall collect and submit data to the department regarding persons served, outcomes of persons served, costs of services provided through the department's contract, and other data as required by the department.

(b) The department shall evaluate the managing entity's performance and the overall progress made by the managing entity, together with other systems, in meeting the community's behavioral health needs, based on consumer-centered outcome measures that reflect national standards, if possible, and that can dependably be measured. The department shall work with managing entities to establish performance standards related at a minimum to:

1. The extent to which individuals in the community receive services.
2. The improvement in the overall behavioral health of a community.
3. The improvement in functioning or progress in the recovery of individuals served by the managing entity, as determined using person-centered measures tailored to the population.
4. The success of strategies to divert admissions to acute levels of care, jails, prisons, and forensic facilities as measured by, at a minimum, the total number of percentage of clients who, during a specified period, experience multiple admissions to acute levels of care, jails, prisons, or forensic facilities.
5. Consumer and family satisfaction.
6. The satisfaction of key community constituencies such as law enforcement agencies, juvenile justice agencies, the state courts system, school districts, local government entities, hospitals, and others as appropriate for the geographical area of the managing entity.

Amendment 9 (795792) (with title amendment)—Delete lines 2488-2545 and insert:

(7) **ACUTE CARE SERVICES UTILIZATION DATABASE.**—The department shall develop, implement, and maintain standards under which a managing entity shall collect utilization data from all public receiving facilities situated within its geographic service area and all detoxification and addictions receiving facilities under contract with the managing entity. As used in this subsection, the term "public receiving facility" means an entity that meets the licensure requirements of, and is designated by, the department to operate as a public receiving facility under s. 394.875 and that is operating as a licensed crisis stabilization unit.

(a) The department shall develop standards and protocols to be used for data collection, storage, transmittal, and analysis. The standards and protocols shall allow for compatibility of data and data transmittal between public receiving facilities, detoxification facilities, addiction

receiving facilities, managing entities, and the department for the implementation and requirements of this subsection.

(b) A managing entity shall require providers specified in paragraph (1)(a) to submit data, in real time or at least daily, to the managing entity for:

1. All admissions and discharges of clients receiving public receiving facility services who qualify as indigent, as defined in s. 394.4787;
2. The current active census of total licensed beds, the number of beds purchased by the department, the number of clients qualifying as indigent who occupy those beds, and the total number of unoccupied licensed beds regardless of funding for each public receiving facility;
3. All admissions and discharges of clients receiving substance abuse services in an addictions receiving facility or detoxification facility pursuant to parts IV and V of chapter 397.

(c) A managing entity shall require providers specified in paragraph (1)(a) to submit data, on a monthly basis, to the managing entity which aggregates the daily data submitted under paragraph (b). The managing entity shall reconcile the data in the monthly submission to the data received by the managing entity under paragraph (b) to check for consistency. If the monthly aggregate data submitted by a provider under this paragraph are inconsistent with the daily data submitted under paragraph (b), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(d) A managing entity shall require providers specified in paragraph (1)(a) within its provider network to submit data, on an annual basis, to the managing entity which aggregates the data submitted and reconciled under paragraph (c). The managing entity shall reconcile the data in the annual submission to the data received and reconciled by the managing entity under paragraph (c) to check for consistency. If the annual aggregate data submitted by a provider under this paragraph are inconsistent with the data received and reconciled under paragraph (c), the managing entity shall consult with the provider to make corrections necessary to ensure accurate data.

(e) After ensuring the accuracy of data pursuant to paragraphs (c) and (d), the managing entity shall submit the data to the department on a monthly and an annual basis. The department shall create a statewide database for the data described under paragraph (b) and submitted under this paragraph for the purpose of analyzing the payments for and the use of crisis stabilization services funded by the Baker Act and detoxification and addictions receiving services provided pursuant to parts IV and V of chapter 397 on a statewide basis and on an individual provider basis.

And the title is amended as follows:

Delete line 95 and insert: duties for managing entities; renaming the Crisis Stabilization Services Utilization Database as the Acute Care Utilization Database and requiring certain substance abuse providers to provide utilization data; deleting provisions

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

Senator Sobel moved the following amendment which was adopted:

Amendment 10 (219266)—Delete lines 1312-1315 and insert: documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital or health system, the release may also be approved by a psychiatric nurse performing within the framework of an

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

Senator Latvala moved the following amendment which was adopted:

Amendment 11 (578332) (with title amendment)—Between lines 3867 and 3868 insert:

Section 70. The Secretary of the Department of Children and Families will appoint a workgroup to consider the feasibility of individuals using advance directives to express the treatment wishes for substance

use disorders. The workgroup shall be composed of individuals with expertise in the treatment of substance use disorders. The workgroup must review the use of advance directives in mental health, the use of advance directives for substance use disorders in other states, and the use of similar legal instruments to express the treatment wishes of individuals suffering from substance use disorder. The workgroup will provide a report to the Governor, President of the Senate, and Speaker of the House by January 1, 2017. The report must include recommendations on the feasibility of using advance directives for individuals with substance use disorders and recommendations for any law changes or changes in agency rules. The members of the workgroup are not entitled to reimbursement from the Department of Children and Families for travel for workgroup meetings unless they are employees of the department. This section expires May 6, 2017.

Grimsley	Lee	Simmons
Hays	Negron	Simpson
Hutson	Richter	Stargel
Latvala	Ring	

Nays—15

Abruzzo	Gibson	Montford
Braynon	Hukill	Sachs
Bullard	Joyner	Smith
Clemens	Legg	Sobel
Detert	Margolis	Thompson

SPECIAL ORDER CALENDAR, continued

Consideration of **SB 110** was deferred.

SENATOR RICHTER PRESIDING

On motion by Senator Bradley—

CS for CS for SB 698—A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.13, F.S.; revising applicability to include other persons who may be subject to a determination of tax on failure to file and return; amending s. 218.32, F.S.; requiring local governmental entities to include revenues derived from the use of temporary alcoholic beverage permits in annual financial reports; amending s. 561.01, F.S.; defining the term “railroad transit station”; amending s. 561.29, F.S.; requiring, rather than authorizing, the Division of Alcoholic Beverages and Tobacco to give a licensee a written waiver of certain requirements; revising the requirements to obtain such waivers; extending a certain waiver period; deleting a provision prohibiting waiver periods from totaling more than 24 months; creating s. 561.4205, F.S.; requiring an alcoholic beverage distributor to charge a deposit for certain alcoholic beverage sales; providing an inventory and reconciliation process as an accounting alternative for specified vendors; providing an inventory and reconciliation process for malt beverage kegs; amending s. 561.422, F.S.; authorizing the division to issue temporary permits to municipalities and counties to sell alcoholic beverages for consumption on the premises of an event; authorizing the director of the division to issue more than three permits per calendar year under certain circumstances; providing conditions for such permits; requiring certain municipalities and counties to remove and properly dispose of unconsumed alcoholic beverages; amending s. 565.02, F.S.; authorizing operators of railroad transit stations to obtain licenses to sell alcoholic beverages; revising the locations where certain beverages may be sold; prohibiting the transfer of specified licenses to certain locations; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; exempting railroad transit stations from liquor bottle size restrictions; authorizing alcoholic beverages to be consumed in all areas within the property of a railroad transit station; defining terms; revising legislative findings; requiring permittees to submit a report to the division; providing requirements for the report; amending s. 565.04, F.S.; authorizing a licensed distributor to transport alcoholic beverages through certain premises under specified circumstances; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendments which were adopted:

Amendment 1 (423324)—Delete line 113 and insert:
entertainment, or recreational facilities within the licensed premises

Amendment 2 (421950) (with title amendment)—Between lines 114 and 115 insert:

Section 4. Paragraph (a) of subsection (2) of section 561.20, Florida Statutes, is amended to read:

561.20 Limitation upon number of licenses issued.—

(2)(a) ~~The No such limitation of the number of licenses as herein provided in this section does not shall henceforth~~ prohibit the issuance of a special license to:

And the title is amended as follows:

Delete line 205 and insert: conforming cross-references; requiring the Department of Children and Families to create a workgroup on the use of advance directives for substance use disorders; requiring a report to the Governor, President of the Senate, and Speaker of the House of Representatives; providing an effective

Pursuant to Rule 4.19, **CS for SB 12**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for CS for SB 636—A bill to be entitled An act relating to evidence collected in sexual offense investigations; creating s. 943.326, F.S.; requiring that a sexual offense evidence kit or other DNA evidence be submitted to a member of the statewide criminal analysis laboratory system within a specified timeframe after specified occurrences; requiring a medical provider or law enforcement agency to inform an alleged victim of a sexual offense of certain information relating to sexual offense evidence kits; requiring the retention of specified evidence; requiring adoption and dissemination of guidelines and procedures by certain entities by a specified date; requiring the testing of sexual offense evidence kits within a specified timeframe after submission to a member of the statewide criminal analysis laboratory; providing requirements for such guidelines and procedures; providing construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 636** was placed on the calendar of Bills on Third Reading.

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

BILLS ON THIRD READING

CS for SB 250—A bill to be entitled An act relating to family law; amending s. 61.13, F.S.; creating a presumption that approximately equal time-sharing by both parents is in the best interest of the child; revising a finite list of factors that a court must evaluate when determining whether the presumption of approximately equal time-sharing is overcome; requiring a court order to be supported by written findings of fact under certain circumstances; prohibiting the modification of a determination of parental responsibility, a parenting plan, or a time-sharing schedule unless certain determinations are made; providing an effective date.

—as amended February 18, was read the third time by title.

On motion by Senator Lee, **CS for SB 250**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Bradley	Evers
Altman	Brandes	Flores
Bean	Dean	Gaetz
Benacquisto	Diaz de la Portilla	Galvano

1. Any bona fide hotel, motel, or motor court of not fewer than 80 guest rooms in any county having a population of less than 50,000 residents, and of not fewer than 100 guest rooms in any county having a population of 50,000 residents or greater; or any bona fide hotel or motel located in a historic structure, as defined in s. 561.01(21), with fewer than 100 guest rooms which derives at least 51 percent of its gross revenue from the rental of hotel or motel rooms, which is licensed as a public lodging establishment by the Division of Hotels and Restaurants; provided, however, that a bona fide hotel or motel with no fewer than 10 and no more than 25 guest rooms which is a historic structure, as defined in s. 561.01(21), in a municipality that on the effective date of this act has a population, according to the University of Florida's Bureau of Economic and Business Research Estimates of Population for 1998, of no fewer than 25,000 and no more than 35,000 residents and that is within a constitutionally chartered county may be issued a special license. This special license shall allow the sale and consumption of alcoholic beverages only on the licensed premises of the hotel or motel. In addition, the hotel or motel must derive at least 60 percent of its gross revenue from the rental of hotel or motel rooms and the sale of food and nonalcoholic beverages; provided that the provisions of this subparagraph shall supersede local laws requiring a greater number of hotel rooms;

2. Any condominium accommodation of which no fewer than 100 condominium units are wholly rentable to transients and which is licensed under the provisions of chapter 509, except that the license shall be issued only to the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

3. Any condominium accommodation of which no fewer than 50 condominium units are wholly rentable to transients, which is licensed under the provisions of chapter 509, and which is located in any county having home rule under s. 10 or s. 11, Art. VIII of the State Constitution of 1885, as amended, and incorporated by reference in s. 6(e), Art. VIII of the State Constitution, except that the license shall be issued only to the person or corporation which operates the hotel or motel operation and not to the association of condominium owners;

4. ~~Any food service establishment that has restaurant having 2,500 square feet of service area, is and equipped to serve meals to 150 persons full course meals at tables at one time, and that derives deriving at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages during the first 60-day operating period and each 12-month operating period thereafter.; However, A food service establishment no restaurant granted a special license on or after January 1, 1958, pursuant to general or special law may not shall operate as a package store and may not sell, nor shall intoxicating beverages be sold under such license after the hours of serving or consumption of food have elapsed. Failure by a licensee to meet the required percentage of food and nonalcoholic beverage gross revenues during the covered operating period shall result in revocation of the license or denial of the pending license application. A licensee whose license is revoked or an applicant whose pending application is denied, or any person required to qualify on the special license application, is ineligible to have any interest in a subsequent application for such a license for a period of 120 days after the date of the final denial or revocation; or~~

5. Any caterer, deriving at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, licensed by the Division of Hotels and Restaurants under chapter 509. Notwithstanding any other provision of law to the contrary, a licensee under this subparagraph shall sell or serve alcoholic beverages only for consumption on the premises of a catered event at which the licensee is also providing prepared food, and shall prominently display its license at any catered event at which the caterer is selling or serving alcoholic beverages. A licensee under this subparagraph shall purchase all alcoholic beverages it sells or serves at a catered event from a vendor licensed under s. 563.02(1), s. 564.02(1), or licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), as appropriate. A licensee under this subparagraph may not store any alcoholic beverages to be sold or served at a catered event. Any alcoholic beverages purchased by a licensee under this subparagraph for a catered event that are not used at that event must remain with the customer; provided that if the vendor accepts unopened alcoholic beverages, the licensee may return such alcoholic beverages to the vendor for a credit or reimbursement. Regardless of the county or counties in which the licensee operates, a licensee under this subparagraph shall pay the annual state license tax set forth in s. 565.02(1)(b). A licensee under this subparagraph must

maintain for a period of 3 years all records required by the department by rule to demonstrate compliance with the requirements of this subparagraph, including licensed vendor receipts for the purchase of alcoholic beverages and records identifying each customer and the location and date of each catered event. Notwithstanding any provision of law to the contrary, any vendor licensed under s. 565.02(1) subject to the limitation imposed in subsection (1), may, without any additional licensure under this subparagraph, serve or sell alcoholic beverages for consumption on the premises of a catered event at which prepared food is provided by a caterer licensed under chapter 509. If a licensee under this subparagraph also possesses any other license under the Beverage Law, the license issued under this subparagraph shall not authorize the holder to conduct activities on the premises to which the other license or licenses apply that would otherwise be prohibited by the terms of that license or the Beverage Law. Nothing in this section shall permit the licensee to conduct activities that are otherwise prohibited by the Beverage Law or local law. The Division of Alcoholic Beverages and Tobacco is hereby authorized to adopt rules to administer the license created in this subparagraph, to include rules governing licensure, recordkeeping, and enforcement. The first \$300,000 in fees collected by the division each fiscal year pursuant to this subparagraph shall be deposited in the Department of Children and Families' Operations and Maintenance Trust Fund to be used only for alcohol and drug abuse education, treatment, and prevention programs. The remainder of the fees collected shall be deposited into the Hotel and Restaurant Trust Fund created pursuant to s. 509.072.

However, any license heretofore issued to any such hotel, motel, motor court, or restaurant or hereafter issued to any such hotel, motel, or motor court, including a condominium accommodation, under the general law shall not be moved to a new location, such license being valid only on the premises of such hotel, motel, motor court, or restaurant. Licenses issued to hotels, motels, motor courts, or restaurants under the general law and held by such hotels, motels, motor courts, or restaurants on May 24, 1947, shall be counted in the quota limitation contained in subsection (1). Any license issued for any hotel, motel, or motor court under the provisions of this law shall be issued only to the owner of the hotel, motel, or motor court or, in the event the hotel, motel, or motor court is leased, to the lessee of the hotel, motel, or motor court; and the license shall remain in the name of the owner or lessee so long as the license is in existence. Any special license now in existence heretofore issued under the provisions of this law cannot be renewed except in the name of the owner of the hotel, motel, motor court, or restaurant or, in the event the hotel, motel, motor court, or restaurant is leased, in the name of the lessee of the hotel, motel, motor court, or restaurant in which the license is located and must remain in the name of the owner or lessee so long as the license is in existence. Any license issued under this section shall be marked "Special," and nothing herein provided shall limit, restrict, or prevent the issuance of a special license for any restaurant or motel which shall hereafter meet the requirements of the law existing immediately prior to the effective date of this act, if construction of such restaurant has commenced prior to the effective date of this act and is completed within 30 days thereafter, or if an application is on file for such special license at the time this act takes effect; and any such licenses issued under this proviso may be annually renewed as now provided by law. Nothing herein prevents an application for transfer of a license to a bona fide purchaser of any hotel, motel, motor court, or restaurant by the purchaser of such facility or the transfer of such license pursuant to law.

And the title is amended as follows:

Between lines 10 and 11 insert: 561.20, F.S.; providing that a license must be revoked or a pending application must be denied under certain circumstances; providing that certain licensees or applicants are not eligible to have an interest in a subsequent license under certain circumstances for a specified timeframe; amending s.

Senator Bradley moved the following amendment:

Amendment 3 (598330) (with title amendment)—Delete lines 133-183 and insert:
 division to be held in an inactive status. ~~The division may waive or extend the requirement of this section upon the finding of hardship, including the purchase of the license in order to transfer it to a newly constructed or remodeled location. However, during such closed period, the licensee shall make reasonable efforts toward restoring the license to active status. This paragraph applies shall apply to all annual license~~

periods commencing on or after July 1, 1981, but ~~does shall~~ not apply to licenses issued after September 30, 1988. *The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a second waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:*

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

(i) Failure of any licensee issued a new or transfer license after September 30, 1988, under s. 561.20(1) to maintain the licensed premises in an active manner in which the licensed premises are open for business to the public for the bona fide retail sale of authorized alcoholic beverages during regular and reasonable business hours for at least 8 hours a day for a period of 210 days or more during any 12-month period commencing 6 months after the acquisition of the license by the licensee. It is the intent of this act that for purposes of compliance with this paragraph, a licensee shall operate the licensed premises in a manner so as to maximize sales and tax revenues thereon; this includes maintaining a reasonable inventory of merchandise, including authorized alcoholic beverages, and the use of good business practices to achieve the intent of this law. Any attempt by a licensee to circumvent the intent of this law shall be grounds for revocation or suspension of the alcoholic beverage license. ~~The division may, upon written request of the licensee, give a written waiver of this requirement for a period not to exceed 12 months in cases where the licensee demonstrates that the licensed premises has been physically destroyed through no fault of the licensee, when the licensee has suffered an incapacitating illness or injury which is likely to be prolonged, or when the licensed premises has been prohibited from making sales as a result of any action of any court of competent jurisdiction. Any waiver given pursuant to this subsection may be continued upon subsequent written request showing that substantial progress has been made toward restoring the licensed premises to a condition suitable for the resumption of sales or toward allowing for a court having jurisdiction over the premises to release said jurisdiction, or that an incapacitating illness or injury continues to exist. However, in no event may the waivers necessitated by any one occurrence cumulatively total more than 24 months. Every A licensee shall notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. For the purpose of calculating compliance with the requirements of this paragraph, a license that is acquired in a transaction that is not an arm's length transaction, including transfers from relatives, affiliates, subsidiaries, and other related entities, retains and is subject to the first related transferor's date of acquisition and related periods of operation. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a second waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:~~

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

And the title is amended as follows:

Delete lines 11-17 and insert: 561.29, F.S.; requiring the division to grant a one-time written waiver or extension of certain requirements to specified licensees; revising the circumstances under which a licensee may seek and the division may grant a second waiver or extension of the requirements; creating s. 561.4205, F.S.;

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

Senator Bradley moved the following amendment to **Amendment 3 (598330)** which was adopted:

Amendment 3A (469428) (with title amendment)—Delete lines 18-77 and insert:

waiver or extension of the requirements of this paragraph for a period not to exceed 12 months if the licensee demonstrates that:

1. *The licensed premises has been physically damaged to such an extent that active operation of the business at the premises is impracticable;*

2. *Construction or remodeling is underway to relocate the license to another location;*

3. *The licensed premises has been prohibited from making sales as the result of any order of any court of competent jurisdiction, or any action or inaction of a local governmental entity relating to the permitting, construction, or occupational capacity of the physical location of the licensed premises.*

(i) Failure of any licensee issued a new or transfer license after September 30, 1988, under s. 561.20(1) to maintain the licensed premises in an active manner in which the licensed premises are open for business to the public for the bona fide retail sale of authorized alcoholic beverages during regular and reasonable business hours for at least 8 hours a day for a period of 210 days or more during any 12-month period commencing 6 months after the acquisition of the license by the licensee. It is the intent of this act that for purposes of compliance with this paragraph, a licensee shall operate the licensed premises in a manner so as to maximize sales and tax revenues thereon; this includes maintaining a reasonable inventory of merchandise, including authorized alcoholic beverages, and the use of good business practices to achieve the intent of this law. Any attempt by a licensee to circumvent the intent of this law shall be grounds for revocation or suspension of the alcoholic beverage license. ~~The division may, upon written request of the licensee, give a written waiver of this requirement for a period not to exceed 12 months in cases where the licensee demonstrates that the licensed premises has been physically destroyed through no fault of the licensee, when the licensee has suffered an incapacitating illness or injury which is likely to be prolonged, or when the licensed premises has been prohibited from making sales as a result of any action of any court of competent jurisdiction. Any waiver given pursuant to this subsection may be continued upon subsequent written request showing that substantial progress has been made toward restoring the licensed premises to a condition suitable for the resumption of sales or toward allowing for a court having jurisdiction over the premises to release said jurisdiction, or that an incapacitating illness or injury continues to exist. However, in no event may the waivers necessitated by any one occurrence cumulatively total more than 24 months. Every A licensee shall notify the division in writing of any period during which his or her license is inactive and place the physical license with the division to be held in an inactive status. For the purpose of calculating compliance with the requirements of this paragraph, a license that is acquired in a transaction that is not an arm's length transaction, including transfers from relatives, affiliates, subsidiaries, and other related entities, retains and is subject to the first related transferor's date of acquisition and related periods of operation. The division shall, upon written request of the licensee, grant a one-time written waiver or extension of the requirements of this paragraph for a period not to exceed 12 months. Additionally, the division may, upon written request of the licensee, grant a waiver or extension of the~~

And the title is amended as follows:

Delete line 99 and insert: division may grant a waiver or extension of the

Amendment 3 (598330), as amended, was adopted.

Senator Latvala moved the following amendment which was adopted:

Amendment 4 (462062) (with title amendment)—Delete lines 245-246 and insert:
must be properly stored and secured by the municipality or county.

And the title is amended as follows:

Delete line 31 and insert: properly store and secure unconsumed alcoholic

Senator Bradley moved the following amendments which were adopted:

Amendment 5 (319680) (with title amendment)—Between lines 246 and 247 insert:

Section 7. Paragraph (a) of subsection (7) of section 563.06, Florida Statutes, is amended to read:

563.06 Malt beverages; imprint on individual container; size of containers; exemptions.—

(7) Notwithstanding any other provision of the Beverage Law, a malt beverage may be packaged in a growler, which is an individual container that holds 32, 64, or 128 ounces of such malt beverage if it is filled at the point of sale.

(a) A growler may be filled or refilled by any of the following:

1. A licensed manufacturer of malt beverages holding a vendor's license under s. 561.221(2).

2. A vendor holding a quota license under s. 561.20(1) or s. 565.02(1)(a) ~~which that~~ authorizes the sale of malt beverages.

3. A vendor holding a license under s. 563.02(1)(b)-(f), s. 564.02(1)(b)-(f), or s. 565.02(1)(b)-(f), *if such licensed vendor receives a health inspection and certification under s. 561.17(2) unless such license restricts the sale of malt beverages to sale for consumption only on the premises of such vendor.*

And the title is amended as follows:

Delete line 32 and insert: beverages; amending s. 563.06, F.S.; revising requirements for certain vendors to be authorized to fill or refill a growler; amending s. 565.02, F.S.; authorizing

Amendment 6 (284732) (with title amendment)—Delete lines 247-370 and insert:

Section 7. Subsection (2) of section 565.02, Florida Statutes, is amended to read:

565.02 License fees; vendors; clubs; caterers; and others.—

(2) Any operator of railroads or sleeping cars *and any vendor in a railroad transit station* in this state may obtain a license to *keep for sale and sell the beverages mentioned in the Beverage Law on passenger trains* upon the payment of an annual license tax of \$2,500, the tax to be paid to the division. *A municipality or county may not require an additional license or levy a tax for the privilege of selling such beverages.*

(a) *Operators of railroads or sleeping cars in this state are authorized to* ~~Such license shall authorize the holder thereof to~~ keep for sale and sell all beverages mentioned in the Beverage Law *for consumption upon any dining, club, parlor, buffet, or observation car of a passenger train in which certified copies of the licenses issued to the operators are posted. Certified copies of such licenses shall be issued by the division upon the payment of a fee of \$10 operated by it in this state, but such beverages may be sold only to passengers upon the cars and must be served for consumption thereon. It is unlawful for such licensees to purchase or sell any liquor except in miniature bottles of not more than 2 ounces. Every such license for the sale of alcoholic beverages on a passenger train shall be good throughout the state. Except for alcoholic beverages sold within the licensed premises of a railroad transit station, it is unlawful for such licensees to purchase or sell any liquor on a passenger*

~~train except in miniature bottles of not more than 2 ounces. No license shall be required, or tax levied by any municipality or county, for the privilege of selling such beverages for consumption in such cars. Such beverages shall be sold only on cars in which are posted certified copies of the licenses issued to such operator. Such certified copies of such licenses shall be issued by the division upon the payment of a tax of \$10.~~

(b) *Vendors in a railroad transit station are authorized to keep for sale and sell all beverages mentioned in the Beverage Law. Licenses issued to vendors in a railroad transit station may not be transferred to locations beyond the railroad transit station. The alcoholic beverages sold are for consumption on the licensed premises and may be consumed in all areas within the railroad transit station and on the passenger train. Operators of railroads and sleeping cars shall keep separate the alcoholic beverages intended for sale on passenger trains and the alcoholic beverages intended for sale in the railroad transit station.*

And the title is amended as follows:

Delete lines 32-45 and insert: beverages; amending s. 565.02, F.S.; authorizing vendors in railroad transit stations to obtain licenses to keep and sell alcoholic beverages; prohibiting a municipality or county from requiring an additional license or levying a tax to sell certain beverages; revising the locations where certain beverages may be sold; providing liquor bottle size restrictions for railroad transit stations; prohibiting the transfer of certain licenses; requiring operators of railroads and sleeping cars to keep separate certain alcoholic beverages;

Pursuant to Rule 4.19, **CS for CS for SB 698**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Simmons, the rules were waived and time of adjournment was extended until 1:00 p.m.

On motion by Senator Ring—

CS for CS for SB 468—A bill to be entitled An act relating to computer coding instruction; amending s. 1007.2616, F.S.; requiring high schools to offer student opportunities to take specified computer coding courses by a specified school year; requiring the Commissioner of Education to identify the computer coding courses that satisfy two credits of foreign language instruction under certain circumstances; requiring Florida College System institutions and state universities to recognize the credits as foreign language credits; requiring each student and his or her parent to sign a statement acknowledging and accepting that taking a computer coding course as a foreign language may not meet certain out-of-state requirements; requiring the inclusion of certain computer coding courses in the Course Code Directory; providing an effective date.

—was read the second time by title.

Senator Galvano moved the following amendments which were adopted:

Amendment 1 (591908) (with title amendment)—Delete line 26 and insert:
may, but will not be required to, provide students opportunities to take computer coding

And the title is amended as follows:

Delete lines 3-5 and insert: amending s. 1007.2616, F.S.; authorizing high schools to offer student opportunities to take specified computer coding courses by a specified school year; providing that high schools will not be required to offer such courses; requiring

Amendment 2 (409420) (with title amendment)—Between lines 39 and 40 insert:

(a) *The Florida Virtual School may offer computer coding courses identified in the Course Code Directory. If a school district does not offer*

an identified course, it may provide students access to the course through the Florida Virtual School or through other means.

(b) *The Department of Education shall annually report to the Board of Governors and the Legislature:*

1. *The courses identified in the Course Code Directory which meet the academic standards for computer coding.*

2. *The number of students, by district, including students enrolled in the Florida Virtual School, who are enrolled in a course identified in the Course Code Directory which meets the academic standards for computer coding.*

And the title is amended as follows:

Between lines 16 and 17 insert: authorizing the Florida Virtual School to offer computer coding courses identified in the Course Code Directory; authorizing school districts to provide students access to such courses under certain circumstances; requiring the Department of Education to annually report certain information to the Board of Governors and the Legislature;

Pursuant to Rule 4.19, **CS for CS for SB 468**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 954—A bill to be entitled An act relating to electronic monitoring devices; creating s. 843.23, F.S.; defining the term “electronic monitoring device”; prohibiting a person from removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device being worn or used pursuant to any court order or an order by the Florida Commission on Offender Review; prohibiting a person from requesting, authorizing, or soliciting another person to perform such an act; providing criminal penalties; amending s. 948.11, F.S.; specifying that the Department of Corrections may electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control; deleting a provision imposing criminal penalties on persons who intentionally alter, tamper with, damage, or destroy electronic monitoring equipment; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 954** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1416—A bill to be entitled An act relating to public records; amending s. 624.4212, F.S.; providing an exemption from public records requirements for certain reports and documents submitted to the Office of Insurance Regulation related to an own-risk and solvency assessment by an insurer or insurance group; providing an exemption from public records requirements for a corporate governance annual disclosure and supporting documents submitted to the office; revising the actuarial board to which the office may disclose certain information; providing for and revising future legislative review and repeal; 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 1416** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1288**, **CS for CS for SB 1386**, and **CS for SB 784** was deferred.

On motion by Senator Joyner—

CS for CS for SB 708—A bill to be entitled An act relating to the Arthur G. Dozier School for Boys; requiring certain historical resources,

records, archives, artifacts, researches, medical records, and human remains to remain in the custody of the University of South Florida; providing exceptions; requiring the Department of State to contract with the university for the identification and location of eligible next of kin of certain children; requiring the department to notify the next of kin of certain payment or reimbursement provisions; requiring the department to reimburse the next of kin of children whose bodies are buried and exhumed at the Dozier School or to pay directly to a provider for the costs associated with funeral services, reinterment, and grave marker expenses; providing a process for reimbursement or payment by the department; providing that a charitable donation made toward funeral, reinterment, and grave marker expenses is not eligible for reimbursement; requiring the department to submit a report; establishing a task force to make recommendations regarding a memorial and a location of a site for the reinterment of unidentified or unclaimed remains; providing membership of the task force; requiring the task force to submit its recommendation to the department by a certain date; requiring the task force to submit its recommendations to the Governor and Cabinet and to the Legislature; authorizing the department to adopt rules; providing appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 708** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for SB 784—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term “sexual abuse of a child” to delete a reference to a child being arrested or prosecuted for specified offenses; amending s. 782.04, F.S.; including human trafficking as a predicate offense for felony murder; amending s. 787.06, F.S.; creating an increased penalty for causing great bodily harm, permanent disability, or permanent disfigurement; prohibiting permanently branding, or directing the permanent branding, of a victim of human trafficking with specified intent; amending s. 456.074, F.S.; requiring the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment if the therapist or a specified person connected to the establishment is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 480.041, F.S.; providing that a licensed massage therapist may not receive a new or renewal license if the applicant is convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with a massage establishment; correcting a cross-reference; amending s. 480.043, F.S.; providing that a licensed massage establishment may not receive a new or renewal license if specified persons connected to the establishment are convicted of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution in conjunction with the establishment; correcting a cross-reference; amending s. 796.06, F.S.; increasing criminal penalties for the offense of renting space to be used for lewdness, assignation, or prostitution; amending s. 796.07, F.S.; providing that minors may not be charged with specified prostitution offenses; specifying that certain educational programs may be offered by faith-based providers; providing for the reclassification of the offense of owning, establishing, maintaining, or operating a place, structure, building, or conveyance for lewdness, assignation, or prostitution if the offense is committed in conjunction with a massage establishment; amending ss. 775.21 and 943.0435, F.S.; requiring a person convicted of specified racketeering offenses to register as a sexual predator or sexual offender under certain circumstances; amending ss. 944.606 and 944.607, F.S.; revising the definition of the term “sexual offender” for purposes of offender notification to include a person convicted of specified racketeering offenses if the court makes specified findings; reenacting s. 394.495(4)(p), F.S., relating to the child and adolescent mental health system of care, s. 409.1678(1)(c) and (6)(a) and (b), F.S., relating to specialized residential options for children who are victims of sexual exploitation, and s. 960.065(5), F.S., relating to eligibility for awards, to incorporate the amendment made by the act to s. 39.01, F.S., in references thereto; reenacting s. 39.806(1)(d) and (n), F.S., relating to grounds for termination of parental rights, to incorporate the amendments made by the act to ss. 775.21 and 782.04, F.S., in references thereto; reenacting s. 63.089(4)(b), F.S., relating to

proceedings to terminate parental rights pending adoption, to incorporate the amendments made by the act to s. 775.21 and 782.04, F.S., in references thereto; reenacting s. 95.11(10), F.S., relating to limitations other than for the recovery of real property, s. 775.082(1)(b) and (3)(a), (b), and (c), F.S., relating to penalties, s. 782.065, F.S., relating to murder of specified officers, s. 921.16(1), F.S., relating to when sentences should be concurrent and when they should be consecutive, s. 948.062(1)(a), F.S., relating to reviewing and reporting serious offenses committed by offenders placed on probation or community control, s. 985.265(3)(b), F.S., relating to detention transfer and release, and s. 1012.315(1)(d), F.S., relating to disqualification from employment, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 1012.467(2)(g), F.S., relating to non-instructional contractors who are permitted access to school grounds when students are present, to incorporate the amendments made by the act to ss. 782.04 and 943.0435, F.S., in references thereto; reenacting s. 775.0823(1) and (2), F.S., relating to violent offenses committed against certain officers, attorneys, and judges, s. 921.0022(3)(i), F.S., relating to the offense severity ranking chart, s. 947.146(3)(i), F.S., relating to the Control Release Authority, and s. 394.912(9)(a), F.S., relating to definitions relating to involuntary civil commitment of sexually violent predators, to incorporate the amendment made by the act to s. 782.04, F.S., in references thereto; reenacting s. 775.15(19), F.S., relating to time limitations, to incorporate the amendment made by the act to s. 787.06, F.S., in a reference thereto; reenacting s. 60.05(4), F.S., relating to abatement of nuisances, s. 775.0877(1)(m), F.S., relating to criminal transmission of HIV, s. 796.08(2) and (3), F.S., relating to screening for HIV and sexually transmissible diseases, s. 796.09(2), F.S., relating to certain civil causes of action, s. 895.02(1)(a), F.S., relating to definitions for the Florida RICO Act, and s. 948.16(1)(a), F.S., relating to specified misdemeanor pretrial intervention programs, to incorporate the amendment made by the act to s. 796.07, F.S., in references thereto; reenacting s. 39.0139(3)(a), F.S., relating to visitation or other contact, s. 39.509(6)(b), F.S., relating to grandparents rights, s. 63.092(3), F.S., relating to a report to the court of intended placement by an adoption entity, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 68.07(3)(i) and (6), F.S., relating to change of name, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 322.141(3), F.S., relating to color or markings of certain licenses or identification cards, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 397.4872(2)(a) and (c), F.S., relating to exemption from disqualification, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 775.13(4)(e) and (f), F.S., relating to registration of convicted felons, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to this act by ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.261(3)(b), F.S., relating to The Florida Career Offender Registration Act, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 794.075(1), F.S., relating to sexual predators and erectile dysfunction drugs, and s. 903.0351(1)(c), F.S., relating to restrictions on pretrial release pending probation-violation hearing or community-control-violation hearing, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 903.046(2)(m), F.S., relating to purpose of and criteria for bail determination, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.141(5)(o), F.S., relating to sentence of death or life imprisonment for capital felonies, to incorporate the amendment made by the act to s. 775.21, F.S., in a reference thereto; reenacting s. 938.10(1), F.S., relating to additional court cost imposed in cases of certain crimes, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 943.0435(3), (4), and (5), F.S., relating to sexual offenders required to register with the department, to incorporate the amendments made by this act to ss. 775.21, 944.606, and 944.607, F.S., in references thereto; reenacting s. 944.607(4)(a) and (9), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 944.608(7), F.S., relating to notification to the Department of Law Enforcement of information on career offenders, to incorporate the amendments made by this act to ss. 775.21 and 944.607, F.S., in references thereto; reenacting s. 944.609(4), F.S., re-

lating to career offenders and notification upon release, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 947.1405(2)(c), (10), and (12), F.S., relating to the conditional release program, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.06(4) and (8)(b), (c), and (d), F.S., relating to violation of probation or community control, to incorporate the amendments made by this act to ss. 782.04, 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.063, F.S., relating to violations of probation or community control by designated sexual offenders and sexual predators, to incorporate the amendments made by this act to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 948.064(4), F.S., relating to notification of status as a violent felony offender of special concern, and s. 948.12(3), F.S., relating to intensive supervision for postprison release of violent offenders, to incorporate the amendment made by the act to s. 775.21, F.S., in references thereto; reenacting s. 948.30(3)(b) and (4), F.S., relating to additional terms and conditions of probation or community control for certain sex offenses, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 948.31, F.S., relating to evaluation and treatment of sexual predators and offenders on probation or community control, and s. 985.04(6)(b), F.S., relating to oaths, records, and confidential information, to incorporate the amendments made by the act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 985.4815(9), F.S., relating to notification to the Department of Law Enforcement of information on juvenile sexual offenders, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 92.55(1)(b), F.S., relating to judicial or other proceedings involving certain victims, witnesses, and persons, to incorporate the amendments made by this act to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 394.9125(2)(a), F.S., relating to state attorney authority to refer a person for civil commitment, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; reenacting s. 775.21(5)(d) and (10)(c), F.S., relating to the Florida Sexual Predators Act, to incorporate the amendments made by this act to ss. 943.0435 and 944.607, F.S., in references thereto; reenacting s. 775.24(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 943.0436(2), F.S., relating to the duty of the court to uphold laws governing sexual predators and sexual offenders, to incorporate the amendments made by this act to ss. 775.21, 943.0435, 944.606, and 944.607, F.S., in references thereto; reenacting s. 775.0862(2), F.S., relating to reclassification of sexual offenses against students by authority figures, to incorporate the amendment made by the act to s. 943.0435, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 784** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

SB 422—A bill to be entitled An act relating to health insurance coverage for opioids; creating s. 627.64194, F.S.; defining terms; providing that a health insurance policy that covers opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product without an abuse-deterrence labeling claim before providing coverage for an abuse-deterrent opioid analgesic drug product; providing an effective date.

—was read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (137132) (with title amendment)—Delete lines 49-57 and insert:

provides coverage for abuse-deterrent opioid analgesic drug products:

(a) *May impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the policy imposes the same*

prior authorization requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim.

(b) *May not require use of an opioid analgesic drug product without an abuse-deterrence labeling claim before authorizing the use of an abuse-deterrent opioid analgesic drug product.*

And the title is amended as follows:

Delete lines 5-13 and insert: abuse-deterrent opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product without an abuse-deterrence labeling claim before authorizing the use of an abuse-deterrent opioid

Pursuant to Rule 4.19, **SB 422**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 460—A bill to be entitled An act relating to experimental treatments for terminal conditions; amending s. 499.0295, F.S.; revising the definition of the term “investigational drug, biological product, or device”; providing for eligible patients or their legal representatives to purchase and possess cannabis for medical use; authorizing certain licensed dispensing organizations to manufacture, possess, sell, deliver, distribute, dispense, and dispose of cannabis; exempting such organizations from specified laws; defining terms; providing applicability; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

Senator Bradley moved the following amendment:

Amendment 1 (369986) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Section 381.986, Florida Statutes, is amended to read:

381.986 Compassionate use of low-THC *and medical cannabis*.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Cannabis delivery device” means an object used, intended for use, or designed for use in preparing, storing, ingesting, inhaling, or otherwise introducing low-THC cannabis or medical cannabis into the human body.

(b)(e) “Dispensing organization” means an organization approved by the department to cultivate, process, *transport*, and dispense low-THC cannabis or medical cannabis pursuant to this section.

(c) “Independent testing laboratory” means a laboratory, including the managers, employees, or contractors of the laboratory, which has no direct or indirect interest in a dispensing organization.

(d) “Legal representative” means the qualified patient’s parent, legal guardian acting pursuant to a court’s authorization as required under s. 744.3215(4), health care surrogate acting pursuant to the qualified patient’s written consent or a court’s authorization as required under s. 765.113, or an individual who is authorized under a power of attorney to make health care decisions on behalf of the qualified patient.

(e)(b) “Low-THC cannabis” means a plant of the genus *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a dispensing organization.

(f) “Medical cannabis” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin that

is dispensed only from a dispensing organization for medical use by an eligible patient as defined in s. 499.0295.

(g)(e) “Medical use” means administration of the ordered amount of low-THC cannabis or medical cannabis. The term does not include the:

1. Possession, use, or administration of low-THC cannabis or medical cannabis by smoking.

2. ~~The term also does not include the~~ Transfer of low-THC cannabis or medical cannabis to a person other than the qualified patient for whom it was ordered or the qualified patient’s legal representative on behalf of the qualified patient.

3. Use or administration of low-THC cannabis or medical cannabis:

a. On any form of public transportation.

b. In any public place.

c. In a qualified patient’s place of employment, if restricted by his or her employer.

d. In a state correctional institution as defined in s. 944.02 or a correctional institution as defined in s. 944.241.

e. On the grounds of a preschool, primary school, or secondary school.

f. On a school bus or in a vehicle, aircraft, or motorboat.

(h)(d) “Qualified patient” means a resident of this state who has been added to the compassionate use registry by a physician licensed under chapter 458 or chapter 459 to receive low-THC cannabis or medical cannabis from a dispensing organization.

(i)(e) “Smoking” means burning or igniting a substance and inhaling the smoke. Smoking does not include the use of a vaporizer.

(2) PHYSICIAN ORDERING.—Effective January 1, 2015, A physician is authorized to order licensed under chapter 458 or chapter 459 who has examined and is treating a patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms may order for the patient’s medical use low-THC cannabis to treat a qualified patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms; order low-THC cannabis such disease, disorder, or condition or to alleviate symptoms of such disease, disorder, or condition, if no other satisfactory alternative treatment options exist for the qualified ~~that~~ patient; order medical cannabis to treat an eligible patient as defined in s. 499.0295; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician ~~and all of the following conditions apply:~~

(a) Holds an active, unrestricted license as a physician under chapter 458 or an osteopathic physician under chapter 459;

(b) Has treated the patient for at least 3 months immediately preceding the patient’s registration in the compassionate use registry;

(c) Has successfully completed the course and examination required under paragraph (4)(a);

(a) ~~The patient is a permanent resident of this state.~~

(d)(b) ~~Has determined~~ The physician determines that the risks of treating the patient with ordering low-THC cannabis or medical cannabis are reasonable in light of the potential benefit to the ~~for that~~ patient. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such determination must be documented in the patient’s medical record;-

(e)(c) ~~The physician~~ Registers as the orderer of low-THC cannabis or medical cannabis for the named patient on the compassionate use registry maintained by the department and updates the registry to reflect the contents of the order, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the pa-

tient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change. The physician shall deactivate the registration of the patient and the patient's legal representative ~~patient's registration~~ when treatment is discontinued;—

(f)(d) ~~The physician~~ Maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the low-THC cannabis or medical cannabis;—

(g)(e) ~~The physician~~ Submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis and medical cannabis on patients;—

(h)(f) ~~The physician~~ Obtains the voluntary written informed consent of the patient or the patient's legal representative ~~guardian~~ to treatment with low-THC cannabis after sufficiently explaining the current state of knowledge in the medical community of the effectiveness of treatment of the patient's condition with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side effects;

(i) Obtains written informed consent as defined in and required under s. 499.0295, if the physician is ordering medical cannabis for an eligible patient pursuant to that section; and

(j) Is not a medical director employed by a dispensing organization.

(3) PENALTIES.—

(a) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders low-THC cannabis for a patient without a reasonable belief that the patient is suffering from:

1. Cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be treated with low-THC cannabis; or

2. Symptoms of cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be alleviated with low-THC cannabis.

(b) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295.

(c)(b) ~~A~~ Any person who fraudulently represents that he or she has cancer, ~~or~~ a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms, or a terminal condition to a physician for the purpose of being ordered low-THC cannabis, medical cannabis, or a cannabis delivery device by such physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) An eligible patient as defined in s. 499.0295 who uses medical cannabis, and such patient's legal representative who administers medical cannabis, in plain view of or in a place open to the general public, on the grounds of a school, or in a school bus, vehicle, aircraft, or motorboat commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(e) A physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device and receives compensation from a dispensing organization related to the ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device is subject to disciplinary action under the applicable practice act and s. 456.072(1)(n).

(4) PHYSICIAN EDUCATION.—

(a) Before ordering low-THC cannabis, medical cannabis, or a cannabis delivery device for medical use by a patient in this state, the appropriate board shall require the ordering physician ~~licensed under chapter 458 or chapter 459~~ to successfully complete an 8-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses the clinical indications for the appropriate use of low-THC cannabis and

medical cannabis, the appropriate cannabis delivery devices ~~mechanisms~~, the contraindications for such use, and ~~as well as~~ the relevant state and federal laws governing the ordering, dispensing, and possessing of these substances and devices ~~this substance~~. The first course and examination shall ~~be presented by October 1, 2014, and shall be administered at least annually thereafter~~. Successful completion of the course may be used by a physician to satisfy 8 hours of the continuing medical education requirements required by his or her respective board for licensure renewal. This course may be offered in a distance learning format.

(b) The appropriate board shall require the medical director of each dispensing organization *to hold an active, unrestricted license as a physician under chapter 458 or as an osteopathic physician under chapter 459 and approved under subsection (5) to successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses appropriate safety procedures and knowledge of low-THC cannabis, medical cannabis, and cannabis delivery devices.*

(c) Successful completion of the course and examination specified in paragraph (a) is required for every physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device each time such physician renews his or her license. In addition, successful completion of the course and examination specified in paragraph (b) is required for the medical director of each dispensing organization each time such physician renews his or her license.

(d) A physician who fails to comply with this subsection and who orders low-THC cannabis, medical cannabis, or a cannabis delivery device may be subject to disciplinary action under the applicable practice act and under s. 456.072(1)(k).

(5) DUTIES OF THE DEPARTMENT.—~~By January 1, 2015,~~ The department shall:

(a) Create and maintain a secure, electronic, and online compassionate use registry for the registration of physicians, ~~and~~ patients, and the legal representatives of patients as provided under this section. The registry must be accessible to law enforcement agencies and to a dispensing organization ~~in order~~ to verify the authorization of a patient or a patient's legal representative to possess ~~patient authorization for~~ low-THC cannabis, medical cannabis, or a cannabis delivery device and record the low-THC cannabis, medical cannabis, or cannabis delivery device dispensed. The registry must prevent an active registration of a patient by multiple physicians.

(b) Authorize the establishment of five dispensing organizations to ensure reasonable statewide accessibility and availability as necessary for patients registered in the compassionate use registry and who are ordered low-THC cannabis, medical cannabis, or a cannabis delivery device under this section, one in each of the following regions: northwest Florida, northeast Florida, central Florida, southeast Florida, and southwest Florida. The department shall develop an application form and impose an initial application and biennial renewal fee that is sufficient to cover the costs of administering this section. An applicant for approval as a dispensing organization must be able to demonstrate:

1. The technical and technological ability to cultivate and produce low-THC cannabis. The applicant must possess a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131 that is issued for the cultivation of more than 400,000 plants, be operated by a nurseryman as defined in s. 581.011, and have been operated as a registered nursery in this state for at least 30 continuous years.

2. The ability to secure the premises, resources, and personnel necessary to operate as a dispensing organization.

3. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

4. An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department.

5. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financials to the department. Upon approval, the applicant must post a \$5 million performance bond. *However, upon a dispensing organization's serving at least 1,000 qualified patients, the dispensing organization is only required to maintain a \$2 million performance bond.*

6. That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to s. 435.04.

7. The employment of a medical director ~~who is a physician licensed under chapter 458 or chapter 459~~ to supervise the activities of the dispensing organization.

(c) *Upon the registration of 250,000 qualified patients in the compassionate use registry, approve three additional dispensing organizations, which must meet the requirements of subparagraphs (b)2.-7. for such approval.*

(d) *Allow a dispensing organization to make a wholesale purchase of low-THC cannabis or medical cannabis from, or a distribution of low-THC cannabis or medical cannabis to, another dispensing organization.*

(e) ~~(c)~~ Monitor physician registration and ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device for ordering practices that could facilitate unlawful diversion or misuse of low-THC cannabis, medical cannabis, or a cannabis delivery device and take disciplinary action as indicated.

~~(d) Adopt rules necessary to implement this section.~~

(6) DISPENSING ORGANIZATION.—An approved dispensing organization must, at all times, ~~shall~~ maintain compliance with the criteria demonstrated for selection and approval as a dispensing organization under subsection (5) and the criteria required in this subsection ~~at all times.~~

(a) *When growing low-THC cannabis or medical cannabis, a dispensing organization:*

1. *May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.*

2. *Must grow and process low-THC cannabis or medical cannabis within an enclosed structure and in a room separate from any other plant.*

3. *Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state, notify the Department of Agriculture and Consumer Services within 10 calendar days after a determination that a plant is infested or infected by such plant pest, and implement and maintain phytosanitary policies and procedures.*

4. *Must perform fumigation or treatment of plants, or the removal and destruction of infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.*

(b) *When processing low-THC cannabis or medical cannabis, a dispensing organization must:*

1. *Process the low-THC cannabis or medical cannabis in an enclosure separate from other plants or products.*

2. *Test the processed low-THC cannabis and medical cannabis before they are dispensed. Results must be verified and signed by two dispensing organization employees. Before dispensing low-THC cannabis, the dispensing organization must determine that the test results indicate that the low-THC cannabis meets the definition of low-THC cannabis and, for medical cannabis and low-THC cannabis, that all medical cannabis and low-THC cannabis is safe for human consumption and free from contaminants that are unsafe for human consumption. The dispensing organization must retain records of all testing and samples of each homogenous batch of cannabis and low-THC cannabis for at least 9 months. The dispensing organization must contract with an independent*

testing laboratory to perform audits on the dispensing organization's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the low-THC cannabis or medical cannabis meets the requirements of this section and that the medical cannabis and low-THC cannabis is safe for human consumption.

3. *Package the low-THC cannabis or medical cannabis in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.*

4. *Package the low-THC cannabis or medical cannabis in a receptacle that has a firmly affixed and legible label stating the following information:*

a. *A statement that the low-THC cannabis or medical cannabis meets the requirements of subparagraph 2.;*

b. *The name of the dispensing organization from which the medical cannabis or low-THC cannabis originates; and*

c. *The batch number and harvest number from which the medical cannabis or low-THC cannabis originates.*

5. *Reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of testing pursuant to the audit required under subparagraph 2.*

(c) *When dispensing low-THC cannabis, medical cannabis, or a cannabis delivery device, a dispensing organization:*

1. *May not dispense more than a 45-day supply of low-THC cannabis or medical cannabis to a patient or the patient's legal representative.*

2. *Must have the dispensing organization's employee who dispenses the low-THC cannabis, medical cannabis, or a cannabis delivery device enter into the compassionate use registry his or her name or unique employee identifier.*

3. *Must verify in the compassionate use registry that a physician has ordered the low-THC cannabis, medical cannabis, or a specific type of a cannabis delivery device for the patient.*

4. *May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes, bongs, or wrapping papers, other than a physician-ordered cannabis delivery device required for the medical use of low-THC cannabis or medical cannabis, while dispensing low-THC cannabis or medical cannabis.*

5. ~~Must~~ *Before dispensing low-THC cannabis to a qualified patient, the dispensing organization shall verify that the patient has an active registration in the compassionate use registry, the patient or patient's legal representative holds a valid and active registration card, the order presented matches the order contents as recorded in the registry, and the order has not already been filled.*

6. *Must, upon dispensing the low-THC cannabis, medical cannabis, or cannabis delivery device, the dispensing organization shall record in the registry the date, time, quantity, and form of low-THC cannabis or medical cannabis dispensed and the type of cannabis delivery device dispensed.*

(d) *To ensure the safety and security of its premises and any off-site storage facilities, and to maintain adequate controls against the diversion, theft, and loss of low-THC cannabis, medical cannabis, or cannabis delivery devices, a dispensing organization shall:*

1.a. *Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; or*

b. *Maintain a video surveillance system that records continuously 24 hours each day and meets at least one of the following criteria:*

(I) *Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms;*

(II) Cameras are fixed in entrances and exits to the premises, which shall record from both indoor and outdoor, or ingress and egress, vantage points;

(III) Recorded images must clearly and accurately display the time and date; or

(IV) Retain video surveillance recordings for a minimum of 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the organization's outdoor premises have sufficient lighting from dusk until dawn.

3. Establish and maintain a tracking system approved by the department that traces the low-THC cannabis or medical cannabis from seed to sale. The tracking system shall include notification of key events as determined by the department, including when cannabis seeds are planted, when cannabis plants are harvested and destroyed, and when low-THC cannabis or medical cannabis is transported, sold, stolen, diverted, or lost.

4. Not dispense from its premises low-THC cannabis, medical cannabis, or a cannabis delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver low-THC cannabis and medical cannabis to qualified patients 24 hours each day.

5. Store low-THC cannabis or medical cannabis in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times.

7. Require each employee to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor's pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement within 24 hours after it is notified or becomes aware of the theft, diversion, or loss of low-THC cannabis or medical cannabis.

(e) To ensure the safe transport of low-THC cannabis or medical cannabis to dispensing organization facilities, independent testing laboratories, or patients, the dispensing organization must:

1. Maintain a transportation manifest, which must be retained for at least 1 year.

2. Ensure only vehicles in good working order are used to transport low-THC cannabis or medical cannabis.

3. Lock low-THC cannabis or medical cannabis in a separate compartment or container within the vehicle.

4. Require at least two persons to be in a vehicle transporting low-THC cannabis or medical cannabis, and require at least one person to remain in the vehicle while the low-THC cannabis or medical cannabis is being delivered.

5. Provide specific safety and security training to employees transporting or delivering low-THC cannabis or medical cannabis.

(7) DEPARTMENT AUTHORITY AND RESPONSIBILITIES.—

(a) The department may conduct announced or unannounced inspections of dispensing organizations to determine compliance with this section or rules adopted pursuant to this section.

(b) The department shall inspect a dispensing organization upon complaint or notice provided to the department that the dispensing organization has dispensed low-THC cannabis or medical cannabis containing any mold, bacteria, or other contaminant that may cause or has caused an adverse effect to human health or the environment.

(c) The department shall conduct at least a biennial inspection of each dispensing organization to evaluate the dispensing organization's

records, personnel, equipment, processes, security measures, sanitation practices, and quality assurance practices.

(d) The department may enter into interagency agreements with the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, the Department of Transportation, the Department of Highway Safety and Motor Vehicles, and the Agency for Health Care Administration, and such agencies are authorized to enter into an interagency agreement with the department, to conduct inspections or perform other responsibilities assigned to the department under this section.

(e) The department must make a list of all approved dispensing organizations and qualified ordering physicians and medical directors publicly available on its website.

(f) The department may establish a system for issuing and renewing registration cards for patients and their legal representatives, establish the circumstances under which the cards may be revoked by or must be returned to the department, and establish fees to implement such system. The department must require, at a minimum, the registration cards to:

1. Provide the name, address, and date of birth of the patient or legal representative.

2. Have a full-face, passport-type, color photograph of the patient or legal representative taken within the 90 days immediately preceding registration.

3. Identify whether the cardholder is a patient or legal representative.

4. List a unique numeric identifier for the patient or legal representative that is matched to the identifier used for such person in the department's compassionate use registry.

5. Provide the expiration date, which shall be 1 year after the date of the physician's initial order of low-THC cannabis or medical cannabis.

6. For the legal representative, provide the name and unique numeric identifier of the patient that the legal representative is assisting.

7. Be resistant to counterfeiting or tampering.

(g) The department may impose reasonable fines not to exceed \$10,000 on a dispensing organization for any of the following violations:

1. Violating this section, s. 499.0295, or department rule.

2. Failing to maintain qualifications for approval.

3. Endangering the health, safety, or security of a qualified patient.

4. Improperly disclosing personal and confidential information of the qualified patient.

5. Attempting to procure dispensing organization approval by bribery, fraudulent misrepresentation, or extortion.

6. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the business of a dispensing organization.

7. Making or filing a report or record that the dispensing organization knows to be false.

8. Willfully failing to maintain a record required by this section or department rule.

9. Willfully impeding or obstructing an employee or agent of the department in the furtherance of his or her official duties.

10. Engaging in fraud or deceit, negligence, incompetence, or misconduct in the business practices of a dispensing organization.

11. Making misleading, deceptive, or fraudulent representations in or related to the business practices of a dispensing organization.

12. Having a license or the authority to engage in any regulated profession, occupation, or business that is related to the business prac-

tices of a dispensing organization suspended, revoked, or otherwise acted against by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.

13. *Violating a lawful order of the department or an agency of the state, or failing to comply with a lawfully issued subpoena of the department or an agency of the state.*

(h) *The department may suspend, revoke, or refuse to renew a dispensing organization's approval if a dispensing organization commits any of the violations in paragraph (g).*

(i) *The department shall renew the approval of a dispensing organization biennially if the dispensing organization meets the requirements of this section and pays the biennial renewal fee.*

(j) *The department may adopt rules necessary to implement this section.*

(8) **PREEMPTION.—**

(a) *All matters regarding the regulation of the cultivation and processing of medical cannabis or low-THC cannabis by dispensing organizations are preempted to the state.*

(b) *A municipality may determine by ordinance the criteria for the number and location of, and other permitting requirements that do not conflict with state law or department rule for, dispensing facilities of dispensing organizations located within its municipal boundaries. A county may determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or department rule for all dispensing facilities of dispensing organizations located within the unincorporated areas of that county.*

(9) ~~(7)~~ **EXCEPTIONS TO OTHER LAWS.—**

(a) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a qualified patient and the qualified patient's legal representative may purchase and possess for the patient's medical use up to the amount of low-THC cannabis or medical cannabis ordered for the patient, but not more than a 45-day supply, and a cannabis delivery device ordered for the patient.*

(b) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved dispensing organization and its owners, managers, and employees may manufacture, possess, sell, deliver, distribute, dispense, and lawfully dispose of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device. For purposes of this subsection, the terms "manufacture," "possession," "deliver," "distribute," and "dispense" have the same meanings as provided in s. 893.02.*

(c) *Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved independent testing laboratory may possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis as provided by department rule.*

(d) ~~(e)~~ *An approved dispensing organization and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 or chapter 499 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device.*

(e) *An approved dispensing organization that continues to meet the requirements for approval is presumed to be registered with the department and to meet the regulations adopted by the department or its successor agency for the purpose of dispensing medical cannabis or low-THC cannabis under state law. Additionally, the authority provided to a dispensing organization in s. 499.0295 does not impair the approval of a dispensing organization.*

(f) *This subsection does not preclude a person from being prosecuted for a criminal offense related to impairment or intoxication resulting from the medical use of low-THC cannabis or medical cannabis or re-*

lieve a person from any requirement under law to submit to a breath, blood, urine, or other test to detect the presence of a controlled substance.

Section 2. Subsections (2) and (3) of section 499.0295, Florida Statutes, are amended to read:

499.0295 Experimental treatments for terminal conditions.—

(2) As used in this section, the term:

(a) *"Dispensing organization" means an organization approved by the Department of Health under s. 381.986(5) to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices.*

(b) ~~(a)~~ *"Eligible patient" means a person who:*

1. *Has a terminal condition that is attested to by the patient's physician and confirmed by a second independent evaluation by a board-certified physician in an appropriate specialty for that condition;*

2. *Has considered all other treatment options for the terminal condition currently approved by the United States Food and Drug Administration;*

3. *Has given written informed consent for the use of an investigational drug, biological product, or device; and*

4. *Has documentation from his or her treating physician that the patient meets the requirements of this paragraph.*

(c) ~~(b)~~ *"Investigational drug, biological product, or device" means:*

1. *A drug, biological product, or device that has successfully completed phase 1 of a clinical trial but has not been approved for general use by the United States Food and Drug Administration and remains under investigation in a clinical trial approved by the United States Food and Drug Administration; or*

2. *Medical cannabis that is manufactured and sold by a dispensing organization.*

(d) ~~(c)~~ *"Terminal condition" means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered by a treating physician to be reversible even with the administration of available treatment options currently approved by the United States Food and Drug Administration, and, without the administration of life-sustaining procedures, will result in death within 1 year after diagnosis if the condition runs its normal course.*

(e) ~~(d)~~ *"Written informed consent" means a document that is signed by a patient, a parent of a minor patient, a court-appointed guardian for a patient, or a health care surrogate designated by a patient and includes:*

1. *An explanation of the currently approved products and treatments for the patient's terminal condition.*

2. *An attestation that the patient concurs with his or her physician in believing that all currently approved products and treatments are unlikely to prolong the patient's life.*

3. *Identification of the specific investigational drug, biological product, or device that the patient is seeking to use.*

4. *A realistic description of the most likely outcomes of using the investigational drug, biological product, or device. The description shall include the possibility that new, unanticipated, different, or worse symptoms might result and death could be hastened by the proposed treatment. The description shall be based on the physician's knowledge of the proposed treatment for the patient's terminal condition.*

5. *A statement that the patient's health plan or third-party administrator and physician are not obligated to pay for care or treatment consequent to the use of the investigational drug, biological product, or device unless required to do so by law or contract.*

6. *A statement that the patient's eligibility for hospice care may be withdrawn if the patient begins treatment with the investigational*

drug, biological product, or device and that hospice care may be reinstated if the treatment ends and the patient meets hospice eligibility requirements.

7. A statement that the patient understands he or she is liable for all expenses consequent to the use of the investigational drug, biological product, or device and that liability extends to the patient's estate, unless a contract between the patient and the manufacturer of the investigational drug, biological product, or device states otherwise.

(3) Upon the request of an eligible patient, a manufacturer may, or upon a physician's order pursuant to s. 381.986, a dispensing organization may:

(a) Make its investigational drug, biological product, or device available under this section.

(b) Provide an investigational drug, biological product, ~~or~~ device, or cannabis delivery device as defined in s. 381.986 to an eligible patient without receiving compensation.

(c) Require an eligible patient to pay the costs of, or the costs associated with, the manufacture of the investigational drug, biological product, ~~or~~ device, or cannabis delivery device as defined in s. 381.986.

Section 3. (1) Notwithstanding s. 381.986(5)(b), Florida Statutes, a dispensing organization that receives notice from the Department of Health that it is approved as a region's dispensing organization; posts a \$5 million performance bond in compliance with rule 64-4.002(5)(e), Florida Administrative Code; meets the requirements of and requests cultivation authorization pursuant to rule 64-4.005(2), Florida Administrative Code; and expends at least \$100,000 to fulfill its legal obligations as a dispensing organization shall be granted cultivation authorization by the Department of Health and is authorized to operate as a dispensing organization for the full term of its original approval and all subsequent renewals pursuant to s. 381.986, Florida Statutes.

(2) An action taken before or after the effective date of this section by the Division of Administrative Hearings, the Department of Health, or a court of competent jurisdiction which has the effect of approving, pursuant to s. 381.986(5)(b), Florida Statutes, a dispensing organization that does not meet the criteria of subsection (1) does not impair an authorization granted pursuant to subsection (1) to a dispensing organization meeting the criteria of subsection (1). During the operations of any dispensing organization that meets the criteria of subsection (1), the Department of Health may enforce rule 64-4.005, Florida Administrative Code, as filed on June 17, 2015.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the medical use of cannabis; amending s. 381.986, F.S.; providing and revising definitions; revising requirements for physicians ordering low-THC cannabis; providing requirements for physicians ordering medical cannabis; providing penalties; providing that a physician who orders low-THC cannabis or medical cannabis and receives related compensation from a dispensing organization is subject to disciplinary action; revising requirements relating to physician education; requiring the Department of Health to include legal representative information in its online compassionate use registry; revising requirements for dispensing organizations; revising duties and responsibilities of the department; revising standards to be met and maintained by dispensing organizations; authorizing an independent testing laboratory and its employees to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis under certain circumstances; exempting an approved dispensing organization and related persons from the Florida Drug and Cosmetic Act; providing applicability; amending s. 499.0295, F.S.; defining the term "dispensing organization"; revising the definition of the term "investigational drug, biological product, or device"; authorizing certain manufacturers to dispense cannabis delivery devices; authorizing certain dispensing organizations to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; providing applicability; providing an effective date.

On motion by Senator Bradley, further consideration of **SB 460** with pending **Amendment 1 (369986)** was deferred.

On motion by Senator Richter—

CS for SB 1288—A bill to be entitled An act relating to emergency management; amending s. 252.34, F.S.; defining the term "activate" for purposes of part I of ch. 252, F.S.; amending ss. 163.360, 474.2125, and 627.659, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1288** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 1386—A bill to be entitled An act relating to insurance agents; amending s. 626.593, F.S.; revising a prohibition against a licensed insurance agent from receiving a specified fee or commission for examining any health insurance or any health benefit plan, rather than any group health insurance or any group health benefit plan, for certain purposes; amending s. 626.785, F.S.; revising amounts of coverage of certain life insurance policies that may be sold by specified persons; revising the version of the Annual Consumer Price Index used as a basis for calculating certain annual percentage increases in specified policies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1386** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 242** was deferred.

On motion by Senator Legg, by unanimous consent—

CS for SB 7058—A bill to be entitled An act relating to early childhood development; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness of developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; deleting terms; repealing ss. 391.303, 391.304, 391.305, 391.306, and 391.307, F.S., relating to requirements for the Children's Medical Services program, program coordination, program standards, program funding and contracts, and program review, respectively; amending s. 391.308, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; requiring, rather than authorizing, the department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the program based on an appropriation of funds; providing duties for local program offices; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations; requiring the development of an individualized family

support plan for each child served in the program; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; repealing s. 402.3057, F.S., relating to persons not required to be re-fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; amending ss. 402.3025, 413.092, and 1003.575, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Pending further consideration of **CS for SB 7058**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7053** was withdrawn from the Committees on Education Pre-K - 12; and Appropriations.

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

CS for HB 7053—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; amending s. 402.3025, F.S.; conforming a cross-reference; repealing s. 402.3057, F.S., relating to persons not required to be re-fingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; pro-

viding for additional uses of funds for school readiness programs; providing an effective date.

—a companion measure, was substituted for **CS for SB 7058** and read the second time by title.

Senator Legg moved the following amendment which was adopted:

Amendment 1 (842916) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (6) of section 39.201, Florida Statutes, is amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(6) Information in the central abuse hotline may not be used for employment screening, except as provided in s. 39.202(2)(a) and (h) or s. 402.302(15). Information in the central abuse hotline and the department’s automated abuse information system may be used by the department, its authorized agents or contract providers, the Department of Health, or county agencies as part of the licensure or registration process pursuant to ss. 402.301-402.319 and ss. 409.175-409.176.

Section 2. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, *the Office of Early Learning*, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, ~~or~~ family day care homes, ~~or informal child care~~ providers who receive school readiness funding *under part VI of chapter 1002*, or other homes used to provide for the care and welfare of children; or
6. Services for victims of domestic violence when provided by certified domestic violence centers working at the department’s request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 3. Subsections (2) and (3) of section 383.141, Florida Statutes, are amended to read:

383.141 Prenatally diagnosed conditions; patient to be provided information; definitions; information clearinghouse; advisory council.—

(2) When a developmental disability is diagnosed based on the results of a prenatal test, the health care provider who ordered the prenatal test, or his or her designee, shall provide the patient with current information about the nature of the developmental disability, the accuracy of the prenatal test, and resources for obtaining relevant support services, including hotlines, resource centers, and information clearinghouses related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services under *this part* ~~s. 391.303~~.

(3) The Department of Health shall *develop and implement a comprehensive information clearinghouse to educate health care providers, inform parents, and increase public awareness regarding brain development, developmental disabilities and delays, and all services, resources, and interventions available to mitigate the effects of impaired development among children. The clearinghouse must use the term "unique abilities" as much as possible when identifying infants or children with developmental disabilities and delays. The clearinghouse must provide:*

(a) *Health information on conditions that may lead to impaired development of physical, learning, language, or behavioral skills.*

(b) *Education and information to support parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.*

(c) *Education and training for health care providers to recognize and respond appropriately to developmental disabilities, delays, and conditions related to disabilities or delays. Specific information approved by the advisory council shall be made available to health care providers for use in counseling parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.*

(d) *Promotion of public awareness of availability of supportive services, such as resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services.*

(e) *Hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities. The hotlines and the department's clearinghouse must provide information to parents and families or other caregivers regarding the Early Steps Program under s. 391.301, the Florida Diagnostic and Learning Resources System, the Early Learning program, Healthy Start, Help Me Grow, and any other intervention programs. Information offered must include directions on how to obtain early intervention, rehabilitative, and habilitative services and devices establish on its Internet website a clearinghouse of information related to developmental disabilities concerning providers of supportive services, information hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities, resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services under s. 391.303. Such information shall be made available to health care providers for use in counseling pregnant women whose unborn children have been prenatally diagnosed with developmental disabilities.*

(4)(a) There is established an advisory council within the Department of Health which consists of health care providers and caregivers who perform health care services for persons who have developmental disabilities, including Down syndrome and autism. This group shall consist of nine members as follows:

1. Three members appointed by the Governor;
2. Three members appointed by the President of the Senate; and
3. Three members appointed by the Speaker of the House of Representatives.

(b) The advisory council shall provide technical assistance to the Department of Health in the establishment of the information clearinghouse and give the department the benefit of the council members' knowledge and experience relating to the needs of patients and families of patients with developmental disabilities and available support services.

(c) Members of the council shall elect a chairperson and a vice chairperson. The elected chairperson and vice chairperson shall serve in these roles until their terms of appointment on the council expire.

(d) The advisory council shall meet quarterly to review this clearinghouse of information, and may meet more often at the call of the chairperson or as determined by a majority of members.

(e) The council members shall be appointed to 4-year terms, except that, to provide for staggered terms, one initial appointee each from the Governor, the President of the Senate, and the Speaker of the House of

Representatives shall be appointed to a 2-year term, one appointee each from these officials shall be appointed to a 3-year term, and the remaining initial appointees shall be appointed to 4-year terms. All subsequent appointments shall be for 4-year terms. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(f) Members of the council shall serve without compensation. Meetings of the council may be held in person, without reimbursement for travel expenses, or by teleconference or other electronic means.

(g) The Department of Health shall provide administrative support for the advisory council.

Section 4. Paragraph (c) of subsection (1) of section 391.025, Florida Statutes, is amended to read:

391.025 Applicability and scope.—

(1) The Children's Medical Services program consists of the following components:

(c) The developmental evaluation and intervention program, including the *Early Steps Florida Infants and Toddlers Early Intervention Program.*

Section 5. Subsection (19) is added to section 391.026, Florida Statutes, to read:

391.026 Powers and duties of the department.—The department shall have the following powers, duties, and responsibilities:

(19) *To serve as the lead agency in administering the Early Steps Program pursuant to part C of the federal Individuals with Disabilities Education Act and part III of this chapter.*

Section 6. Section 391.301, Florida Statutes, is amended to read:

391.301 *Early Steps Program; establishment and goals Developmental evaluation and intervention programs; legislative findings and intent.—*

(1) *The Early Steps Program is established within the department to serve infants and toddlers who are at risk of developmental disabilities based on a physical or mental condition and infants and toddlers with developmental delays by providing developmental evaluation and early intervention and by providing families with training and support services in a variety of home and community settings in order to enhance family and caregiver competence, confidence, and capacity to meet their child's developmental needs and desired outcomes. The Legislature finds that the high risk and disabled newborn infants in this state need in-hospital and outpatient developmental evaluation and intervention and that their families need training and support services. The Legislature further finds that there is an identifiable and increasing number of infants who need developmental evaluation and intervention and family support due to the fact that increased numbers of low birthweight and sick full term newborn infants are now surviving because of the advances in neonatal intensive care medicine; increased numbers of medically involved infants are remaining inappropriately in hospitals because their parents lack the confidence or skills to care for these infants without support; and increased numbers of infants are at risk due to parent risk factors, such as substance abuse, teenage pregnancy, and other high risk conditions.*

(2) *The program may include screening and referral. It is the intent of the Legislature to establish developmental evaluation and intervention services at all hospitals providing Level II or Level III neonatal intensive care services, in order to promptly identify newborns with disabilities or with conditions associated with risks of developmental delays so that families with high risk or disabled infants may gain as early as possible the services and skills they need to support their infants' development infants.*

(3) *The program must. It is the intent of the Legislature that a methodology be developed to integrate information and coordinate services on infants with potentially disabling conditions with other programs serving infants and toddlers early intervention programs, including, but not limited to, Part C of Pub. L. No. 105-17 and the Healthy*

Start program, the newborn screening program, and the Blind Babies Program.

(4) The program must:

(a) Provide services to enhance the development of infants and toddlers with disabilities and delays.

(b) Expand the recognition by health care providers, families, and the public of the significant brain development that occurs during a child's first 3 years of life.

(c) Maintain the importance of the family in all areas of the child's development and support the family's participation in early intervention services and decisions affecting the child.

(d) Operate a comprehensive, coordinated interagency system of early intervention services and supports in accordance with part C of the federal Individuals with Disabilities Education Act.

(e) Ensure timely evaluation, individual planning, and early intervention services necessary to meet the unique needs of eligible infants and toddlers.

(f) Build the service capacity and enhance the competencies of health care providers serving infants and toddlers with unique needs and abilities.

(g) Ensure programmatic and fiscal accountability through establishment of a high-capacity data system, active monitoring of performance indicators, and ongoing quality improvement.

Section 7. Section 391.302, Florida Statutes, is amended to read:

391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss. 391.301-391.307~~, the term:

(1) "Developmental delay" means a condition, identified and measured through appropriate instruments and procedures, which may delay physical, cognitive, communication, social or emotional, or adaptive development.

(2) "Developmental disability" means a condition, identified and measured through appropriate instruments and procedures, which may impair physical, cognitive, communication, social or emotional, or adaptive development.

(3) "Developmental intervention" or "early intervention" means individual and group individualized therapies and services needed to enhance both the infant's or toddler's growth and development and family functioning. The term includes habilitative services and assistive technology devices, rehabilitative services and assistive technology devices, and parent support and training.

(4) "Habilitative services and devices" means health care services and assistive technology devices that help a child maintain, learn, or improve skills and functioning for daily living.

(5)(2) "Infant or toddler" or "child" means a child from birth until the child's third birthday.

(6) "Local program office" means an office that administers the Early Steps Program within a municipality, county, or region.

(7) "Rehabilitative services and devices" means restorative and remedial services that maintain or enhance the current level of functioning of a child if there is a possibility of improvement or reversal of impairment.

~~(3) "In-hospital intervention services" means the provision of assessments; the provision of individualized services; monitoring and modifying the delivery of medical interventions; and enhancing the environment for the high risk, developmentally disabled, or medically involved infant or toddler in order to achieve optimum growth and development.~~

~~(4) "Parent support and training" means a range of services to families of high risk, developmentally disabled, or medically involved infants or toddlers, including family counseling; financial planning;~~

~~agency referral; development of parent-to-parent support groups; education concerning growth, development, and developmental intervention and objective measurable skills, including abuse avoidance skills; training of parents to advocate for their child; and bereavement counseling.~~

Section 8. Sections 391.303, 391.304, 391.305, 391.306, and 391.307, Florida Statutes, are repealed.

Section 9. Section 391.308, Florida Statutes, is amended to read:

391.308 ~~Early Steps Infants and Toddlers Early Intervention Program.~~—The department shall ~~Department of Health may~~ implement and administer part C of the federal Individuals with Disabilities Education Act (IDEA), which shall be known as the "Early Steps ~~Florida Infants and Toddlers Early Intervention Program.~~"

(1) **PERFORMANCE STANDARDS.**—The department shall ensure that the Early Steps Program complies with the following performance standards:

(a) The program must provide services from referral through transition in a family-centered manner that recognizes and responds to unique circumstances and needs of infants and toddlers and their families as measured by a variety of qualitative data, including satisfaction surveys, interviews, focus groups, and input from stakeholders.

(b) The program must provide individualized family support plans that are understandable and usable by families, health care providers, and payers and that identify the current level of functioning of the infant or toddler, family supports and resources, expected outcomes, and specific early intervention services needed to achieve the expected outcomes, as measured by periodic system independent evaluation.

(c) The program must help each family to use available resources in a way that maximizes the child's access to services necessary to achieve the outcomes of the individualized family support plan, as measured by family feedback and by independent assessments of services used by each child.

(d) The program must offer families access to quality services that effectively enable infants and toddlers with developmental disabilities and developmental delays to achieve optimal functional levels as measured by an independent evaluation of outcome indicators in social or emotional skills, communication, and adaptive behaviors.

(2) **DUTIES OF THE DEPARTMENT.**—The department shall:

(a) ~~Jointly with the Department of Education, shall~~ Annually prepare a grant application to the United States Department of Education for funding early intervention services for infants and toddlers with disabilities, from birth through 36 months of age, and their families pursuant to part C of the federal Individuals with Disabilities Education Act.

~~(b)(2) The department, jointly with the Department of Education, provide shall include~~ a reading initiative as an early intervention service for infants and toddlers.

(c) Annually develop a state plan for the Early Steps Program.

1. The plan must assess the need for early intervention services, evaluate the extent of the statewide need that is met by the program, identify barriers to fully meeting the need, and recommend specific action steps to improve program performance.

2. The plan must be developed through an inclusive process that involves families, local program offices, health care providers, and other stakeholders.

(d) Ensure local program offices educate hospitals that provide Level II and Level III neonatal intensive care services about the Early Steps Program and the referral process for the provision of developmental evaluation and intervention services.

(e) Establish standards and qualifications for developmental evaluation and early intervention service providers, including standards for determining the adequacy of provider networks in each local program office service area.

(f) Establish statewide uniform protocols and procedures to determine eligibility for developmental evaluation and early intervention services.

(g) Establish a consistent, statewide format and procedure for preparing and completing an individualized family support plan.

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs providing child screening such as the Florida Diagnostic and Learning Resources System, the Office of Early Learning, Healthy Start, and the Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the Agency for Health Care Administration and Medicaid managed care organizations as well as through active and ongoing communication with these organizations. The department shall assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

(i) Develop and disseminate the knowledge and methods necessary to effectively coordinate benefits among various payer types.

(j) Provide a mediation process and if necessary, an appeals process for applicants found ineligible for developmental evaluation or early intervention services or denied financial support for such services.

(k) Competitively procure local program offices to provide services throughout the state in accordance with chapter 287. The department shall specify the requirements and qualifications for local program offices in the procurement document.

(l) Establish performance standards and other metrics for evaluation of local program offices, including standards for measuring timeliness of services, outcomes of early intervention services, and administrative efficiency. Performance standards and metrics shall be developed in consultation with local program offices.

(m) Provide technical assistance to the local program offices.

(3) **ELIGIBILITY.**—The department shall apply the following eligibility criteria if specific funding is provided, and the associated applicable eligibility criteria are identified, in the General Appropriations Act:

(a) Infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or the risk of a developmental delay based on a physical or medical condition.

(b) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(c) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 2.0 standard deviations from the mean in one of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(d) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in one or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(e) Infants and toddlers determined to have a developmental delay based on informed clinical opinion.

(f) Infants and toddlers at risk of developmental delay based on an established condition known to result in developmental delay, or a physical or mental condition known to create a risk of developmental delay.

(4) **DUTIES OF THE LOCAL PROGRAM OFFICES.**—A local program office shall:

(a) Evaluate a child to determine eligibility within 45 calendar days after the child is referred to the program.

(b) Notify the parent or legal guardian of his or her child's eligibility status initially and at least annually thereafter. If a child is determined not to be eligible, the local program office must provide the parent or legal guardian with written information on the right to an appeal and the process for making such an appeal.

(c) Secure and maintain interagency agreements or contracts with local school districts in a local service area.

(d) Provide services directly or procure services from health care providers that meet or exceed the minimum qualifications established for service providers. The local program office must become a Medicaid provider if it provides services directly.

(e) Provide directly or procure services that are, to the extent possible, delivered in a child's natural environment, such as in the child's home or community setting. The inability to provide services in the natural environment is not a sufficient reason to deny services.

(f) Develop an individualized family support plan for each child served. The plan must:

1. Be completed within 45 calendar days after the child is referred to the program;

2. Be developed in conjunction with the child's parent or legal guardian who provides written consent for the services included in the plan;

3. Be reviewed at least every 6 months with the parent or legal guardian and updated if needed; and

4. Include steps to transition to school or other future services by the child's third birthday.

(g) Assess the progress of the child and his or her family in meeting the goals of the individualized family support plan.

(h) For each service required by the individualized family support plan, refer the child to an appropriate service provider or work with Medicaid managed care organizations or private insurers to secure the needed services.

(i) Provide service coordination, including contacting the appropriate service provider to determine whether the provider can timely deliver the service, providing the parent or legal guardian with the name and contact information of the service provider and the date and location of the service of any appointment made on behalf of the child, and contacting the parent or legal guardian after the service is provided to ensure that the service is timely delivered and to determine whether the family requests additional services.

(j) Negotiate and maintain agreements with Medicaid providers and Medicaid managed care organizations in its area.

1. With the parent's or legal guardian's permission, the services in the child's approved individualized family support plan shall be communicated to the Medicaid managed care organization. Services that cannot be funded by Medicaid must be specifically identified and explained to the family.

2. The agreement between the local program office and Medicaid managed care organizations must establish methods of communication and procedures for the timely approval of services covered by Medicaid.

(k) Develop agreements and arrangements with private insurers in order to coordinate benefits and services for any mutual enrollee.

1. The child's approved individualized family support plan may be communicated to the child's insurer with the parent's or legal guardian's permission.

2. The local program office and private insurers shall establish methods of communication and procedures for the timely approval of services covered by the child's insurer, if appropriate and approved by the child's parent or legal guardian.

(l) Provide to the department data necessary for an evaluation of the local program office performance.

(5) **ACCOUNTABILITY REPORTING.**—By December 1 of each year, the department shall prepare and submit a report that assesses the performance of the Early Steps Program to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Florida Interagency Coordinating Council for Infants and Toddlers. The department must address the performance standards in subsection (1) and report actual performance compared to the standards for the prior fiscal year. The data used to compile the report must be submitted by each local program office in the state. The department shall report on all of the following measures:

(a) Number and percentage of infants and toddlers served with an individualized family support plan.

(b) Number and percentage of infants and toddlers demonstrating improved social or emotional skills after the program.

(c) Number and percentage of infants and toddlers demonstrating improved use of knowledge and cognitive skills after the program.

(d) Number and percentage of families reporting positive outcomes in their infant's and toddler's development as a result of early intervention services.

(e) Progress toward meeting the goals of individualized family support plans.

(f) Any additional measures established by the department.

(6) **STATE INTERAGENCY COORDINATING COUNCIL.**—The Florida Interagency Coordinating Council for Infants and Toddlers shall serve as the state interagency coordinating council required by 34 C.F.R. s. 303.600. The council shall be housed for administrative purposes in the department, and the department shall provide administrative support to the council.

(7) **TRANSITION TO EDUCATION.**—

(a) At least 90 days before a child reaches 3 years of age, the local program office shall initiate transition planning to ensure the child's successful transition from the Early Steps Program to a school district program for children with disabilities or to another program as part of an individual family support plan.

(b) At least 90 days before a child reaches 3 years of age, the local program office shall:

1. Notify the local school district in which the child resides and the Department of Education that the child may be eligible for special education or related services as determined by the local school district pursuant to ss. 1003.21 and 1003.57, unless the child's parent or legal guardian has opted out of such notification; and

2. Upon approval by the child's parent or legal guardian, convene a transition conference that includes participation of a local school district representative and the parent or legal guardian to discuss options for and availability of services.

(c) The local school district shall evaluate and determine a child's eligibility to receive special education or related services pursuant to part B of the federal Individuals with Disabilities Education Act and ss. 1003.21 and 1003.57.

(d) The local program office, in conjunction with the local school district, shall modify a child's individual family support plan or, if applicable, the local school district shall develop an individual education plan for the child pursuant to ss. 1003.57, 1003.571, and 1003.5715,

which identifies special education or related services that the child will receive and the providers or agencies that will provide such services.

(e) If a child is determined to be ineligible for school district program services, the local program office and the local school district shall provide the child's parent or legal guardian with written information on other available services or community resources.

(f) The local program office shall negotiate and maintain an inter-agency agreement with each local school district in its service area pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency agreement must be reviewed at least annually and updated upon review, if needed.

Section 10. Subsection (15) of section 402.302, Florida Statutes, is amended to read:

402.302 Definitions.—As used in this chapter, the term:

(15) "Screening" means the act of assessing the background of child care personnel, in accordance with state and federal law, and volunteers and includes, but is not limited to;

(a) Employment history checks, including documented attempts to contact each employer that employed the applicant within the preceding 5 years and documentation of the findings.

(b) A search of the criminal history records, sexual predator and sexual offender registry, and child abuse and neglect registry of any state in which the applicant resided during the preceding 5 years.

An applicant must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to local criminal records checks through local law enforcement agencies, fingerprinting for all purposes and checks in this subsection, statewide criminal records checks through the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to federal criminal records checks through the Federal Bureau of Investigation for national processing. Fingerprint submission must comply with s. 435.12.

Section 11. Section 402.3057, Florida Statutes, is repealed.

Section 12. Subsection (3) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(3) The department and local licensing agencies, or the designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means upon request all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and in addition to the names and addresses of licensed child care facilities, school readiness program providers, and, where applicable pursuant to s. 402.313, licensed or registered family day care homes. This information shall also include the number of deaths, serious injuries, and instances of substantiated child abuse that have occurred in child care settings each year; research and best practices in child development; and resources regarding social-emotional development, parent and family engagement, healthy eating, and physical activity.

Section 13. Section 402.311, Florida Statutes, is amended to read:

402.311 Inspection.—

(1) A licensed child care facility shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities and personnel and to those records required in s. 402.305, at reasonable times during regular business hours, to ensure compliance with the provisions of ss. 402.301-402.319. The right of entry and inspection shall also extend to any premises which the department or local licensing agency has reason to believe are being operated or maintained as a child care facility without a license, but no such entry or inspection of any premises shall be made without the permission of the person in charge thereof unless a warrant

is first obtained from the circuit court authorizing *such entry or inspection same*. Any application for a license or renewal made pursuant to this act or the advertisement to the public for the provision of child care as defined in s. 402.302 shall constitute permission for any entry or inspection of the premises for which the license is sought in order to facilitate verification of the information submitted on or in connection with the application. In the event a licensed facility refuses permission for entry or inspection to the department or local licensing agency, a warrant shall be obtained from the circuit court authorizing *entry or inspection before same prior to* such entry or inspection. The department or local licensing agency may institute disciplinary proceedings pursuant to s. 402.310, for such refusal.

(2) A school readiness program provider shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities, personnel, and records, to verify compliance with the requirements of s. 1002.88. Entry, inspection, and issuance of an inspection report by the department or the local licensing agency to verify compliance with the requirements of s. 1002.88 is an exercise of a discretionary power to enforce compliance with the laws duly enacted by a governmental body.

(3) The department's issuance, transmittal, or publication of an inspection report resulting from an inspection under this section does not constitute agency action subject to chapter 120.

Section 14. Subsection (3) is added to section 402.319, Florida Statutes, to read:

402.319 Penalties.—

(3) Each child care facility, family day care home, and large family child care home shall annually submit an affidavit of compliance with s. 39.201.

Section 15. Paragraph (c) is added to subsection (4) of section 435.07, Florida Statutes, to read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this chapter, regardless of whether those disqualifying offenses are listed in this chapter or other laws.

(4)

(c) Disqualification from employment under this chapter may not be removed from, and an exemption may not be granted to, any current or prospective child care personnel of a provider receiving school readiness funding under part VI of chapter 1002, and such a person is disqualified from employment as child care personnel with such providers, regardless of any prior exemptions from disqualification, if the person has been registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) or has been arrested for and is awaiting final disposition of, has been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, or has been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or a similar law of another jurisdiction:

1. A felony offense prohibited under any of the following statutes:
 - a. Chapter 741, relating to domestic violence.
 - b. Section 782.04, relating to murder.
 - c. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.
 - d. Section 784.021, relating to aggravated assault.
 - e. Section 784.045, relating to aggravated battery.
 - f. Section 787.01, relating to kidnapping.
 - g. Section 787.025, relating to luring or enticing a child.

h. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

i. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

j. Section 794.011, relating to sexual battery.

k. Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

l. Section 794.05, relating to unlawful sexual activity with certain minors.

m. Section 794.08, relating to female genital mutilation.

n. Section 806.01, relating to arson.

o. Section 826.04, relating to incest.

p. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

q. Section 827.04, relating to contributing to the delinquency or dependency of a child.

r. Section 827.071, relating to sexual performance by a child.

s. Chapter 847, relating to child pornography.

t. Section 985.701, relating to sexual misconduct in juvenile justice programs.

2. A misdemeanor offense prohibited under any of the following statutes:

a. Section 784.03, relating to battery, if the victim of the offense was a minor.

b. Section 787.025, relating to luring or enticing a child.

c. Chapter 847, relating to child pornography.

3. A criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subparagraph 1. or subparagraph 2.

Section 16. Paragraph (i) of subsection (2) of section 1002.82, Florida Statutes, is amended, and paragraphs (s) through (x) are added to that subsection, to read:

1002.82 Office of Early Learning; powers and duties.—

(2) The office shall:

(i) Enter into a memorandum of understanding with local licensing agencies and ~~Develop, in coordination with~~ the Child Care Services Program Office of the Department of Children and Families for inspections of school readiness program providers to monitor and verify compliance with s. 1002.88 and the health and safety checklist adopted by the office. The provider contract of a school readiness program provider that refuses permission for entry or inspection shall be terminated. ~~The, and adopt a health and safety checklist may to be completed by license exempt providers that does~~ not exceed the requirements of s. 402.305 and the Child Care and Development Fund pursuant to 45 C.F.R. part 98.

(s) Develop and implement strategies to increase the supply and improve the quality of child care services for infants and toddlers, children with disabilities, children who receive care during nontraditional hours, children in underserved areas, and children in areas that have significant concentrations of poverty and unemployment.

(t) Establish preservice and inservice training requirements that address, at a minimum, school readiness child development standards, health and safety requirements, and social-emotional behavior inter-

vention models, which may include positive behavior intervention and support models.

(u) Establish standards for emergency preparedness plans for school readiness program providers.

(v) Establish group sizes.

(w) Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 402.305(4), as applicable, for school readiness program providers.

(x) Establish eligibility criteria, including limitations based on income and family assets, in accordance with s. 1002.87 and federal law.

Section 17. Subsections (7) and (8) of section 1002.84, Florida Statutes, are amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(7) Determine child eligibility pursuant to s. 1002.87 and provider eligibility pursuant to s. 1002.88. ~~At a minimum, Child eligibility must be redetermined annually. Redetermination must also be conducted twice per year for an additional 50 percent of a coalition's enrollment through a statistically valid random sampling.~~ A coalition must document the reason ~~why~~ a child is no longer eligible for the school readiness program according to the standard codes prescribed by the office.

(8) Establish a parent sliding fee scale that ~~provides for~~ ~~requires~~ a parent copayment ~~that is not a barrier to families receiving to participate in the school readiness program services.~~ Providers are required to collect the parent's copayment. A coalition may, on a case-by-case basis, waive the copayment for an at-risk child or temporarily waive the copayment for a child whose ~~family's income is at or below the federal poverty level and whose family experiences a natural disaster or an event that limits the parent's ability to pay, such as incarceration, placement in residential treatment, or becoming homeless, or an emergency situation such as a household fire or burglary, or while the parent is participating in parenting classes.~~ A parent may not transfer school readiness program services to another school readiness program provider until the parent has submitted documentation from the current school readiness program provider to the early learning coalition stating that the parent has satisfactorily fulfilled the copayment obligation.

Section 18. Subsections (1), (4), (5), and (6) of section 1002.87, Florida Statutes, are amended to read:

1002.87 School readiness program; eligibility and enrollment.—

(1) ~~Effective August 1, 2013, or upon reevaluation of eligibility for children currently served, whichever is later,~~ Each early learning coalition shall give priority for participation in the school readiness program as follows:

(a) Priority shall be given first to a child younger than 13 years of age from a family that includes a parent who is receiving temporary cash assistance under chapter 414 and subject to the federal work requirements.

(b) Priority shall be given next to an at-risk child younger than 9 years of age.

(c) Priority shall be given next to a child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the sibling is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. until the beginning of the school year in which the sibling is eligible to begin 6th grade, provided that the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services. ~~However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level.~~

(d) Priority shall be given next to a child of a parent who transitions from the work program into employment as described in s. 445.032 from

birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.

(e) Priority shall be given next to an at-risk child who is at least 9 years of age but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in paragraphs (a)-(c) shall be given priority over other children who are eligible under this paragraph.

(f) Priority shall be given next to a child who is younger than 13 years of age from a working family that is economically disadvantaged. A child who is eligible under this paragraph whose sibling is enrolled in the school readiness program under paragraph (c) shall be given priority over other children who are eligible under this paragraph. ~~However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level.~~

(g) Priority shall be given next to a child of a parent who transitions from the work program into employment as described in s. 445.032 who is younger than 13 years of age.

(h) Priority shall be given next to a child who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than 3 years of age. A special needs child eligible under this paragraph remains eligible until the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.

(i) Notwithstanding paragraphs (a)-(d), priority shall be given last to a child who otherwise meets one of the eligibility criteria in paragraphs (a)-(d) but who is also enrolled concurrently in the federal Head Start Program and the Voluntary Prekindergarten Education Program.

(4) The parent of a child enrolled in the school readiness program must notify the coalition or its designee within 10 days after any change in employment status, income, or family size or failure to maintain attendance at a job training or educational program in accordance with program requirements. ~~Upon notification by the parent, the child's eligibility must be reevaluated.~~

(5) A child whose eligibility priority category requires the child to be from a working family ceases to be eligible for the school readiness program if a parent with whom the child resides does not reestablish employment or resume attendance at a job training or educational program within 90 ~~60~~ days after becoming unemployed or ceasing to attend a job training or educational program.

(6) Eligibility for each child must be reevaluated annually. Upon reevaluation, a child may not continue to receive school readiness program services if he or she has ceased to be eligible under this section. A child who is ineligible due to a parent's job loss or cessation of education or job training shall continue to receive school readiness program services for at least 3 months to enable the parent to obtain employment.

Section 19. Paragraphs (c), (d), and (e) of subsection (1) of section 1002.88, Florida Statutes, are amended to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

(1) To be eligible to deliver the school readiness program, a school readiness program provider must:

(c) Provide basic health and safety of its premises and facilities and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.

1. For a provider that is licensed ~~child care facility, a large family child care home, or a licensed family day care home,~~ compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family day care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider ~~For a public or nonpublic school, compliance with s. 402.3025 or s. 1003.22 satisfies this requirement. A faith based child care provider, an informal child care provider, or a nonpublic school,~~

~~exempt from licensure under s. 402.316 or s. 402.3025, shall annually post complete the health and safety checklist adopted by the office, post the checklist prominently on its premises in plain sight for visitors and parents; and shall annually submit the checklist it annually to its local early learning coalition.~~

(d) Provide an appropriate *group size and staff-to-children ratio*, pursuant to s. 402.305(4) or s. 402.302(8) or (11), as applicable, and as verified pursuant to s. 402.311.

(e) *Employ child care personnel, as defined in s. 402.302(3), who have satisfied the screening requirements of chapter 402 and fulfilled the training requirements of the office* Provide a healthy and safe environment pursuant to s. 402.305(5), (6), and (7), as applicable, and as verified pursuant to s. 402.311.

Section 20. Subsections (6) and (7) of section 1002.89, Florida Statutes, are amended to read:

1002.89 School readiness program; funding.—

(6) Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (5) may be used for administrative costs and no more than 22 percent of the funds described in subsection (5) may be used in any fiscal year for any combination of administrative costs, quality activities, and non-direct services as follows:

(a) Administrative costs as described in 45 C.F.R. s. 98.52, which shall include monitoring providers using the standard methodology adopted under s. 1002.82 to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract adopted under s. 1002.82(2)(m).

(b) Activities to improve the quality of child care as described in 45 C.F.R. s. 98.51, which shall be limited to the following:

1. Developing, establishing, expanding, operating, and coordinating resource and referral programs specifically related to the provision of comprehensive consumer education to parents and the public to *promote informed child care choices specified in 45 C.F.R. s. 98.33 regarding participation in the school readiness program and parental choice.*

2. Awarding grants *and providing financial support* to school readiness program providers *and their staff* to assist them in meeting applicable state requirements for child care performance standards, implementing developmentally appropriate curricula and related classroom resources that support curricula, providing literacy supports, and providing *continued* professional development *and training*. Any grants awarded pursuant to this subparagraph shall comply with ~~the requirements of~~ ss. 215.971 and 287.058.

3. Providing training, ~~and~~ technical assistance, *and financial support* for school readiness program providers, staff, and parents on standards, child screenings, child assessments, *child development research and best practices*, developmentally appropriate curricula, character development, teacher-child interactions, age-appropriate discipline practices, health and safety, nutrition, first aid, *cardio-pulmonary resuscitation*, the recognition of communicable diseases, and child abuse detection, ~~and~~ prevention, *and reporting*.

4. Providing, from among the funds provided for the activities described in subparagraphs 1.-3., adequate funding for infants and toddlers as necessary to meet federal requirements related to expenditures for quality activities for infant and toddler care.

5. Improving the monitoring of compliance with, and enforcement of, applicable state and local requirements as described in and limited by 45 C.F.R. s. 98.40.

6. Responding to Warm-Line requests by providers and parents ~~related to school readiness program children~~, including providing developmental and health screenings to school readiness program children.

(c) Nondirect services as described in applicable Office of Management and Budget instructions are those services not defined as administrative, direct, or quality services that are required to administer

the school readiness program. Such services include, but are not limited to:

1. Assisting families to complete the required application and eligibility documentation.
2. Determining child and family eligibility.
3. Recruiting eligible child care providers.
4. Processing and tracking attendance records.
5. Developing and maintaining a statewide child care information system.

As used in this paragraph, the term “nondirect services” does not include payments to school readiness program providers for direct services provided to children who are eligible under s. 1002.87, administrative costs as described in paragraph (a), or quality activities as described in paragraph (b).

(7) Funds appropriated for the school readiness program may not be expended for the purchase or improvement of land; for the purchase, construction, or permanent improvement of any building or facility; or for the purchase of buses. However, funds may be expended for minor remodeling and upgrading of child care facilities *which is necessary for the administration of the program and* to ensure that providers meet state and local child care standards, including applicable health and safety requirements.

Section 21. Paragraph (c) of subsection (2) of section 402.3025, Florida Statutes, is amended to read:

402.3025 Public and nonpublic schools.—For the purposes of ss. 402.301-402.319, the following shall apply:

(2) NONPUBLIC SCHOOLS.—

(c) Programs for children who are at least 3 years of age, but under 5 years of age, shall not be deemed to be child care and shall not be subject to the provisions of ss. 402.301-402.319 relating to child care facilities, provided the programs in the schools are operated and staffed directly by the schools, provided a majority of the children enrolled in the schools are 5 years of age or older, and provided there is compliance with the screening requirements for personnel pursuant to s. 402.305 ~~or s. 402.3057~~. A nonpublic school may designate certain programs as child care, in which case these programs shall be subject to the provisions of ss. 402.301-402.319.

Section 22. Subsections (1) and (2) of section 413.092, Florida Statutes, are amended to read:

413.092 Blind Babies Program.—

(1) The Blind Babies Program is created within the Division of Blind Services of the Department of Education to provide community-based early-intervention education to children from birth through 5 years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community-based provider organizations. The division shall enlist parents, ophthalmologists, pediatricians, schools, ~~the Early Steps Program Infant and Toddlers Early Intervention Programs~~, and therapists to help identify and enroll blind and visually impaired children, as well as their parents, families, and caregivers, in these educational programs.

(2) The program is not an entitlement but shall promote early development with a special emphasis on vision skills to minimize developmental delays. The education shall lay the groundwork for future learning by helping a child progress through normal developmental stages. It shall teach children to discover and make the best use of their skills for future success in school. It shall seek to ensure that visually impaired and blind children enter school as ready to learn as their sighted classmates. The program shall seek to link these children, and their parents, families, and caregivers, to other available services, training, education, and employment programs that could assist these families in the future. This linkage may include referrals to the school districts and the ~~Early Steps Infants and Toddlers Early Intervention Program~~ for assessments to identify any additional services needed which are not provided by the Blind Babies Program. The division shall

develop a formula for eligibility based on financial means and may create a means-based matrix to set a copayment fee for families having sufficient financial means.

Section 23. Subsection (1) of section 1003.575, Florida Statutes, is amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. If an individual education plan team makes a recommendation in accordance with State Board of Education rule for a student with a disability, as defined in s. 1003.01(3), to receive an assistive technology assessment, that assessment must be completed within 60 school days after the team's recommendation. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(1) ~~The Early Steps Florida Infants and Toddlers Early Intervention Program in the Division of Children's Medical Services of the Department of Health.~~

Interagency agreements entered into pursuant to this section shall provide a framework for ensuring that young persons with disabilities and their families, educators, and employers are informed about the utilization and coordination of assistive technology devices and services that may assist in meeting transition needs, and shall establish a mechanism by which a young person or his or her parent may request that an assistive technology device remain with the young person as he or she moves through the continuum from home to school to postschool.

Section 24. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to early childhood development; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness of developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; deleting terms; repealing ss. 391.303, 391.304, 391.305, 391.306, and 391.307, F.S., relating to requirements for the Children's Medical Services program, program coordination, program standards, program funding and contracts, and program review, respectively; amending s. 391.308, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; requiring, rather than authorizing, the department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the program based on an appropriation of funds; providing duties for local program offices; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations;

requiring the development of an individualized family support plan for each child served in the program; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending s. 402.302, F.S.; revising the definition of the term "screening" for purposes of child care licensing requirements; repealing s. 402.3057, F.S., relating to persons not required to be refingerprinted or rescreened; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the department or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 435.07, F.S.; providing criteria for disqualification from employment with a school readiness program provider; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for participation in the program; amending s. 1002.87, F.S.; revising school readiness program eligibility requirements; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; amending ss. 402.3025, 413.092, and 1003.575, F.S.; conforming provisions to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7053**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons, by unanimous consent—

SB 1110—A bill to be entitled An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; requiring the chairs of the boards of specified county commissions each to appoint one member from his or her respective county who is a commission member or chair or the county mayor to serve on the governing body of the authority; requiring Senate confirmation of members appointed to the authority by the Governor; providing that the Senate's refusal or failure to confirm a member appointed by the Governor creates a vacancy; specifying that the terms of members appointed by the Governor end on a specified date; removing the requirement that the authority elect one of its members as secretary; amending s. 348.754, F.S.; specifying that the Central Florida Expressway Authority is a party to a certain lease-purchase agreement between the Department of Transportation and the Orlando-Orange County Expressway Authority; amending s. 348.757, F.S.; removing the requirement that title in fee simple absolute to the former Orlando-Orange County Expressway System be transferred to the state upon the completion of the faithful performance and termination of a specified lease-purchase agreement; providing an effective date.

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

Pursuant to Rule 4.19, **SB 1110** was placed on the calendar of Bills on Third Reading.

On motion by Senator Braynon—

CS for CS for SB 242—A bill to be entitled An act relating to an infectious disease elimination pilot program; creating the "Miami-Dade Infectious Disease Elimination Act (IDEA)"; amending s. 381.0038, F.S.; authorizing the University of Miami and its affiliates to establish a sterile needle and syringe exchange pilot program in Miami-Dade County; establishing the pilot program criteria; providing that the

possession, distribution, or exchange of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member, volunteer, or participant may be prosecuted; requiring the pilot program to collect certain data for reporting purposes; prohibiting the collection of personal identifying information from program participants; requiring the university and its affiliates to submit annual reports to the Department of Health; requiring the university and its affiliates to submit a final report containing certain information and summaries to the department; prohibiting state, county, or municipal funds from being used to operate the pilot program; requiring the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; providing for severability; providing an effective date.

—was 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 Braynon moved the following amendment which was adopted:

Amendment 1 (401628) (with title amendment)—Delete lines 99-124 and insert:

3. *Make available educational materials and referrals to education regarding the transmission of HIV, viral hepatitis, and other blood-borne diseases; provide referrals for drug abuse prevention and treatment; and provide or refer for HIV and viral hepatitis screening.*

(b) *The possession, distribution, or exchange of needles or syringes as part of the pilot program established under this subsection is not a violation of any part of chapter 893 or any other law.*

(c) *A pilot program staff member, volunteer, or participant is not immune from criminal prosecution for:*

1. *The possession of needles or syringes that are not a part of the pilot program; or*

2. *The redistribution of needles or syringes in any form, if acting outside the pilot program.*

(d) *The pilot program must collect data for quarterly, annual, and final reporting purposes. The annual report must include information on the number of participants served, the number of needles and syringes exchanged and distributed, the demographic profiles of the participants served, the number of participants entering drug counseling and treatment; the number of participants receiving testing for HIV, AIDS, viral hepatitis, or other blood-borne diseases; and other data necessary for the pilot program. However, personal identifying information may not be collected from a participant for any purpose. Quarterly reports must be submitted to the Department of Health in Miami-Dade County by October 15, January 15, April 15, and July 15 of each year. An annual report must be submitted to the Department of Health by August 1*

And the title is amended as follows:

Delete line 19 and insert: affiliates to submit quarterly and annual reports to the Department

Pursuant to Rule 4.19, **CS for CS for SB 242**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for CS for SB 1602—A bill to be entitled An act relating to elevators; creating s. 399.031, F.S.; providing a short title; providing clearance requirements for elevators installed in private residences; requiring certain doors and gates to withstand a specified amount of force; requiring certain doors to reject a sphere of a specified size under certain circumstances; requiring all such elevators to be equipped with a certain device; providing requirements for the device; providing applicability; directing the Florida Building Commission to adopt the provisions of the act into the Florida Building Code by a certain date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1602** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 286—A bill to be entitled An act relating to merger and acquisition brokers; amending s. 517.061, F.S.; providing an exemption from certain registration requirements with the Office of Financial Regulation for a specified offer or sale of securities; amending s. 517.12, F.S.; defining terms; requiring a merger and acquisition broker to receive certain written assurances from a specified person prior to the completion of specified securities transactions; providing an exemption from certain registration requirements with the office for a merger and acquisition broker under certain circumstances; specifying disqualifying conditions for the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 286** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 966—A bill to be entitled An act relating to unclaimed property; amending s. 717.107, F.S.; revising a presumption of when funds held or owing under a matured or terminated life or endowment insurance policy or annuity contract are unclaimed; revising a condition of when certain insurance policies or annuity contracts are deemed matured and the proceeds are due and payable; requiring an insurer to compare records of certain insurance policies, annuity contracts, and retained asset accounts of its insureds against the United States Social Security Administration Death Master File or a certain database or service to determine if a death is indicated; providing requirements for the comparison; providing for a presumption of death for certain individuals; providing an exception; requiring an insurer to account for certain variations in data and partial information; providing the circumstances under which a policy, a contract, or an account is deemed to be in force; providing applicability; defining a term; requiring an insurer to follow certain procedures after learning of a death through a specified comparison; authorizing an insurer to disclose certain personal information to specified persons for certain purposes; prohibiting an insurer and specified entities from charging fees and costs associated with certain activities; conforming provisions to changes made by the act; providing retroactive applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 966** was placed on the calendar of Bills on Third Reading.

MOMENT OF SILENCE

At the request of Senator Abruzzo, the Senate observed a moment of silence in memory of Dori Slosberg on the twentieth anniversary of her passing.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gibson, by two-thirds vote, **SB 1592** and **SB 736** were withdrawn from the committees of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote, **SB 1058** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Simmons, the rules were waived and **SB 460** with pending **Amendment 1 (369986)**, **SM 1642**, **CS for SB 1176**, and **SB 206** were retained on the Special Order Calendar.

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 Tuesday, February 23, 2016: CS for SB 12, CS for CS for SB 636, SB 110, CS for CS for SB 698, CS for CS for SB 468, CS for CS for SB 954, CS for CS for SB 1416, CS for SB 1288, CS for CS for SB 1386, CS for SB 784, CS for CS for SB 708, SB 422, SB 460, CS for CS for SB 242, CS for CS for CS for SB 1602, CS for SB 7058, CS for CS for SB 286, CS for SB 966, SB 1110, CS for SB 1176, SB 206, SM 1642.

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

The Committee on Criminal Justice recommends the following pass: CS for SB 964

The bill was referred to the Committee on Fiscal Policy under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1412; CS for SB 1420

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 702; CS for SB 1306

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 214

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1266

The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SM 1710

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 894; CS for SB 992

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.

Office and Appointment

Appointees: Garey, Alan L.
 Hunter, Donald C.
 Upchurch, James R.

For Term Ending

09/30/2019
 09/30/2017
 09/30/2017

The appointments were referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Regulated Industries—

SB 7072—A bill to be entitled An act relating to gaming; amending s. 24.103, F.S.; defining the term “point-of-sale terminal”; amending s. 24.105, F.S.; authorizing the Department of the Lottery to create a program that authorizes certain persons to purchase a ticket or game at a point-of-sale terminal; authorizing the department to adopt rules; providing requirements for the rules; amending s. 24.112, F.S.; authorizing the department, a retailer operating from one or more locations, or a vendor approved by the department to use a point-of-sale terminal to sell a lottery ticket or game; requiring a point-of-sale terminal to perform certain functions; specifying that the point-of-sale terminal may not reveal winning numbers; prohibiting a point-of-sale terminal from including or making use of video reels or mechanical reels or other video depictions of slot machine or casino game themes or titles for game play; prohibiting a point-of-sale terminal from being used to redeem a winning ticket; amending s. 550.002, F.S.; redefining the term “full schedule of live racing or games”; amending s. 550.01215, F.S.; revising provisions for applications for pari-mutuel operating licenses; authorizing a greyhound racing permitholder to specify certain intentions on its application; authorizing a greyhound racing permitholder to receive an operating license to conduct pari-mutuel wagering activities at another permitholder’s greyhound racing facility; limiting the number of pari-mutuel wagering operating licenses that may be issued each year; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to approve changes in racing dates for permitholders under certain circumstances; providing requirements for licensure of certain jai alai permitholders; deleting a provision for conversion of certain converted permits to jai alai permits; amending s. 550.0251, F.S.; requiring the division to annually report to the Governor and the Legislature; specifying requirements for the content of the report; amending s. 550.054, F.S.; requiring the division to revoke a pari-mutuel wagering operating permit under certain circumstances; prohibiting issuance or approval of new pari-mutuel permits after a specified date; authorizing a permitholder to apply to the division to place a permit in inactive status; revising provisions that prohibit transfer or assignment of a pari-mutuel permit; prohibiting transfer or assignment of a pari-mutuel permit or license under certain conditions; prohibiting relocation of a pari-mutuel facility, cardroom, or slot machine facility or conversion of pari-mutuel permits to a different class; providing for approval of the relocation of such permits; deleting provisions for certain converted permits; repealing s. 550.0555, F.S., relating to the relocation of greyhound racing permits; repealing s. 550.0745, F.S., relating to the conversion of pari-mutuel permits to summer jai alai permits; amending s. 550.0951, F.S.; deleting provisions for certain credits for a greyhound racing permitholder; revising the tax on handle for live greyhound racing and intertrack wagering if the host track is a greyhound racing track; requiring a tax on handle and fees for video race licensees; specifying how fees may be used by the department and the Department of Law Enforcement; amending s. 550.09511, F.S.; conforming a cross-reference; amending s. 550.09512, F.S.; providing for the revocation of certain harness horse racing permits; specifying that a revoked permit may not be reissued; amending s. 550.09514, F.S.; deleting certain provisions that prohibit tax on handle until a specified amount of tax savings have resulted; revising purse requirements of a greyhound racing permitholder that conducts live racing; amending s. 550.09515, F.S.; providing for the revocation of

For Term Ending

certain thoroughbred racing permits; specifying that a revoked permit may not be reissued; amending s. 550.1625, F.S.; deleting the requirement that a greyhound racing permitholder pay the breaks tax; repealing s. 550.1647, F.S., relating to unclaimed tickets and breaks held by greyhound racing permitholders; amending s. 550.1648, F.S.; revising requirements for a greyhound racing permitholder to provide a greyhound adoption booth at its facility; requiring sterilization of greyhounds before adoption; authorizing the fee for such sterilization to be included in the cost of adoption; defining the term “bona fide organization that promotes or encourages the adoption of greyhounds”; creating s. 550.1752, F.S.; creating the permit reduction program within the division; providing a purpose for the program; providing for funding for the program up to a specified maximum amount; requiring the division to purchase pari-mutuel permits from permitholders under certain circumstances; requiring that permitholders who wish to make an offer to sell meet certain requirements; requiring the division to adopt a certain form by rule; requiring that the division establish the value of a pari-mutuel permit based on the valuation of one or more independent appraisers; authorizing the division to establish a value that is lower than the valuation of the independent appraiser; requiring the division to accept the offers that best utilize available funding; requiring the division to cancel permits that it purchases through the program; providing for expiration of the program; renaming the permit reduction program as the thoroughbred purse supplement program; revising the purpose of the program; deleting provisions requiring the division to purchase pari-mutuel permits; revising the form the division shall adopt by rule; requiring the division to apportion purse supplement funds in a certain manner; requiring a thoroughbred permitholder to return any unused portion of a purse supplement fund under certain circumstances; and authorizing rulemaking, as of a specified date; creating s. 550.2416, F.S.; requiring injuries to racing greyhounds to be reported within a certain timeframe on a form adopted by the division; requiring such form to be completed and signed under oath or affirmation by certain individuals; providing penalties; specifying information that must be included on the form; requiring the division to maintain the forms as public records for a specified time; specifying disciplinary action that may be taken against a licensee of the Department of Business and Professional Regulation who makes false statements on an injury form or who fails to report an injury; exempting injuries to certain animals from reporting requirements; requiring the division to adopt rules; amending s. 550.26165, F.S.; conforming a cross-reference; amending s. 550.3345, F.S.; deleting obsolete provisions; revising requirements for a permit previously converted from a quarter horse racing permit to a limited thoroughbred racing permit; amending s. 550.3551, F.S.; deleting a provision that limits the number of out-of-state races on which wagers are accepted by a greyhound racing permitholder; deleting a provision prohibiting a permitholder from conducting fewer than eight live races or games under certain circumstances; deleting a provision requiring certain permitholders to conduct a full schedule of live racing to receive certain full-card broadcasts and accept certain wagers; amending s. 550.375, F.S.; conforming a cross-reference; amending s. 550.475, F.S.; prohibiting a permitholder from leasing from certain pari-mutuel permitholders; amending s. 550.5251, F.S., deleting a provision relating to requirements for thoroughbred permitholders; amending s. 550.615, F.S.; revising eligibility requirements for certain pari-mutuel facilities to qualify to receive certain broadcasts; providing that certain greyhound racing permitholders are not required to obtain certain written consent; deleting requirements to conduct intertrack wagering between certain permitholders; deleting a provision prohibiting certain intertrack wagering in certain counties; specifying conditions under which greyhound racing permitholders may accept wagers; amending s. 550.6308, F.S.; revising the number of days of thoroughbred horse sales required for an applicant to obtain a limited intertrack wagering license; revising eligibility requirements for such licenses; revising requirements for such wagering; deleting provisions requiring a licensee to make certain payments to the daily pari-mutuel pool; amending s. 551.101, F.S.; revising the facilities that may possess slot machines and conduct slot machine gaming; deleting certain provisions requiring a countywide referendum to approve slot machines at certain facilities; amending s. 551.102, F.S.; revising definitions; amending s. 551.104, F.S.; prohibiting the division from issuing a slot machine license to certain pari-mutuel permitholders; revising conditions of licensure and to maintain authority to conduct slot machine

gaming; exempting a summer thoroughbred racing permitholder from certain purse requirements; providing applicability; deleting a provision prohibiting the division from issuing or renewing a license for an applicant holding a permit under ch. 550, F.S., under certain circumstances; deleting a provision requiring certain slot machine licensees to remit a certain amount for the payment of purses on live races, as of a certain date; conforming provisions to changes made by the act; creating s. 551.1042, F.S.; prohibiting the transfer of a slot machine license or relocation of a slot machine facility; creating s. 551.1043, F.S.; providing legislative findings; authorizing an additional slot machine license to be awarded and renewed annually to a pari-mutuel permitholder located in a certain county; authorizing certain pari-mutuel permitholders to apply for such a license; providing an application fee; requiring the deposit of the fee in the Pari-mutuel Wagering Trust Fund; requiring the division to award the license to the applicant that best meets the selection criteria; providing selection criteria; requiring the division to complete a certain evaluation by a specified date; specifying grounds for denial of an application; providing that certain protests be forwarded to the Division of Administrative Hearings; providing requirements for appeals; authorizing the division to adopt certain emergency rules; creating s. 551.1044, F.S.; authorizing blackjack table games at certain pari-mutuel facilities; specifying limits on wagers; amending s. 551.106, F.S.; deleting obsolete provisions; revising the tax rate on slot machine revenues under certain conditions; amending s. 551.108, F.S.; providing applicability; amending s. 551.114, F.S.; revising the areas where a designated slot machine gaming area may be located; amending s. 551.116, F.S.; deleting a restriction on the number of hours per day that slot machine gaming areas may be open; amending s. 551.121, F.S.; authorizing the serving of complimentary or reduced-cost alcoholic beverages to a person playing a slot machine; authorizing the location of an automated teller machine or similar device within designated slot machine gaming areas; amending s. 849.086, F.S.; amending legislative intent; revising definitions; deleting certain license renewal requirements; deleting provisions relating to restrictions of hours of operation; authorizing certain cardroom operators to offer certain designated player games; requiring the designated player to be licensed; prohibiting cardroom operators from serving as the designated player in a game and from having a financial interest in a designated player; authorizing a cardroom operator to collect a rake, subject to certain requirements; requiring the dealer button to be rotated under certain circumstances; prohibiting a cardroom operator from allowing a designated player to pay an opposing player under certain circumstances; providing elements of a designated player game; revising requirements for a cardroom license to be issued or renewed; requiring a certain written agreement with a thoroughbred permitholder; providing contract requirements for the agreement; conforming provisions to changes made by the act; directing the division to revoke certain pari-mutuel permits; specifying that the revoked permits may not be reissued; providing for severability; providing a contingent effective date.

—was referred to the Committee on Appropriations.

By the Committee on Regulated Industries—

SB 7074—A bill to be entitled An act relating to the Gaming Compact between the Seminole Tribe of Florida and the State of Florida; amending s. 285.710, F.S.; superseding the Gaming Compact; ratifying and approving a specified compact executed by the Governor and the Tribe contingent upon the adoption of a specified amendment to the compact; directing the Governor to cooperate with the Tribe in seeking approval of the amended compact from the United States Secretary of the Interior; specifying the provision that must be adopted by amendment to the compact before it may be deemed ratified and approved; expanding the games authorized to be conducted and the counties in which such games may be offered; amending s. 285.712, F.S.; correcting a citation; providing a contingent effective date.

—was referred to the Committee on Appropriations.

By the Committee on Ethics and Elections—

SB 7076—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2018 Regular Session of the Legislature; providing an effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senator Detert—

CS for SB 214—A bill to be entitled An act relating to offenses against brokers, broker associates, or sales associates; creating s. 775.0863, F.S.; providing definitions; providing applicability; providing for reclassification of specified offenses committed against brokers, broker associates, or sales associates; providing an effective date.

By the Committees on Appropriations; and Education Pre-K - 12; and Senator Detert—

CS for CS for SB 894—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing, rather than requiring, the department to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating certain State Board of Education rule-making authority related to teacher assignment; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

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

CS for CS for SB 992—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the Department of Financial Services to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the Department of Financial Services for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners;

amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; revising an exception to such standards; providing an alternative method of installing such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; specifying fees to be paid by the requestor to the department or Office of Insurance Regulation for certain service of process on authorized and unauthorized insurers; amending s. 626.854, F.S.; revising applicability of the definition of the term “public adjuster”; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; specifying the determination of a defendant’s last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s. 626.9892, F.S.; providing that the department, rather than the Division of Insurance Fraud, investigates certain crimes; adding violations of specified statutes to the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term “combination fire department”; requiring the division to prioritize the annual award of grants to specified fire departments; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual’s certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability for the department’s rulemaking authority; providing an appropriation; providing an effective date.

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

CS for SB 1266—A bill to be entitled An act relating to recovery agencies; amending s. 493.6101, F.S.; revising the definition of the term “recovery agency”; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Evers—

CS for SM 1710—A memorial to the Congress of the United States, urging Congress to authorize the use of military force against al-Qaeda, the Islamic State of Iraq and the Levant (ISIL), and all other global Islamic terrorist organizations that similarly engage in acts of terrorism.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 119 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Bileca, Artiles, Caldwell, Diaz, M.—

HB 119—A bill to be entitled An act relating to educational facilities; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 189 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Diaz, M., Artiles, Spano—

CS for HB 189—A bill to be entitled An act relating to teacher certification; amending s. 1012.56, F.S.; providing alternative requirements for earning a professional educator certificate that covers certain grades; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 249 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Moskowitz, Pigman—

CS for CS for HB 249—A bill to be entitled An act relating to culinary education programs; amending s. 381.0072, F.S.; providing for the applicability of Department of Health sanitation rules to a licensed culinary education program; defining the term "culinary education program"; including certain culinary education programs under the definition of "food service establishment" and providing for the applicability of food service protection requirements thereto; conforming provisions; amending s. 509.013, F.S.; revising the definition of the term "public food service establishment" to include a culinary education program; amending s. 561.20, F.S.; permitting a culinary education program with a public food service establishment license to obtain an alcoholic beverage license under certain conditions; authorizing the Division of Alcoholic Beverages and Tobacco to adopt rules to administer such licenses; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Policy; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 287 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Diaz, M., Sprowls, Artiles, Beshears, Slosberg—

CS for CS for CS for HB 287—A bill to be entitled An act relating to the Principal Autonomy Pilot Program Initiative; creating s. 1011.6202, F.S.; creating the Principal Autonomy Pilot Program Initiative; providing a procedure for certain district school boards to participate in the pilot program; providing requirements for participating school districts and schools; exempting participating schools from certain laws and rules; requiring principals of participating schools and specified personnel to participate in a nationally recognized school turnaround program; providing for the term of participation in the pilot program; providing for renewal or revocation of authorization to participate in the pilot program; providing for reporting, funding, eligibility requirements for certain funding, and rulemaking; amending s. 1011.69, F.S.; requiring participating district school boards to allocate a specified percentage of certain funds to participating schools; amending s. 1012.28, F.S.; providing additional authority and responsibilities of the principal of a participating school; providing appropriations; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 669, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Sprowls, Artiles, Costello, Diaz, M., Mayfield—

CS for CS for CS for HB 669—A bill to be entitled An act relating to educational choice; amending s. 1001.42, F.S.; providing additional duties of an internal auditor employed by a school district; amending s. 1002.20, F.S.; including specific certifications and programs in the public educational choice options available to students; authorizing parents to use the Florida Personal Learning Scholarship Accounts Program as a private educational choice option; providing that parents of public school students have the right to certain information; providing requirements for the school financial report to be provided to parents; requiring that a course syllabus be provided to a parent of a public school student in specified grade levels for each course in which the student is enrolled; requiring the syllabus to include certain information; amending s. 1002.31, F.S.; requiring school districts to establish a controlled open enrollment process; authorizing a parent to seek enrollment of his or her child in, and transport his or her child to, any public school in the state that has not reached capacity; authorizing a school district to provide transportation to certain students; revising the controlled open enrollment application process; providing that a student may not be displaced from his or her zoned school under certain circumstances; authorizing a student to attend a school of choice until he or she completes the school's highest grade; requiring a school district to annually report specified information; requiring a parent to provide certain notification to the school district of residence by a specified date; requiring district school boards to establish a process for a parent to request that his or her child be transferred to another classroom teacher; amending s. 1003.4295, F.S.; revising the courses in which a student may earn high school credit through the Credit Acceleration Program; revising the assessments used in such program; requiring the Department of Education to contract with the Center for Applied Economic Research at Florida Polytechnic University for certain purposes; requiring the department to provide research results and recommendations to the Legislature by a specified date; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 705 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Berman, Ahern, Antone, Artiles, Baxley, Beshears, Boyd, Bracy, Broxson, Burgess, Campbell, Clarke-Reed, Cortes, B., Cruz, Drake, DuBose, Dudley, Fant, Harrell, Jones, M., Latvala, Lee, Magar, Mayfield, McGhee, Miller, Moskowitz, Murphy, Nuñez, Passidomo, Perry, Peters, Porter, Pritchett, Raschein, Roberson, K., Rodrigues, R., Rogers, Rooney, Slosberg, Sprowls, Stafford, Stevenson, Sullivan, Torres, Williams, A.—

CS for HB 705—A bill to be entitled An act relating to qualifications for educational interpreters; creating s. 1012.441, F.S.; requiring the State Board of Education to adopt standards for educational interpreters; requiring school districts to notify parents if an individual assigned to provide interpreter services for their students does not meet such standards; requiring school districts to report to the Department of Education, for publication on its website, certain information regarding individuals providing interpreter services; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 719 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Spano, Artiles, Diaz, M.—

CS for CS for HB 719—A bill to be entitled An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1012.05, F.S.; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating State Board of Education rulemaking authority for certain teacher assignments; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 799 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Avila, Sprowls, Ahern, Bileca—

HB 799—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-

state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 833 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plasencia, Cortes, B., Adkins, Ahern, Antone, Artiles, Avila, Berman, Bracy, Burgess, Campbell, Combee, Cortes, J., Costello, Cruz, Cummings, DuBose, Dudley, Edwards, Eisnaugle, Fant, Fresen, Geller, Gonzalez, Harrison, Jacobs, Jones, M., Jones, S., Kerner, La Rosa, Latvala, Lee, Magar, Mayfield, Miller, Moskowitz, Murphy, Narain, O'Toole, Pafford, Pilon, Plakon, Porter, Pritchett, Raschein, Raulerson, Rehwinkel Vasilinda, Renner, Richardson, Rodríguez, J., Rogers, Rooney, Slosberg, Sprowls, Stark, Steube, Sullivan, Torres, Van Zant, Williams, A.—

HB 833—A bill to be entitled An act relating to public school recess; amending s. 1003.455, F.S.; requiring each district school board to provide students in certain grades with consecutive minutes of free-play recess per day; providing that free-play recess may not be withheld for specified reasons; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 835, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee and Representative(s) Eisnaugle, Adkins, Costello, Hill—

CS for HB 835—A bill to be entitled An act relating to education; amending s. 1002.41, F.S.; providing that enrollment in a home education program is a ministerial act by the district school superintendent upon receipt of the notice and may only be terminated under certain circumstances; specifying that a home education program is not a school district program; authorizing a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; providing for a textbook reimbursement for certain home education program students; providing for funding and the disbursement of the reimbursement; requiring that a home education student's enrollment in a dual enrollment course be verified by the postsecondary institution before award of the reimbursement; requiring the reimbursement to be prorated under certain circumstances; prohibiting a school district from taking certain actions against a home education program student's parent unless such action is required for a school district program; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1007.271, F.S.; exempting dual enrollment students from paying technology fees; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual enrollment program for certain home education students; providing that articulation agreements for private schools and

home education students may not contain specified payment provisions; requiring each public postsecondary institution to develop a comprehensive dual enrollment articulation agreement for home education students; authorizing certain postsecondary institutions to enter into an articulation agreement with certain private schools; requiring that the articulation agreement be submitted to the Department of Education; requiring that specified provisions be included in the agreement; amending s. 1009.536, F.S.; specifying student eligibility for the Florida Gold Seal Vocational Scholars award; providing an appropriation; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 837 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Bileca, Cortes, B., Artiles, Gaetz, Rooney—

CS for HB 837—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; exempting a foster child from specified eligibility provisions; providing that a student enrolled in a transition-to-work program is eligible for a John M. McKay Scholarship; creating a transition-to-work program for specific students enrolled in the John M. McKay Scholarships for Students with Disabilities Program; providing program requirements; providing participation requirements for students, schools, and businesses; exempting a John M. McKay Scholarship award from a specified funding calculation; amending s. 1011.61, F.S.; exempting a John M. McKay Scholarship award from a specified funding calculation for purposes of the Florida Education Finance Program; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1003 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Sullivan, Artiles, Porter—

CS for HB 1003—A bill to be entitled An act relating to employment after retirement of school district personnel; amending s. 1012.33, F.S.; revising provisions relating to the reemployment of retirees as instructional personnel on a contractual basis; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1155 and requests the concurrence of the Senate.

Bob Ward, Clerk

By K-12 Subcommittee and Representative(s) Eisnaugle, Mayfield—

CS for HB 1155—A bill to be entitled An act relating to membership associations; creating s. 617.221, F.S.; defining the term "membership association"; requiring a membership association to file an annual report with the Legislature; specifying report requirements; prohibiting a membership association from expending public funds on litigation against the state; requiring the Auditor General to conduct an annual

financial and operational audit of membership associations; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1157, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Higher Education & Workforce Subcommittee and Representative(s) Raburn, Ahern, Artiles, Perry, Torres—

CS for HB 1157—A bill to be entitled An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award certain postsecondary course credit to veterans; amending s. 1007.27, F.S.; directing the Department of Education to award postsecondary course credit for specified examinations and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1305 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Eagle, Artiles, Boyd, Cummings, Fitzhagen, Fullwood, La Rosa, Santiago, Young—

CS for HB 1305—A bill to be entitled An act relating to emergency allergy treatment in schools; amending s. 381.88, F.S.; revising the term "authorized entity"; amending ss. 1002.20 and 1002.42, F.S.; authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors; revising the storage requirements for epinephrine auto-injectors; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1365, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Rodrigues, R., Sprowls, Artiles, Perry, Slosberg, Smith—

CS for CS for HB 1365—A bill to be entitled An act relating to the Competency-Based Education Pilot Program; creating s. 1003.4996, F.S.; creating the Competency-Based Education Pilot Program; providing for participation in the program and application requirements; exempting participating school districts from specified rules; providing for funding of students enrolled in participating schools; providing duties of the Department of Education; providing for rulemaking; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7017, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Higher Education & Workforce Subcommittee and Representative(s) Raburn, Artiles, Cortes, B., Diaz, M., Grant—

HB 7017—A bill to be entitled An act relating to career and adult education; amending s. 446.021, F.S.; revising definitions relating to state apprenticeship and job-training programs; amending s. 446.032, F.S.; conforming a provision; amending s. 446.045, F.S.; revising criteria for certain appointments to the State Apprenticeship Advisory Council; amending s. 446.081, F.S.; limiting applicability of state apprenticeship and job-training program requirements with respect to certain provisions for veterans, minority persons, and women; amending s. 446.091, F.S.; conforming a provision; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; amending s. 1003.435, F.S.; revising requirements for the high school equivalency diploma; amending s. 1004.015, F.S.; revising the membership of the Higher Education Coordinating Council; amending s. 1004.02, F.S.; revising the definition of the term "applied technology diploma program"; amending s. 1004.92, F.S.; revising the Department of Education's responsibility for the development of program standards for career, adult, and community education programs; providing for rulemaking; amending s. 1004.93, F.S.; revising provisions relating to adult general education; providing that adult education programs may only provide academic services to specified students under certain circumstances; deleting duties of the State Board of Education relating to adult general education programs; deleting a requirement that specific expenditures be reported separately; revising allocation requirements for developmental education; amending s. 1008.44, F.S.; revising the number of allowable CAPE Digital Tool certificates in certain areas that do not lead to college credit; deleting a provision authorizing the Chancellor of Career and Adult Education to update the list of certificates; amending s. 1009.22, F.S.; revising tuition and fees for specific workforce education programs; amending s. 1009.42, F.S.; requiring district school boards operating a career center and governing bodies of charter technical career centers to establish a specific appeal procedure for students; amending s. 1011.80, F.S.; conforming provisions; requiring school districts and Florida College System institutions to maintain certain records; revising operational and performance funding calculation and allocation for workforce education programs; deleting provisions relating to a program to assist in responding to the needs of new and expanding businesses and a requirement that the State Board of Education and CareerSource Florida, Inc., provide the Legislature with certain formulas and mechanisms for distributing performance funds; creating s. 1011.802, F.S.; creating the Florida Apprenticeship Grant (FLAG) program; requiring for the purpose, requirements, and administration of the program; requiring certain career centers and institutions to provide quarterly reports; creating s. 1011.803, F.S.; creating the Rapid Response Grant program; providing for the purpose, requirements, and administration of the program; requiring certain career centers to provide quarterly reports; requiring the department to administer the program and conduct an annual program analysis; providing an appropriation; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7019 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Higher Education & Workforce Subcommittee and Representative(s) Porter, Artiles, Cortes, B.—

CS for HB 7019—A bill to be entitled An act relating to postsecondary access and affordability; amending s. 1001.7065, F.S.; specifying that the costs of instructional materials are not included in tuition for certain online degree programs; creating s. 1004.084, F.S.; requiring the Board of Governors of the State University System and the State Board of Education to submit annual reports to the Governor and Legislature relating to college affordability; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability to include instructional

materials; defining the term "instructional materials"; requiring Florida College System institution and state university boards of trustees to identify wide variances in the costs of, and frequency of changes in the selection of, textbooks and instructional materials for certain courses; authorizing the Florida College System institution and state university boards of trustees to adopt policies to allow for the use of innovative pricing techniques and payment options for certain textbooks and instructional materials; requiring the boards of trustees to send a list of identified courses to the academic department chairs for review; requiring Florida College System institutions and state universities to post certain information on their websites; requiring the State Board of Education and Board of Governors to receive input from specified individuals and entities before adopting textbook and instructional materials affordability policies; providing for legislative review and repeal of specified provisions; requiring postsecondary institutions to consult with certain school districts to identify certain practices; requiring cost-benefit analyses relating to textbooks and instructional materials; providing reporting requirements; amending s. 1009.23, F.S.; requiring Florida College System institutions to provide a public notice relating to increases in tuition and fees; amending s. 1009.24, F.S.; revising provisions relating to the assessment of a tuition differential by a state university board of trustees; revising requirements for the use of tuition differential revenues; deleting a requirement that a certain percentage of tuition differential revenues be used for the purpose of improvements in the quality of undergraduate education; requiring state universities to provide a public notice relating to increases in tuition and fees; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7029, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee, Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Cortes, B., Artiles—

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an

administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7043 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Appropriations Subcommittee, Education Committee and Representative(s) Fresen—

CS for HB 7043—A bill to be entitled An act relating to education; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.71, F.S.; providing for selection of the chair and vice chair of each state university board of trustees; specifying terms and duties of the chair; providing grounds for removal of a board member; specifying publication requirements for minutes of board meetings; requiring the Board of Governors to adopt regulations; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the board to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and submit the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment in performance funding; requiring the board to adopt regulations; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.; providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible classroom teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term "school district"; amending s. 1012.75,

F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; providing an effective date.

—was referred to the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7101, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Trujillo, Spano, Mayfield—

HB 7101—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; requiring the notice to specify aggravating factors that state intends to prove; providing for amendment of notice; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring a certain determination by at least 10 jurors to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made by the act to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made by the act to s. 921.142, F.S., in references thereto; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 202.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 350.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 576.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1042.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7016.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 18 and February 22 were corrected and approved.

CO-INTRODUCERS

Senators Detert—CS for SB 966; Flores—CS for SB 760; Gaetz—CS for SB 184; Garcia—SB 128; Gibson—CS for CS for SB 636; Hutson—SB 110, SB 460; Richter—CS for SB 966; Sachs—CS for SB 184; Simmons—CS for SB 966; Simpson—CS for SB 966; Sobel—CS for SB 760; Soto—CS for SB 760

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 12:58 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 4:00 p.m., Wednesday, February 24 or upon call of the President.