



Journal of the Senate

Number 18—Regular Session

Wednesday, March 2, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—38:

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

Excused: Senator Lee periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Donny Bennett, an employee with the Office of the Senate Sergeant at Arms:

John 3:16 says, “For God so loved the world that he gave his only begotten son, that whosoever believeth in him should not perish but have everlasting life.”

Heavenly Father, many of us are in battles that we feel we can’t win. From broken marriages, lost loved ones, family sickness, loneliness, depression, the list goes on and on. Jesus, wrap your arms around us. Remind us that you are the creator of heaven and earth, and all we have to do is trust, believe, and have faith in you. There are no battles you can’t win, there are no families you can’t restore, and there is no sickness you can’t heal. You said if we have faith as small as a mustard seed that we can say to the mountain, “Move from here to there,” and it will move.

Lord, we pray that you will give us all humility so that we may remember the simplicity of true greatness and from where it comes, the open minds of mercy and the strength of wisdom and meekness. You see our tears, you feel our pain, and you always hear our prayers. Thank you for never leaving our side and always loving us. It is in your precious, holy name we pray. Amen.

PLEDGE

Senate Pages, Emma King of Bradenton; Lauren Story of Apopka; and Savannah Sapp of Tallahassee, 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. Yan Makeyev of Orange Park, sponsored by Senator Bradley, as the doctor of the day. Dr. Makeyev specializes in hematology/medical oncology.

ADOPTION OF RESOLUTIONS

At the request of Senator Montford—

By Senator Montford—

SR 1778—A resolution recognizing the critical mission of the American Red Cross in Florida and the lifesaving achievements of its Home Fire Campaign.

WHEREAS, the American Red Cross is a humanitarian organization founded in 1881 and originally chartered by Congress as a federal instrumentality in 1900, but today receives no federal funding, and

WHEREAS, 2016 marks the 135th anniversary of the founding of the American Red Cross, and

WHEREAS, the American Red Cross prevents and alleviates human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors, and

WHEREAS, American Red Cross disaster assistance is free, and 91 cents of every dollar donated goes directly to mission service delivery, and

WHEREAS, the American Red Cross has answered the call to assist and prepare Floridians before, during, and after disasters since 1901, and

WHEREAS, the three American Red Cross regions in Florida are participating in a nationwide campaign to reduce deaths caused by home fires by 25 percent over the next 4 years by assisting individuals and families in preparing a fire safety plan and installing free smoke alarms in homes, and

WHEREAS, the American Red Cross Home Fire Campaign in its first year has helped 18,536 individuals prepare personal fire safety plans and has installed more than 14,932 smoke alarms, helping to make Floridians better prepared and more resilient, and

WHEREAS, March is recognized as “American Red Cross Month” across this nation, and

WHEREAS, the preparedness goals of the American Red Cross and the organization’s call for disaster preparedness will save lives, NOW, THEREFORE,

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

That we recognize the critical mission of the American Red Cross in Florida and the lifesaving achievements of its Home Fire Campaign.

—was introduced, read, and adopted by publication.

At the request of Senator Legg—

By Senators Legg and Simpson—

SR 1780—A resolution congratulating the players and coaches of the Land O' Lakes High School Special Olympics Gray soccer team on their bronze medal win at the 2015 Special Olympics World Summer Games.

WHEREAS, the unified 7-a-side Land O' Lakes High School Special Olympics Gray soccer team began training for the Special Olympics Florida State Games in January 2015, and

WHEREAS, the Land O' Lakes High School Special Olympics Gray soccer team won gold at the Special Olympics Florida State Games and was invited to join more than 6,500 Special Olympics athletes from 165 countries to compete in the 2015 Special Olympics World Summer Games, and

WHEREAS, the 2015 Special Olympics World Summer Games were held July 25-August 2, 2015, in Los Angeles, where the Land O' Lakes High School Special Olympics Gray soccer team represented the United States, competing for an international soccer gold medal, and

WHEREAS, Land O' Lakes High School Special Olympics Gray soccer team members Andrew Ahearn, Haley Eckel, Samantha Frahm, Tommy Guglielmello, Chris Hale, Cameron Hilgenberg, Kyle Lufcy, Joseph Tramel, Hassan Shehab, Ordray Smith, Rufus Smith-jones, and Kyle Townsend took home the bronze medal after competing in the divisioning round and defeating China 2-1 in the bronze medal game, and

WHEREAS, the Land O' Lakes High School Special Olympics Gray soccer bronze medal team was coached by Vicky King, Phyllis Crain, and Megan McLean, and

WHEREAS, the Land O' Lakes High School Special Olympics Gray soccer team brought great pride and distinction to the United States and the Sunshine State, NOW, THEREFORE,

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

That the players and coaches of the Land O' Lakes High School Special Olympics Gray soccer team are congratulated on their bronze medal win at the 2015 Special Olympics World Summer Games.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Land O' Lakes High School as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committee on Appropriations was granted permission to meet Thursday, March 3, 2016, at 8:00 a.m.

MOTIONS

On motion by Senator Lee, Senate Rule 2.39 was waived and the deadline for filing amendments to any bill on the agenda of the Committee on Appropriations meeting was set for 5:00 p.m. this day.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

Dear President Gardiner:

The following Notaries Public were suspended by Executive Order of the Governor. Those Executive Orders were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. Each of these individuals was advised of his or her right to a hearing and that failure to request a hearing within 30 days would constitute a waiver of the right to a hearing. None of these individuals requested a hearing. Therefore, each of the individuals has waived his or her right to a hearing. The following is a list of the Notaries Public:

<u>Executive Order Number</u>	<u>Notary Public</u>
1) EO 2013-254	Baddorf, Doris
2) EO 2014-13	Candelario, Elsa
3) EO 2014-115	Chaves, David
4) EO 2014-114	Childs, Jenna R.
5) EO 2014-92	Gulden, Lori J.
6) EO 2014-116	Lee, Michael John
7) EO 2014-107	Smith, Cherie Shannon
8) EO 2014-112	Tommasello, Giancarlo

In light of the fact that each of the aforementioned Notaries Public waived his or her right to a hearing, it is my recommendation that, pursuant to Article IV, S. 7(b), of the State Constitution, the Senate vote to remove the foregoing Notaries Public.

Respectfully submitted,
Garrett Richter, Chair

On motion by Senator Richter, the report was adopted and the Senate removed from office the Notaries Public contained in the foregoing report of the committee.

The vote was:

Yeas—38

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

Nays—None

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

Dear President Gardiner:

The following Notaries Public were suspended by Executive Order of the Governor. Those Executive Orders were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. Notaries Public are required by s. 117.01, F.S., to update the Florida Department of State with a change of address if they move. Failure to do so is a legal basis for removal. The Committee attempted to contact each of these individuals via certified

mail to advise each of his or her right to a hearing and that failure to request a hearing within 30 days would constitute a waiver of the right to a hearing. At least two certified mailings were sent to each individual. All attempts were unsuccessful and no further contact information is known. In light of the foregoing, in addition to the grounds for suspension alleged in each Executive Order, each of the individuals has neglected his or her public duties as a Notary Public. The following is a list of the Notaries Public:

<u>Executive Order Number</u>	<u>Notary Public</u>
1) EO 2013-134	Martinez, Mercedes
2) EO 2013-259	Owens, Sherri
3) EO 2013-274	Brown, Heather
4) EO 2013-330	Lollie, Tanya C.
5) EO 2014-63	Harris, Angela
6) EO 2014-64	Davidson, Angelic D.
7) EO 2014-71	Christensen, Lauri
8) EO 2014-72	Velez, Kesia
9) EO 2014-113	Horton, Erin M.

In light of the fact that each of the aforementioned Notaries Public has neglected his or her public duties as a Notary Public, it is my recommendation that, pursuant to Article IV, S. 7(b), of the State Constitution, the Senate vote to remove the foregoing Notaries Public.

Respectfully submitted,
Garrett Richter, Chair

On motion by Senator Richter, the report was adopted and the Senate removed from office the Notaries Public contained in the foregoing report of the committee.

The vote was:

Yeas—38

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

Nays—None

SPECIAL GUESTS

Senator Legg introduced his children, Jack and Evangeline Legg, who were present in the chamber serving as honorary Senate Pages.

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

SPECIAL ORDER CALENDAR

On motion by Senator Richter—

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 read the second time by title.

Pursuant to Rule 4.19, **SB 7076** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1534—A bill to be entitled An act relating to housing assistance; amending s. 420.503, F.S.; redefining the term “service provider”; amending s. 420.507, F.S.; revising the powers that the Florida Housing Finance Corporation may exercise in developing and administering the State Apartment Incentive Loan Program; deleting a specified timeframe in which the corporation may preclude certain applicants or affiliates of an applicant from further participation in any of the corporation’s programs; authorizing the corporation to reserve a specified minimum percentage of its annual appropriation from the State Housing Trust Fund for certain housing projects, subject to certain requirements; amending s. 420.5087, F.S.; requiring that State Apartment Incentive Loan Program funds be made available through a competitive solicitation process, subject to certain requirements; requiring program funds be made available for use by certain sponsors during the first 6 months of loan or loan guarantee availability, subject to certain requirements; revising requirements related to all state apartment incentive loans, with the exception of certain loans made to housing communities for the elderly; deleting provisions related to the reservation of funds related to certain tenant groups; conforming a cross-reference; amending s. 420.511, F.S.; deleting a requirement that the corporation’s business plan and annual report recognize certain fiscal periods; amending s. 420.622, F.S.; requiring that the State Office on Homelessness coordinate among certain agencies and providers to produce a statewide consolidated inventory for the state’s entire system of homeless programs which incorporates regionally developed plans; requiring the office, in consultation with the designated lead agencies for a local homeless continuum of care and with the Council on Homelessness, to develop the system and process of data collection from all lead agencies, subject to certain requirements; deleting the requirement that the Council on Homelessness explore the potential of creating a statewide Homeless Management Information System and encourage future participation of certain award or grant recipients; requiring the State Office on Homelessness to accept and administer moneys appropriated to it to provide annual Challenge Grants to certain lead agencies of homeless assistance continuums of care; removing the requirement that levels of grant awards be based upon the total population within the continuum of care catchment area and reflect the differing degrees of homelessness in the respective areas; revising the requirement that a lead agency document the commitment of local government and private organizations to provide matching funds or in-kind support in an amount equal to the grant requested; authorizing expenditures of leveraged funds or resources only for eligible activities, subject to certain requirements; revising the preference given to certain lead agencies that have demonstrated the ability to leverage federal homeless-assistance funding under the Stewart B. McKinney Act; requiring the State Office on Homelessness, in conjunction with the Council on Homelessness, to establish specific objectives by which it may evaluate the outcomes of certain lead agencies; requiring that certain funding through the State Office on Homelessness be distributed to lead agencies based on their performance and achievement of specified objectives; revising the factors that may be included as criteria for evaluating the performance of lead agencies; authorizing the State Office on Homelessness to administer moneys appropriated to it for distribution among certain local homeless continuums of care; amending s. 420.624, F.S.; revising requirements for the local homeless assistance continuum of care plan; providing that the components of a continuum of care plan should include Rapid ReHousing; requiring that specified components of a continuum of care plan be coordinated and integrated with other specified services and programs; creating s. 420.6265, F.S.; providing legislative findings and intent relating to Rapid ReHousing; providing a Rapid ReHousing methodology; amending s. 420.9071, F.S.; redefining the terms “local housing incentive strategies” and “rent subsidies”;

conforming cross-references; amending s. 420.9072, F.S.; increasing the number of days within which a review committee is required to review a local housing assistance plan or plan revision after receiving it; prohibiting a county or an eligible municipality from expending its portion of the local housing distribution to provide ongoing rent subsidies; specifying exceptions; amending s. 420.9075, F.S.; providing that a certain partnership process of the State Housing Initiatives Partnership Program should involve lead agencies of local homeless assistance continuums of care; encouraging counties and eligible municipalities to develop a strategy within their local housing assistance plans which provides program funds for reducing homelessness; authorizing local governments to create certain regional partnerships to address homeless housing needs identified in local housing assistance plans; revising criteria and administrative procedures governing each local housing assistance plan; revising the criteria that apply to awards made to sponsors or persons for the purpose of providing housing; requiring that a specified report submitted by counties and municipalities include a description of efforts to reduce homelessness; revising the manner in which a certain share that the corporation distributes directly to a participating eligible municipality is calculated; conforming cross-references; amending s. 420.9076, F.S.; revising requirements related to the creation and appointment of members of affordable housing advisory committees; revising requirements related to a report submitted by each advisory committee to the local governing body on affordable housing incentives; requiring the corporation, after issuance of a notice of termination, to distribute directly to a participating eligible municipality a county's share under certain circumstances calculated in a specified manner; creating s. 420.9089, F.S.; providing legislative findings and intent; amending s. 421.04, F.S.; prohibiting a housing authority from applying to the Federal Government to seize projects, units, or vouchers of another established housing authority; amending s. 421.05, F.S.; exempting authorities from s. 215.425, F.S.; amending s. 421.091, F.S.; requiring a full financial accounting and audit of public housing agencies to be submitted to the Federal Government pursuant to certain requirements; exempting housing authorities from specified reporting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1534** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 514—A bill to be entitled An act relating to supervisor of elections salaries; amending s. 145.09, F.S.; revising the base salaries and group rates used to calculate additional compensation for a supervisor of elections based on population increments; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 514** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1034—A bill to be entitled An act relating to health care providers; amending s. 766.1115, F.S.; revising the definitions of the terms “contract” and “health care provider”; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient's representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” to include employees or agents of a health care provider; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

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

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (562598)—Delete lines 85-87 and insert:

15. Any other health care professional, practitioner, provider, or facility under contract with a governmental

Pursuant to Rule 4.19, **CS for SB 1034**, 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 938—A bill to be entitled An act relating to the retail sale of dextromethorphan; providing definitions; prohibiting a manufacturer, distributor, or retailer, or its employees and representatives, from knowingly or willfully selling a finished drug product containing dextromethorphan to a person younger than 18 years of age; prohibiting a person younger than 18 years of age from purchasing a finished drug product containing dextromethorphan; requiring an employee or representative of a retailer making a retail sale of a finished drug product containing any quantity of dextromethorphan to obtain certain proof of age from the purchaser; providing an exception; providing penalties; providing requirements for imposing or disputing civil citations; specifying information to be provided in such citations; providing applicability; preempting local government regulation of dextromethorphan; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 938** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 772** and **CS for SB 754** was deferred.

CS for SB 7068—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; 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 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 to s. 921.142, F.S., in references thereto; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

An amendment was considered and failed to conform **CS for SB 7068** to **HB 7101**.

Pending further consideration of **CS for SB 7068**, pursuant to Rule 3.11(3), there being no objection, **HB 7101** was withdrawn from the Committees on Criminal Justice; and Appropriations.

On motion by Senator Evers—

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.

—a companion measure, was substituted for **CS for SB 7068** and read the second time by title.

Pursuant to Rule 4.19, **HB 7101** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for SB 754—A bill to be entitled An act relating to public records; creating s. 570.077, F.S.; providing an exemption from public records requirements for criminal or civil intelligence or investigative information or any other information held by the Department of Agriculture and Consumer Services as part of an examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; providing exceptions to the exemption; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 754** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Galvano, the Senate reconsidered the action by which—

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 placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano, the Senate reconsidered the action by which **HB 7101** was read the second time and substituted for **CS for SB 7068**.

RECONSIDERATION OF AMENDMENT

On motion by Senator Galvano, the Senate reconsidered the vote by which **Amendment 1 (804220)** to **CS for SB 7068** failed. **Amendment 1 (804220)** failed.

The vote was:

Yeas—17

Abruzzo	Garcia	Sachs
Altman	Gibson	Smith
Braynon	Joyner	Sobel
Bullard	Margolis	Soto
Clemens	Montford	Thompson
Flores	Ring	

Nays—23

Mr. President	Evers	Lee
Bean	Gaetz	Legg
Benacquisto	Galvano	Negron
Bradley	Grimsley	Richter
Brandes	Hays	Simmons
Dean	Hukill	Simpson
Detert	Hutson	Stargel
Diaz de la Portilla	Latvala	

Pending further consideration of **CS for SB 7068**, on motion by Senator Evers—

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.

—a companion measure, was substituted for **CS for SB 7068** and read the second time by title.

Pursuant to Rule 4.19, **HB 7101** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 908** and **CS for SB 520** was deferred.

On motion by Senator Simpson—

CS for SB 986—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.05, F.S.; deleting a required item to be listed on a notice of election to be exempt; revising specified rules regarding the maintenance of business records by an officer of a corporation; removing the requirement that the Department of Financial Services issue a specified stop-work order; amending s. 440.107, F.S.; requiring that the department allow an employer who has not previously been issued an order of penalty assessment to receive a specified credit to be applied to the penalty; prohibiting the application of a specified credit unless the employer provides specified documentation and proof of payment to the department within a specified period; requiring the department to reduce the final assessed penalty by a specified percentage for employers who have not been previously issued a stop-work order or order of penalty assessment; revising the penalty calculation for the imputed weekly payroll for an employee; amending s. 440.13, F.S.; eliminating the certification requirements when an expert medical advisor is selected by a judge of compensation claims; providing requirements for the selection of an expert medical advisor; amending s. 440.185, F.S.; deleting the requirement that employers notify the department within 24 hours of any injury resulting in death; amending s. 440.49, F.S.; revising definitions; revising the requirements for filing a claim; deleting the preferred worker program; deleting the notification fees on certain filed claims which supplement the Special Disability Trust Fund; conforming cross-references; amending s. 440.52, F.S.; deleting a fee for certain registration of insurance carriers; amending ss. 440.021, 440.42, 440.50, and 624.4626, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 986** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 972** was deferred.

On motion by Senator Bradley—

CS for SB 960—A bill to be entitled An act relating to protection of motor vehicle dealers' consumer data; creating s. 320.646, F.S.; defining the terms "consumer data" and "data management system"; requiring that a licensee or a third party comply with certain restrictions on reuse or disclosure of consumer data received from a motor vehicle dealer; requiring that such person provide a written statement to the motor vehicle dealer delineating the established procedures adopted by the person which meet or exceed certain requirements to safeguard consumer data; requiring that upon request of a motor vehicle dealer a licensee provide a list of the consumer data obtained and all persons to whom any of the data has been disclosed, subject to certain requirements; prohibiting a licensee from requiring a motor vehicle dealer to grant the licensee or third party access to the dealer's data management system; requiring a licensee to permit a motor vehicle dealer to furnish consumer data in a widely accepted file format and through a third-party vendor selected by the motor vehicle dealer; authorizing a licensee to access or obtain consumer data from a motor vehicle dealer's data management system with the dealer's express written consent, subject

to certain requirements; requiring the licensee to indemnify the motor vehicle dealer for certain claims or damages; providing that a person bringing a specified cause of action for certain violations must meet certain requirements; reenacting s. 320.6992, F.S., relating to the provisions that apply to established systems of distribution of motor vehicles in this state, to incorporate s. 320.646, F.S., as created by the act, in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 960** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for SB 1508—A bill to be entitled An act relating to airport zoning; amending s. 333.01, F.S.; defining and redefining terms; amending s. 333.025, F.S.; revising the requirements relating to permits required for obstructions; requiring certain existing, planned, and proposed facilities to be protected from airport hazards; requiring the local government to provide a copy of a complete permit application to the Department of Transportation's aviation office, subject to certain requirements; requiring the department to have a specified review period following receipt of such application; providing exemptions from such review under certain circumstances; revising the circumstances under which the department issues or denies a permit; revising the department's requirements before a permit is issued; revising the circumstances under which the department is prohibited from approving a permit; providing that the denial of a permit is subject to administrative review; amending s. 333.03, F.S.; conforming provisions to changes made by the act; revising the circumstances under which a political subdivision owning or controlling an airport and another political subdivision adopt, administer, and enforce airport protection zoning regulations or create a joint airport protection zoning board; revising the provisions relating to airport protection zoning regulations and joint airport protection zoning boards; requiring the department to be available to provide assistance to political subdivisions regarding federal obstruction standards; deleting provisions relating to certain duties of the department; revising provisions relating to airport land use compatibility zoning regulations; revising construction; providing applicability; amending s. 333.04, F.S.; authorizing certain airport zoning regulations to be incorporated in and made a part of comprehensive plans and policies, rather than a part of comprehensive zoning regulations, under certain circumstances; revising requirements relating to applicability; amending s. 333.05, F.S.; revising procedures for adoption of airport zoning regulations; amending s. 333.06, F.S.; revising airport zoning regulation requirements; repealing s. 333.065, F.S., relating to guidelines regarding land use near airports; amending s. 333.07, F.S.; revising requirements relating to local government permitting of air-space obstructions; requiring a person proposing to construct, alter, or allow an airport obstruction to apply for a permit under certain circumstances; revising the circumstances under which a permit is prohibited from being issued; revising the circumstances under which the owner of a nonconforming structure is required to alter such structure to conform to the current airport protection zoning regulations; deleting provisions relating to variances from zoning regulations; requiring a political subdivision or its administrative agency to consider specified criteria in determining whether to issue or deny a permit; revising the requirements for marking and lighting in conformance with certain standards; repealing s. 333.08, F.S., relating to appeals of decisions concerning airport zoning regulations; amending s. 333.09, F.S.; revising the requirements relating to the administration of airport protection zoning regulations; requiring all airport protection zoning regulations to provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency; requiring a political subdivision adopting airport zoning regulations to provide a permitting process, subject to certain requirements; requiring a zoning board or permitting body to implement the airport zoning regulation permitting and appeals process if such board or body already exists within a political subdivision; authorizing a person, a political subdivision or its administrative agency, or a specified joint zoning board to use the process established for an appeal, subject to certain requirements; repealing s. 333.10, F.S., relating to boards of adjustment pro-

vided for by airport zoning regulations; amending s. 333.11, F.S.; revising the requirements relating to judicial review; amending s. 333.12, F.S.; revising requirements relating to the acquisition of air rights; amending s. 333.13, F.S.; conforming provisions to changes made by the act; creating s. 333.135, F.S.; requiring conflicting airport zoning regulations in effect on a specified date to be amended to conform to certain requirements; requiring certain political subdivisions to adopt certain airport zoning regulations by a specified date; requiring the department to administer a specified permitting process for certain political subdivisions; repealing s. 333.14, F.S., relating to a short title; 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 Simpson moved the following amendment which was adopted:

Amendment 1 (450576) (with title amendment)—Before line 99 insert:

Section 1. Paragraph (c) of subsection (2) of section 163.3184, Florida Statutes, is amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

(c) Plan amendments that are in an area of critical state concern designated pursuant to s. 380.05; propose a rural land stewardship area pursuant to s. 163.3248; propose a sector plan pursuant to s. 163.3245 or an amendment to an adopted sector plan; update a comprehensive plan based on an evaluation and appraisal pursuant to s. 163.3191; propose a development that *is subject to the state coordinated review process* ~~qualifies as a development of regional impact~~ pursuant to s. 380.06(30) ~~s. 380.06~~; or are new plans for newly incorporated municipalities adopted pursuant to s. 163.3167 shall follow the state coordinated review process in subsection (4).

Section 2. Subsection (30) of section 380.06, Florida Statutes, is amended to read:

380.06 Developments of regional impact.—

(30) ~~NEW PROPOSED DEVELOPMENTS.~~—A ~~new~~ proposed development otherwise subject to the review requirements of this section shall be approved by a local government pursuant to s. 163.3184(4) in lieu of proceeding in accordance with this section. *However, if the proposed development is consistent with the comprehensive plan as provided in s. 163.3194(3)(b), the development is not required to undergo review pursuant to s. 163.3184(4) or this section. This subsection does not apply to amendments to a development order governing an existing development of regional impact.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to growth management; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing applicability; amending s. 333.01,

Pursuant to Rule 4.19, **CS for SB 1508**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 436—A bill to be entitled An act relating to relating to the crime of making threats of terror or violence; amending ss. 790.163 and 790.164, F.S.; creating the crime of falsely reporting the use of firearms in a violent manner against a person or persons;

creating s. 836.12, F.S.; defining the terms “family member of a person” and “law enforcement officer”; providing a criminal penalty for a violation of specified provisions under certain circumstances; requiring payment of restitution; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; reenacting ss. 1006.07(2)(m) and 1006.13(3)(b), F.S., relating to district school board duties relating to student discipline and school safety and a policy of zero tolerance for crime and victimization, respectively, to incorporate the amendment made to s. 790.163, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 436** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

SB 1402—A bill to be entitled An act relating to ratification of Department of Financial Services rules; ratifying a specified rule relating to the Florida Workers’ Compensation Health Care Provider Reimbursement Manual for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; 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 Simmons moved the following amendment which was adopted:

Amendment 1 (439342)—Delete line 35 and insert:

Section 2. This act shall take effect July 1, 2016.

Pursuant to Rule 4.19, **SB 1402**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for CS for SB 948—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; amending s. 538.04, F.S.; requiring that the record of a secondhand dealer transaction include digital photos of the items; specifying what may be used as a serial number; requiring a different method of identification when certain numbers are not available; requiring secondhand dealers to notify a law enforcement official under certain circumstances; providing that certain holding requirements do not begin until certain reports are submitted to the appropriate law enforcement official; amending s. 538.06, F.S.; revising the required holding period for certain goods acquired by a dealer; defining the term “antique”; amending s. 538.08, F.S.; authorizing an action in replevin against a secondhand dealer based on a right of possession to stolen goods; revising the form for a complaint for return of stolen goods; providing that a plaintiff in a replevin action is entitled to a certain summary procedure; providing that a secondhand dealer commits a noncriminal violation under certain circumstances; providing a penalty; amending s. 538.09, F.S.; revising the period of time a secondhand dealer must hold secondhand goods at a registered location; authorizing a secondhand dealer to store secondhand goods outside the appropriate law enforcement official’s jurisdiction, subject to certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 948** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 1432—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; expanding the locations at which substitute service of process may be made when such location is the only discoverable address for the person to be served; defining the terms “virtual office” and “executive office or mini suite”; amending s. 48.193, F.S.; providing that orders issued by agencies of other states are not enforceable under certain circumstances; amending s. 48.081, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1432** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 110** and **CS for SB 1538** was deferred.

On motion by Senator Simmons—

SB 1412—A bill to be entitled An act relating to conditions of pretrial release; amending s. 903.047, F.S.; requiring that a defendant be notified in writing if a court issues an order of no contact rather than receive a copy of the order; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1412** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 524** was deferred.

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization’s process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—was read the second time by title.

Senator Negron moved the following amendment:

Amendment 1 (418906) (with title amendment)—Delete lines 180-310 and insert:

Section 8. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 Payment of claims.—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) *At any time, if the health insurer verified the eligibility of an insured at the time of treatment and provided an authorization number. If the insured is delinquent by more than 30 days, the health insurer is not obligated to approve the procedure.*

(b) *More than 1 year after the date of payment of the claim.*

Section 9. Section 627.64194, Florida Statutes, is created to read:

627.64194 *Coverage requirements for services provided by non-participating providers; payment collection limitations.—*

(1) *As used in this section, the term:*

(a) *“Emergency services” means emergency services and care, as defined in s. 641.47(8), which are provided in a facility.*

(b) *“Facility” means a licensed facility as defined in s. 395.002(16) and an urgent care center as defined in s. 395.002(30).*

(c) *“Insured” means a person who is covered under an individual or group health insurance policy delivered or issued for delivery in this state by an insurer authorized to transact business in this state.*

(d) *“Nonemergency services” means the services and care that are not emergency services.*

(e) *“Nonparticipating provider” means a provider who is not a preferred provider as defined in s. 627.6471 or a provider who is not an exclusive provider as defined in s. 627.6472. For purposes of covered emergency services under this section, a facility licensed under chapter 395 or an urgent care center defined in s. 395.002(30) is a nonparticipating provider if the facility has not contracted with an insurer to provide emergency services to its insureds at a specified rate.*

(f) *“Participating provider” means, for purposes of this section, a preferred provider as defined in s. 627.6471 or an exclusive provider as defined in s. 627.6472.*

(2) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered emergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees for covered services to a nonparticipating provider of emergency services, other than applicable copayments, coinsurance, and deductibles. An insurer must provide coverage for emergency services that:*

(a) *May not require prior authorization.*

(b) *Must be provided regardless of whether the services are furnished by a participating provider or a nonparticipating provider.*

(c) *May impose a coinsurance amount, copayment, or limitation of benefits requirement for a nonparticipating provider only if the same requirement applies to a participating provider.*

The provisions of s. 627.638 apply to this subsection.

(3) *An insurer is solely liable for payment of fees to a nonparticipating provider of covered nonemergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees to a nonparticipating provider, other than applicable copayments, coinsurance, and deductibles, for covered nonemergency services that are:*

(a) *Provided in a facility that has a contract for the nonemergency services with the insurer which the facility would be otherwise obligated to provide under contract with the insurer; and*

(b) *Provided when the insured does not have the ability and opportunity to choose a participating provider at the facility who is available to treat the insured.*

The provisions of s. 627.638 apply to this subsection.

(4) *An insurer must reimburse a nonparticipating provider of services under subsections (2) and (3) as specified in s. 641.513(5), reduced only by insured cost share responsibilities as specified in the health insurance policy, within the applicable timeframe provided in s. 627.6131.*

(5) *A nonparticipating provider of emergency services as provided in subsection (2) or a nonparticipating provider of nonemergency services as provided in subsection (3) may not be reimbursed an amount greater than the amount provided in subsection (4) and may not collect or attempt to collect from the insured, directly or indirectly, any excess amount, other than copayments, coinsurance, and deductibles. This section does not prohibit a nonparticipating provider from collecting or attempting to collect from the insured an amount due for the provision of noncovered services.*

(6) *Any dispute with regard to the reimbursement to the nonparticipating provider of emergency or nonemergency services as provided in subsection (4) shall be resolved in a court of competent jurisdiction or through the voluntary dispute resolution process in s. 408.7057.*

Section 10. Subsection (2) of section 627.6471, Florida Statutes, is amended to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(2) Any insurer issuing a policy of health insurance in this state, which insurance includes coverage for the services of a preferred provider, must provide each policyholder and certificateholder with a current list of preferred providers and must make the list available on its website. The list must include, when applicable and reported, a listing by specialty of the names, addresses, and telephone numbers of all participating providers, including facilities, and, in the case of physicians, must also include board certifications, languages spoken, and any affiliations with participating hospitals. Information posted on the insurer's website must be updated on at least a calendar-month basis with additions or terminations of providers from the insurer's network or reported changes in physicians' hospital affiliations ~~for public inspection during regular business hours at the principal office of the insurer within the state.~~

Section 11. Effective upon this act becoming a law, subsection (7) is added to section 627.6471, Florida Statutes, to read:

627.6471 Contracts for reduced rates of payment; limitations; coinsurance and deductibles.—

(7) *Any policy issued under this section after January 1, 2017, must include the following disclosure: "WARNING: LIMITED BENEFITS WILL BE PAID WHEN NONPARTICIPATING PROVIDERS ARE USED. You should be aware that when you elect to utilize the services of a nonparticipating provider for a covered nonemergency service, benefit payments to the provider are not based upon the amount the provider charges. The basis of the payment will be determined according to your policy's out-of-network reimbursement benefit. Nonparticipating providers may bill insureds for any difference in the amount. YOU MAY BE REQUIRED TO PAY MORE THAN THE COINSURANCE OR CO-PAYMENT AMOUNT. Participating providers have agreed to accept discounted payments for services with no additional billing to you other than coinsurance, copayment, and deductible amounts. You may obtain further information about the providers who have contracted with your insurance plan by consulting your insurer's website or contacting your insurer or agent directly."*

Section 12. Subsection (15) is added to section 627.662, Florida Statutes, to read:

627.662 Other provisions applicable.—The following provisions apply to group health insurance, blanket health insurance, and franchise health insurance:

(15) *Section 627.64194, relating to coverage requirements for services provided by nonparticipating providers and payment collection limitations.*

Section 13. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 Prompt payment of claims.—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) *At any time, if the health maintenance organization verified the eligibility of a subscriber at the time of treatment and provided an authorization number. If the subscriber is delinquent by more than 30 days, the health maintenance organization is not obligated to approve the procedure.*

(b) *More than 1 year after the date of payment of the claim.*

And the title is amended as follows:

Delete lines 2-45 and insert: An act relating to health care services; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; providing an exception; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; providing an exception; providing effective dates.

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

Senator Negron moved the following substitute amendment which was adopted:

Amendment 2 (877178) (with title amendment)—Before line 50 insert:

Section 1. Subsection (11) of section 627.6131, Florida Statutes, is amended to read:

627.6131 Payment of claims.—

(11) A health insurer may not retroactively deny a claim because of insured ineligibility:

(a) At any time, if the health insurer verified the eligibility of an insured who is not a recipient of advance payments of the federal premium tax credit and the insurer issued an authorization for payment to a provider.

(b) For services authorized by the insurer and rendered during the first 30 days of a federally required grace period when an insured is a recipient of advance payments of the federal premium tax credit.

(c) More than 1 year after the date of payment of the claim.

Section 2. Subsection (10) of section 641.3155, Florida Statutes, is amended to read:

641.3155 Prompt payment of claims.—

(10) A health maintenance organization may not retroactively deny a claim because of subscriber ineligibility:

(a) At any time, if the health maintenance organization verified the eligibility of a subscriber who is not a recipient of advance payments of the federal premium tax credit and the health maintenance organization issued an authorization for payment to a provider.

(b) For services authorized by the health maintenance organization and rendered during the first 30 days of a federally required grace period when a subscriber is a recipient of advance payments of the federal premium tax credit.

(c) More than 1 year after the date of payment of the claim.

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to health care services; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; amending s. 395.003, F.S.; requiring

The vote was:

Yeas—27

Abruzzo	Gaetz	Negron
Bean	Gibson	Richter
Benacquisto	Grimsley	Sachs
Bradley	Hukill	Simpson
Brandes	Hutson	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Legg	Stargel
Flores	Margolis	Thompson

Nays—12

Mr. President	Diaz de la Portilla	Hays
Altman	Evers	Montford
Dean	Galvano	Ring
Detert	Garcia	Simmons

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (158798) (with title amendment)—Delete lines 198-226 and insert:
is not an exclusive provider as defined in s. 627.6472.

1. For purposes of covered emergency services under this section, a facility licensed under chapter 395 or an urgent care center as defined in s. 395.002(30) is a nonparticipating provider if the facility has not contracted with an insurer to provide emergency services to its insureds at a specified rate.

2. For purposes of covered nonemergency services under subsection (3), the term does not include an anesthesiologist as defined in s. 458.3475(1)(a) or s. 459.023(1)(a), an anesthesiologist assistant as defined in s. 458.3475(1)(b) or s. 459.023(1)(b), a certified registered nurse anesthetist as described in s. 464.012(4)(a), or a radiologist as defined in s. 468.301(16).

(f) “Participating provider” means, for purposes of this section, a preferred provider as defined in s. 627.6471 or an exclusive provider as defined in s. 627.6472.

(2) An insurer is solely liable for payment of fees to a nonparticipating provider of covered emergency services provided to an insured in accordance with the coverage terms of the health insurance policy, and such insured is not liable for payment of fees for covered services to a nonparticipating provider of emergency services, other than applicable copayments, coinsurance, and deductibles. An insurer must provide coverage for emergency services that:

(a) May not require prior authorization.

(b) Must be provided regardless of whether the services are furnished by a participating provider or a nonparticipating provider.

(c) May impose a coinsurance amount, copayment, or limitation of benefits requirement for a nonparticipating provider only if the same requirement applies to a participating provider.

The provisions of s. 627.638 apply to this subsection.

(3) An insurer is solely liable for payment of fees to a nonparticipating provider, except a provider described in subparagraph (1)(e)2., of covered nonemergency services

And the title is amended as follows:

Between lines 27 and 28 insert: providing an exception;

The vote was:

Yeas—22

Abruzzo	Hays	Richter
Bean	Hukill	Sachs
Benacquisto	Hutson	Smith
Brandes	Joyner	Sobel
Bullard	Latvala	Stargel
Clemens	Legg	Thompson
Gaetz	Margolis	
Grimsley	Negron	

Nays—16

Mr. President	Diaz de la Portilla	Montford
Altman	Evers	Simmons
Bradley	Flores	Simpson
Braynon	Galvano	Soto
Dean	Garcia	
Detert	Gibson	

On motion by Senator Garcia, further consideration of **CS for CS for CS for SB 1442**, as amended, was deferred.

On motion by Senator Grimsley—

CS for CS for SB 1604—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending s. 499.003, F.S.; providing, revising, and deleting definitions for purposes of the Florida Drug and Cosmetic

Act; requiring rulemaking; specifying a default rule until the Department of Business and Professional Regulation adopts a rule; amending s. 499.005, F.S.; revising prohibited acts related to the distribution of prescription drugs; conforming a cross-reference; amending s. 499.0051, F.S.; prohibiting the distribution of prescription drugs without delivering a transaction history, transaction information, and transaction statement; providing penalties; deleting provisions and revising terminology related to pedigree papers, to conform to changes made by the act; amending s. 499.006, F.S.; conforming provisions; amending s. 499.01, F.S.; requiring nonresident prescription drug repackagers to obtain an operating permit; authorizing a manufacturer to engage in the wholesale distribution of prescription drugs; providing for the issuance of virtual prescription drug manufacturer permits and virtual nonresident prescription drug manufacturer permits to certain persons; providing exceptions from certain virtual manufacturer requirements; requiring a nonresident prescription drug repackager permit for certain persons; deleting surety bond requirements for prescription drug wholesale distributors; requiring that certain persons obtain an out-of-state prescription drug wholesale distributor permit; providing that a restricted prescription drug distributor permit is not required for distributions between certain pharmacies; requiring the Department of Business and Professional Regulation to establish by rule when such distribution constitutes regular and systematic supplying of a prescription drug; requiring certain third party logistic providers to be licensed; requiring research and development labeling on certain prescription drug active pharmaceutical ingredient packaging; requiring certain manufacturers to create and maintain certain records; requiring certain prescription drug distributors to provide certain information to health care entities for which they repackaged prescription drugs; requiring the department to adopt rules concerning repackaged prescription drug safety and integrity; amending s. 499.012, F.S.; providing for issuance of a prescription drug manufacturer permit or retail pharmacy drug wholesale distributor permit when an applicant at the same address is a licensed nuclear pharmacy or community pharmacy; providing for the expiration of deficient permit applications; requiring trade secret information submitted by an applicant to be maintained as a trade secret; authorizing the quadrennial renewal of permits; providing for calculation of fees for such permit renewals; revising procedures and application requirements for permit renewals; providing for late renewal fees; allowing a permittee who submits a renewal application to continue operations; removing certain application requirements for renewal of a permit; requiring bonds or other surety of a specified amount; requiring proof of inspection of establishments used in wholesale distribution; authorizing the Department of Business and Professional Regulation to contract for the collection of electronic fingerprints under certain circumstances; providing information that may be submitted in lieu of certain application requirements for specified permits and certifications; removing provisions relating to annual renewal and expiration of permits; conforming cross-references; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; revising prescription drug recordkeeping requirements; specifying recordkeeping requirements for manufacturers and repackagers of medical devices, over-the-counter drugs, and cosmetics; increasing the quantity of unit doses of a controlled substance that may be ordered in any given month by a customer without triggering a requirement that a wholesale distributor perform a reasonableness assessment; conforming provisions; amending s. 499.015, F.S.; providing for the expiration, renewal, and issuance of certain drug, device, and cosmetic product registrations; providing for product registration fees; amending ss. 499.03, 499.05, and 499.051, F.S.; conforming provisions to changes made by the act; amending s. 499.066, F.S.; authorizing the issuance of non-disciplinary citations; authorizing the department to adopt rules designating violations for which a citation may be issued; authorizing the department to recover investigative costs pursuant to the citation; specifying a time limitation for issuance of a citation; providing for service of a citation; amending s. 499.82, F.S.; revising the definition of “wholesale distribution” for purposes of medical gas requirements; amending s. 499.89, F.S.; conforming provisions; repealing s. 499.01212, F.S., relating to pedigree papers; amending ss. 409.9201, 499.067, 794.075, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (577444) (with title amendment)—Between lines 2699 and 2700 insert:

Section 15. Subsection (6) of section 499.83, Florida Statutes, is created to read:

499.83 Permits.—

(6) *A hospice licensed by the Agency for Health Care Administration pursuant to part IV of chapter 400 is not required to obtain medical oxygen retail establishment permit to purchase on behalf of and sell medical oxygen to its hospice patients, if the hospice contracts for the purchase and delivery of medical oxygen from an establishment permitted pursuant to this part. Sale and delivery to patients by hospices pursuant to this subsection must be based upon on a prescription or an order from a practitioner authorized by law to prescribe medical oxygen. For sales to hospices pursuant to this subsection, the medical gas wholesale distributor or the medical gas manufacturer selling medical oxygen to a hospice shall reflect on its invoice the hospice license number provided by the Agency for Health Care Administration and shall maintain such record pursuant to s. 499.89. Both the hospice and the medical oxygen retailer delivering medical oxygen to the patient must maintain a copy of a valid order or prescription for medical oxygen in accordance with s. 499.89 and department rule, which copy must be readily available for inspection.*

And the title is amended as follows:

Delete line 96 and insert: medical gas requirements; amending s. 499.83, F.S.; authorizing licensed hospices to obtain on behalf of, and sell medical oxygen to, their patients without obtaining a medical oxygen retail establishment permit in certain circumstances; specifying recordkeeping requirements; amending s. 499.89, F.S.;

Pursuant to Rule 4.19, **CS for CS for SB 1604**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1570—A bill to be entitled An act relating to school bus stop safety; amending s. 316.172, F.S.; revising the terms of violation and the penalties for failure to stop a vehicle upon approaching a school bus that displays a stop signal; providing for criminal penalties under certain circumstances; amending s. 316.192, F.S.; requiring an additional fee to be added to a fine imposed for a specified violation; providing for distribution of the fee; amending s. 318.17, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; removing provisions made obsolete by the act; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 395.4036, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1570** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1312** was deferred.

On motion by Senator Flores—

CS for CS for CS for SB 912—A bill to be entitled An act relating to fraudulent activities associated with payment systems; amending s. 316.80, F.S.; revising the felony classification for unlawful conveyance of fuel; amending s. 525.07, F.S.; specifying requirements for managers of petroleum fuel measuring devices with respect to accurate measurement; requiring retail petroleum fuel measuring devices fitted with scanning devices to have certain security measures; providing require-

ments for such measures; requiring the owner or operator of a device to have certain security measures in place within a specified timeframe upon notice from the Department of Agriculture and Consumer Services; authorizing the department, under certain circumstances, to prohibit use of or to remove from service such devices that are non-compliant; defining terms; providing applicability; amending s. 817.58, F.S.; revising the definition of “traffic”; amending s. 817.611, F.S.; defining the term “related document”; revising the prohibition against trafficking in or possession of counterfeit credit cards; revising penalties; amending s. 921.0022, F.S.; revising the ranking of unlawful conveyance or fraudulent acquisition of fuel on the offense severity ranking chart; ranking trafficking in or possession of counterfeit credit cards; providing an effective date.

—was read the second time by title.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (971226) (with title amendment)—Between lines 100 and 101 insert:

(e) The department shall enforce, and may adopt rules to administer, this subsection.

And the title is amended as follows:

Between lines 17 and 18 insert: requiring the department to enforce certain provisions; providing rulemaking authority;

Pursuant to Rule 4.19, **CS for CS for CS for SB 912**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for CS for SB 718—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue an identification card exhibiting a special designation for a person who has a developmental disability under certain circumstances; requiring payment of an additional fee and proof of diagnosis by a licensed physician; requiring the fee to be deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund; authorizing issuance of a replacement identification card that includes the special designation without payment of a specified fee; requiring the department to develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 718** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for SB 400—A bill to be entitled An act relating to the organizational structure of the Department of Environmental Protection; amending s. 20.255, F.S.; deleting a provision requiring certain offices within the department; establishing the Office of the Secretary; authorizing the secretary to establish offices within divisions or the Office of the Secretary as necessary to promote the efficient and effective operation of the department; requiring the appointment of a general counsel; providing an exemption for certain managers and directors from part II of ch. 110, F.S.; establishing the Division of Water Restoration Assistance within the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 400** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 1160—A bill to be entitled An act relating to the Art in the Capitol Competition; creating the Art in the Capitol Competition for students in specified grades; specifying procedures for student participation, notification, and the selection and display of winning submissions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1160** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1422** was deferred.

On motion by Senator Joyner—

CS for CS for SB 1686—A bill to be entitled An act relating to telehealth; creating s. 408.61, F.S.; creating the Telehealth Task Force within the Agency for Health Care Administration; requiring the agency to use existing and available resources to administer and support the task force; providing for the membership of the task force; requiring the task force to compile and analyze certain data and to conduct a comparative analysis of health insurance coverage available for telehealth services and for in-person treatment; providing meeting requirements; requiring the task force to submit a report to the Governor and Legislature by a certain date; providing for the repeal of the section; creating s. 456.51, F.S.; authorizing certain licensed or certified health care professionals to provide telehealth services; defining the term “telehealth”; amending s. 636.202, F.S.; excluding telehealth products from the definition of “discount medical plan”; 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 Bean moved the following amendment which was adopted:

Amendment 1 (800016)—Delete lines 92-105 and insert:

(1) A health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 who is practicing within the scope of his or her license or certification may provide telehealth services. A practitioner or person who is not a physician, but who provides telehealth services within the scope of his or her license or certification, may not be considered to be practicing medicine without a license.

(2) As used in this section, the term “telehealth” means the use of synchronous or asynchronous telecommunications technology by a health care practitioner, a behavior analyst certified under s. 393.17, a person certified under part III of chapter 401, or a person certified under part IV or V of chapter 468 to provide medical or other health care

Pursuant to Rule 4.19, **CS for CS for SB 1686**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 1470—A bill to be entitled An act relating to crustaceans; amending s. 379.365, F.S.; revising the administrative penalties for violations related to stone crab traps; amending s. 379.3671, F.S.; revising the administrative penalties for violations related to spiny lobster traps; amending s. 379.407, F.S.; prohibiting the possession of undersized spiny lobsters by certain persons; specifying that each undersized spiny lobster may be charged as a separate offense of certain violations; specifying maximum penalties for such violations; specifying the criminal and administrative penalties for violations related to undersized spiny lobsters; amending s. 921.0022, F.S.; revising the offense

severity ranking chart to include certain violations related to stone crabs and spiny lobsters; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1470** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for CS for CS for SB 768—A bill to be entitled An act relating to alarm systems; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; creating s. 553.7931, F.S.; defining the term “applicable local governmental entity”; providing a uniform process for the registration of home and business alarm systems under certain circumstances; requiring the owner, lessee, or occupant, or an authorized representative thereof, of a property to register an alarm system within 20 days after occupancy or after installation of the alarm system; authorizing the applicable local governmental entity to charge a registration fee; specifying the requirements of the application form; requiring the owner, lessee, or occupant, or an authorized representative thereof, to notify the applicable local governmental agency of a change in the information provided in the application form within 30 days; authorizing the applicable local governmental entity to assess or impose fines or penalties for a failure to register an alarm system or for excessive false alarms; providing that fines and penalties are the responsibility of the owner, lessee, or occupant of the property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 768** was placed on the calendar of Bills on Third Reading.

CS for SB 700—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing a custodian to not post on the custodian’s website certain arrest or booking photographs of a child; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 700**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 293** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Soto—

CS for CS for HB 293—A bill to be entitled An act relating to public records; amending s. 985.04, F.S.; specifying that certain confidential information obtained under chapter 985, F.S., relating to juvenile justice, is exempt from public records requirements; providing applicability; revising applicability of public records requirements with respect to the arrest records of certain juvenile offenders; authorizing public records custodians to choose not to electronically publish specified arrest or booking photographs of juveniles; providing for future review and repeal of such applicability provisions; amending s. 943.053, F.S.; providing an exemption from public records requirements for juvenile information compiled by the Criminal Justice Information Program from

intrastate sources; providing exceptions; providing for future review and repeal of the exemption; providing for release by the Department of Law Enforcement of the criminal history information of a juvenile which has been deemed confidential and exempt under certain circumstances; amending ss. 496.4101 and 943.056, F.S.; conforming provisions to changes made by the act; reenacting s. 110.1127(4), F.S., relating to employee background screening and investigations, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 373.6055(3)(a), F.S., relating to criminal history checks for certain water management district employees and others, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 408.809(6), F.S., relating to background screening, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.046(1), F.S., relating to notification of criminal offender information, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.05(2)(h), F.S., relating to the Criminal Justice Information Program, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0542(2)(c), F.S., relating to access to criminal history information provided by the Department of Law Enforcement to qualified entities, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 943.0543(5), F.S., relating to the National Crime Prevention and Privacy Compact, to incorporate the amendment made by the act to s. 943.053, F.S., in a reference thereto; reenacting s. 985.045(2), F.S., relating to court records, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; reenacting s. 985.11(1)(b), F.S., relating to fingerprinting and photographing juveniles, to incorporate the amendments made by the act to ss. 943.053 and 985.04, F.S., in references thereto; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 700** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 293** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1274** was deferred.

On motion by Senator Sobel—

SB 498—A bill to be entitled An act relating to the repeal of a prohibition on cohabitation; amending s. 798.02, F.S.; deleting provisions prohibiting cohabitation by unmarried men and women; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 498** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gibson—

CS for SB 342—A bill to be entitled An act relating to renters insurance; creating s. 83.491, F.S.; requiring a residential rental agreement to specify whether renters insurance is required; specifying provisions that must be included if insurance is or is not required; providing that failure to include a certain notice in a rental agreement does not create a private cause of action or nullify any part of the rental agreement; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 342** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; re-

quiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, if service cannot be made at the sole location, and for service made by the Office of Financial Regulation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1104** was placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner—

CS for SB 122—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; reordering and amending s. 961.02, F.S.; defining the term “violent felony”; amending s. 961.04, F.S.; providing that a person is disqualified from receiving compensation under the Victims of Wrongful Incarceration Compensation Act if, before or during the person’s wrongful conviction and incarceration, the person was convicted of, pled guilty or nolo contendere to any violent felony, or was serving a concurrent sentence for another felony; amending s. 961.06, F.S.; providing that a wrongfully incarcerated person who commits a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is ineligible for compensation; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of eligibility for compensation, to incorporate the amendments made to s. 961.04, F.S., in references thereto; reenacting s. 961.055(1), F.S., relating to application for compensation for a wrongfully incarcerated person and exemption from application by nolle prosequi, to incorporate the amendments made to s. 961.06, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 122** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for CS for SB 964—A bill to be entitled An act relating to the prescription drug monitoring program; amending s. 893.055, F.S.; providing that certain acts of dispensing controlled substances in specified facilities are not required to be reported to the prescription drug monitoring program; authorizing the designee of a pharmacy, prescriber, or dispenser to have access to a patient’s record in the prescription drug monitoring program’s database for a specified purpose; authorizing an impaired practitioner consultant to access an impaired practitioner program participant’s or referral’s record in the prescription drug monitoring program’s database; amending s. 893.0551, F.S.; authorizing the designee of a health care practitioner, pharmacist, pharmacy, prescriber, or dispenser or an impaired practitioner consultant to receive certain information from the prescription drug monitoring program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 964** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 1538—A bill to be entitled An act relating to veterans employment; amending s. 295.07, F.S.; requiring each state agency and authorizing other political subdivisions of the state to develop and implement a veterans recruitment plan; requiring specified goals for veterans recruitment plans; requiring the Department of Management

Services to collect specified data and to include the data in its annual workforce report and on its website; amending ss. 295.085 and 295.09, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1538** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing applicability; providing a limitation of coverage; authorizing a specified limitation of coverage subject to a certain condition; authorizing certain policy terms; requiring an insurance agent to obtain a specified signed acknowledgement from an applicant before issuing a policy; authorizing insurer forms and exempting forms from approval; authorizing an insurer to establish and use rates in accordance with specified rate standards; requiring an insurer to provide a specified notice of changes to rates within a specified timeframe to the Office of Insurance Regulation; requiring an insurer to maintain certain actuarial data for a specified timeframe; authorizing the office to require an insurer to incur the costs associated with examining such data; providing factors for the office in determining whether a rate is excessive, inadequate, or unfairly discriminatory; authorizing a surplus lines agent to export a contract or endorsement for sinkhole coverage to a surplus lines insurer without meeting certain requirements; requiring the insurer to notify the office before writing sinkhole insurance and to file a plan of operation with the office; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (734162) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 624.407, Florida Statutes, is amended to read:

624.407 Surplus required; new insurers.—

(1) To receive authority to transact any one kind or combinations of kinds of insurance, as defined in part V of this chapter, an insurer applying for its original certificate of authority in this state shall possess surplus as to policyholders at least the greater of:

(a) For a property and casualty insurer, \$5 million, or \$2.5 million for any other insurer;

(b) For life insurers, 4 percent of the insurer’s total liabilities;

(c) For life and health insurers, 4 percent of the insurer’s total liabilities, plus 6 percent of the insurer’s liabilities relative to health insurance;

(d) For all insurers other than life insurers and life and health insurers, 10 percent of the insurer’s total liabilities; ~~or~~

(e) Notwithstanding paragraph (a) or paragraph (d), for a domestic insurer that transacts residential property insurance and is:

1. Not a wholly owned subsidiary of an insurer domiciled in any other state, \$15 million.

2. A wholly owned subsidiary of an insurer domiciled in any other state, \$50 million; *or*

(f) Notwithstanding paragraphs (a), (d), and (e), for a domestic insurer that only transacts limited sinkhole coverage insurance for personal lines residential property pursuant to s. 627.7151, \$7.5 million.

Section 2. Paragraph (h) is added to subsection (1) of section 624.408, Florida Statutes, to read:

624.408 Surplus required; current insurers.—

(1) To maintain a certificate of authority to transact any one kind or combinations of kinds of insurance, as defined in part V of this chapter, an insurer in this state must at all times maintain surplus as to policyholders at least the greater of:

(h) Notwithstanding paragraphs (e), (f), and (g), for a domestic insurer that only transacts limited sinkhole coverage insurance for personal lines residential property pursuant to s. 627.7151, \$7.5 million.

The office may reduce the surplus requirement in paragraphs (f) and (g) if the insurer is not writing new business, has premiums in force of less than \$1 million per year in residential property insurance, or is a mutual insurance company.

Section 3. Section 627.7151, Florida Statutes, is created to read:

627.7151 Limited sinkhole coverage insurance.—

(1) An authorized insurer may issue, but is not required to make available, a limited sinkhole coverage insurance policy providing personal lines residential coverage, subject to underwriting, for the peril of sinkhole loss on any structure or the contents of personal property contained therein, subject to this section and ss. 627.706-627.7074. This section does not apply to commercial lines residential or commercial lines nonresidential coverage for the peril of sinkhole loss. This section also does not apply to coverage for the peril of sinkhole loss that is excess coverage over any other insurance covering the peril of sinkhole loss.

(2) Limited sinkhole coverage insurance must cover only losses from the peril of sinkhole loss, as defined in s. 627.706(2)(j); however, such coverage is not required to provide for contents and additional living expenses.

(3) Citizens Property Insurance Corporation may not issue limited sinkhole coverage insurance.

(4) Limited sinkhole coverage insurance may:

(a) Notwithstanding s. 627.707(5), limit coverage to repairs to stabilize the building and repair the foundation in accordance with the recommendations of the professional engineer retained pursuant to s. 627.707(2).

(b) In addition to the deductibles authorized under s. 627.706(1)(b), offer deductibles agreed to by the insured and insurer.

(c) Offer policy limits agreed to by the insured and insurer. However, policy limits below \$50,000 are prohibited unless that amount exceeds full replacement cost of the property.

(5) Before issuing a limited sinkhole coverage insurance policy under this section, the insurance agent must obtain a signed acknowledgment from an applicant that includes the following statement in at least 12-point bold, uppercase type: “BY ACCEPTING THIS LIMITED SINKHOLE COVERAGE INSURANCE POLICY, I HAVE READ AND UNDERSTAND THE LIMITATIONS THAT MAY APPLY TO MY POLICY AND I UNDERSTAND THAT MY POLICY IS A “REPAIR-ONLY” POLICY WHICH MEANS ONLY REPAIR AND/OR STABILIZATION OF THE SPECIFIED BUILDING AND ITS FOUNDATION IS COVERED, NOT TO EXCEED THE POLICY LIMITS AFTER APPLICATION OF MY DEDUCTIBLE. I ALSO UNDERSTAND THAT IT IS RECOMMENDED THAT I CONSULT WITH A QUALIFIED PROFESSIONAL TO IDENTIFY THE APPROXIMATE COST OF REPAIRING OR STABILIZING THE SPECIFIED BUILDING AND ITS FOUNDATION SO THAT I CAN MAKE AN INFORMED DECISION WHEN SELECTING MY POLICY LIMITS AND DEDUCTIBLE.” The

signed acknowledgment must also include, in at least 12-point bold, uppercase type:

(a) For a policy that provides limited sinkhole coverage insurance in an amount less than the full replacement cost of the property, the following statement: “THIS POLICY LIMITS SINKHOLE COVERAGE TO LESS THAN THE FULL COST OF REPLACEMENT FOR THE PROPERTY, WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU AND MAY PUT YOUR EQUITY IN THIS PROPERTY AT RISK.”

(b) For a policy that provides for a deductible that exceeds the deductibles authorized under s. 627.706(1)(b), the following statement: “THIS POLICY EXCEEDS THE DEDUCTIBLE AMOUNT PERMITTED FOR OTHER AUTHORIZED SINKHOLE LOSS INSURANCE POLICIES, WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU.”

(6) If the sinkhole loss cannot be repaired within policy limits, the insurer must:

(a) Pay the cost, without regard to policy limits, to complete the repairs recommended by the insurer’s professional engineer; or

(b) Pay the cost, not to exceed the policy limits, to complete the repairs upon the insured’s entering into a contract to repair the sinkhole loss in accordance with the repairs recommended by the insurer’s professional engineer.

However, if the insured obtains a lower-cost alternative repair recommendation from a professional engineer for stabilizing the land or the building and repairing the foundation, the insurer must pay the cost, not to exceed the policy limits, to complete the lower-cost alternative repair upon the insured’s entering into a contract to repair the sinkhole loss in accordance with the lower-cost alternative repair recommendation by the insured’s professional engineer. Such lower-cost alternative repair shall be subject to reasonable cost adjustment by the insurer; however, the insurer may not depart from the engineering requirements of the insured’s professional engineer’s lower-cost alternative repair recommendation. Except when payment for sinkhole loss is made under paragraph (a), the insured is responsible for the amount of the repair costs in excess of policy limits, if any.

(7) The insurer shall make payment for sinkhole losses to the insured and the contractor performing the repairs jointly. The insurer may make payment for contents and additional living expenses, if covered, directly to the insured.

(8) Notwithstanding s. 627.410, an insurer may establish and use a limited sinkhole coverage insurance form without filing the form with the office and requesting approval of the form from the office.

(9)(a) An insurer may establish and use limited sinkhole coverage insurance rates in accordance with the rate standards provided in s. 627.062.

(b) For limited sinkhole coverage insurance rates filed with the office before October 1, 2019, the insurer may also establish and use rates in accordance with the rates, rating schedules, or rating manuals filed by the insurer with the office which allow the insurer a reasonable rate of return on limited sinkhole coverage insurance written in this state. Limited sinkhole coverage insurance rates established pursuant to this paragraph are not subject to s. 627.062(2)(a) or (f). An insurer shall notify the office of any change to such rates within 30 days after the effective date of the change. The notice must include the name of the insurer and the average statewide percentage change in rates. Actuarial data with regard to such rates for limited sinkhole coverage insurance must be maintained by the insurer for 2 years after the effective date of such rate change and is subject to examination by the office. The office may require the insurer to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in s. 627.062(2)(b) and (d) and the standards in s. 627.062(2)(e) to determine whether the rate is excessive, inadequate, or unfairly discriminatory.

(10) *In addition to any other applicable requirements, an insurer providing limited sinkhole coverage insurance in this state must:*

(a) *Notify the office at least 30 days before writing limited sinkhole coverage insurance in this state.*

(b) *File a plan of operation and financial projections or revisions to such plan, as applicable, with the office.*

Section 4. 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 limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus funds that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing requirements and applicability; prohibiting Citizens Property Insurance Corporation from issuing limited sinkhole coverage insurance; requiring signed acknowledgment of certain statements; specifying loss payment requirements; authorizing use of certain insurance forms; exempting such forms from approval; providing an insurer with rate options; requiring the insurer to notify the Office of Insurance Regulation before writing limited sinkhole coverage insurance and to file a plan of operation with the office; providing an effective date.

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

On motion by Senator Richter—

CS for CS for SB 772—A bill to be entitled An act relating to regulated service providers; amending s. 472.007, F.S.; revising the composition of the Board of Professional Surveyors and Mappers; amending s. 472.015, F.S.; requiring the Department of Agriculture and Consumer Services to waive the initial land surveying and mapping license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 493.6105, F.S.; waiving the initial application fee for veterans for certain private investigative, private security, and repossession service licenses; revising certain fees for initial license applications; amending s. 493.6106, F.S.; deleting a provision requiring that certain applicants submit additional documentation establishing state residency; amending s. 493.6107, F.S.; waiving the initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 493.6108, F.S.; beginning on a specified date, requiring the Department of Law Enforcement to retain fingerprints submitted for private investigative, private security, and repossession service licenses, to enter such fingerprints into the statewide automated biometric identification system and the Federal Bureau of Investigation's national retained print arrest notification program, and to report any arrest record information to the Department of Agriculture and Consumer Services; requiring the department to provide information about an arrest of a licensee for certain crime within the state to the agency that employs the licensee; amending s. 493.6113, F.S.; clarifying the renewal requirements for Class "K" licenses; requiring a person holding a private investigative, private security, or repossession service license issued before a certain date to submit, upon first renewal of the license, a full set of fingerprints and a fingerprint processing fee; amending ss. 493.6202, 493.6302, and 493.6402, F.S.; waiving initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 501.0125, F.S.; revising the definition of the term "health studio"; defining the term "personal trainer"; amending s. 501.015, F.S.; requiring the department to waive the initial health studio registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or

spouses; amending s. 501.605, F.S.; prohibiting the use of a mail drop as a street address for the principal location of a commercial telephone seller; requiring the department to waive the initial commercial telephone seller license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 501.607, F.S.; requiring the department to waive the initial telephone salesperson license fees for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 507.03, F.S.; requiring the department to waive the initial registration fee for an intrastate mover for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.02, F.S.; requiring the department to waive the original liquefied petroleum gas license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 527.021, F.S.; deleting a provision requiring a fee for registering transport vehicles; amending s. 531.37, F.S.; revising the definition of the term "weights and measures"; amending s. 531.415, F.S.; revising the fees for actual metrology laboratory calibration and testing services; amending s. 531.60, F.S.; clarifying the applicability of permits for commercially operated or tested weights or measures instruments or devices; requiring a new permit application if a new owner acquires and moves an instrument or a device; requiring a business to notify the department of certain information under certain circumstances; deleting a provision authorizing the department to test weights and measures instruments or devices under certain circumstances; amending s. 531.61, F.S.; clarifying provisions exempting certain instruments or devices from specified requirements; amending s. 531.62, F.S.; specifying that the commercial use permit fee is based upon the number and types of instruments or devices permitted; revising the expiration date of the commercial use permit; requiring annual and biennial commercial use permit renewals to meet the same requirements; amending s. 531.63, F.S.; revising the commercial use permit fees and fee structures; amending s. 531.65, F.S.; clarifying that the department may use one or more of the prescribed penalties for the unauthorized use of a weights and measures instrument or device; amending s. 539.001, F.S.; requiring the department to waive the initial pawnbroker license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 559.904, F.S.; requiring the department to waive the initial motor vehicle repair shop registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; creating s. 559.9191, F.S.; requiring motor vehicle repair shops to meet certain conditions before seeking certain funds from insurers; providing requirements for obtaining certain customer consent; amending s. 559.927, F.S.; revising definitions; amending s. 559.928, F.S.; requiring the department to waive the initial seller of travel registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; requiring independent agents to annually file an application, rather than an affidavit; requiring each advertisement or certificate and other travel documents to include a specified phrase; deleting a provision requiring an advertisement to include a specified phrase; revising the circumstances under which the department may deny or refuse to renew a registration; authorizing the department to revoke the registration of a seller of travel under certain circumstances; creating s. 559.9281, F.S.; requiring the Department of Education to provide and maintain a list of approved student tour operators; requiring the department to adopt rules; specifying minimum standards for such operators; amending s. 559.929, F.S.; revising certain security requirements; amending s. 559.9295, F.S.; revising the documents that certain sellers of travel are required to submit and disclose to the department; deleting provisions relating to the duties of the department; amending s. 559.932, F.S.; requiring that certain disclosures be made in a specified type size; revising the language that must be included in certain disclosures; requiring the department to review copies of certain certificates and contracts for compliance with disclosure requirements; specifying that the submission of certain materials or department response does not constitute approval, recommendation, endorsement, or verification; amending s. 559.933, F.S.; making technical changes; amending s. 559.9335, F.S.; revising violations relating to the sale of

travel; amending s. 559.935, F.S.; deleting a provision requiring an affiliate to file an affidavit of exemption in order to obtain a specified exemption; adding embezzlement as a crime for which the department may revoke certain exemptions; amending s. 559.936, F.S.; conforming cross-references; amending s. 616.242, F.S.; exempting water-related amusement rides operated by lodging and food service establishments and membership campgrounds, amusement rides at private, membership-only facilities, and nonprofit permanent facilities from certain safety standards; authorizing owners or managers of amusement rides to use alternative forms to record ride inspections and employee training; amending s. 713.585, F.S.; revising certain notice requirements; authorizing the owner of a vehicle or a person claiming an interest in the vehicle or in a lien thereon to post a bond to recover possession of a vehicle held by a lienor; requiring the clerk of the court to issue a certificate notifying the lienor of the posting of bond; establishing procedures and requirements for a vehicle owner to reclaim such vehicles recovered by a lienholder; authorizing courts to award damages based on claims relating to the enforcement of certain lien and recovery rights; requiring courts to provide for the immediate payment of proceeds and awards and immediate release of bonds; amending s. 790.06, F.S.; revising the requirements for issuance of a concealed weapon or firearm license; requiring directions for expedited processing requests in the license application form; revising the initial and renewal fees for a concealed weapon or firearm license; providing a process for expediting applications for servicemembers and veterans; requiring that notice of the suspension or revocation of a concealed weapon or firearm license or the suspension of the processing of an application for such license be given by personal delivery or first-class mail; specifying deadlines for requests for a hearing for suspensions or revocations; specifying standards of proof for notice of suspensions or revocations; requiring concealed weapon or firearm license renewals to include an affidavit submitted under oath and under penalty of perjury, rather than a notarized affidavit, as of a specified date; amending s. 790.0625, F.S.; authorizing certain tax collector offices, upon approval and confirmation of license issuance by the department, to print and deliver concealed weapon or firearm licenses; amending ss. 559.917, 559.9285, and 559.937, F.S.; conforming provisions; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Richter moved the following amendments which were adopted:

Amendment 1 (193834)—Delete line 384 and insert:
493.6108(4)(a) and the cost of enrollment in the Federal

Amendment 2 (222498) (with title amendment)—Delete lines 966-1629 and insert:

Section 27. Subsections (1), (7), (8), (10), and (11) and present subsection (13) of section 559.927, Florida Statutes, are amended, present subsections (12) and (13) of that section are redesignated as subsections (13) and (14), respectively, and a new subsection (12) is added to that section, to read:

559.927 Definitions.—For the purposes of this part, the term:

(1) “Accommodations” means any hotel or motel room, condominium or cooperative unit, cabin, lodge, or apartment; any other commercial structure designed for occupancy by one or more individuals; or any lodging establishment as provided by law. *The term does not include long-term home rentals covered under a lease pursuant to chapter 83.*

(7) “Prearranged travel or; tourist-related services, ~~or tour guide services~~” includes, but is not limited to, car rentals, lodging, transfers, and sightseeing tours and all other such services ~~that which~~ are reasonably related to air, sea, rail, motor coach, or other medium of transportation, or accommodations for which a purchaser receives a premium or contracts or pays ~~before prior to~~ or after departure. *This term ~~These terms~~ also includes include services for which a purchaser, whose legal residence is outside the United States, contracts or pays before prior to* departure, and any arrangement by which a purchaser prepays for, receives a reservation or any other commitment to provide

services ~~before prior to~~ departure for, or otherwise arranges for travel directly to a terrorist state and which originates in Florida.

(8) “Purchaser” means the purchaser of, or person otherwise entitled to receive, prearranged travel ~~or; tourist-related services, or tour guide services~~, for a fee or commission, or who has acquired a vacation certificate for personal use.

(10) “Satisfactory consumer complaint history” means no unresolved complaints regarding prearranged travel ~~or; tourist-related services, or tour guide services~~ are on file with the department. A complaint is unresolved when a seller of travel does not respond to the department’s efforts to mediate the complaint or a complaint where the department has determined that a violation of this part has occurred and the complaint has not been satisfied by the seller of travel.

(11) “Seller of travel” means any resident or nonresident person, firm, corporation, or business entity ~~that who~~ offers ~~for sale~~, directly or indirectly, ~~at wholesale or retail~~, prearranged travel ~~or; tourist-related services, or tour guide services~~ for individuals or groups, including, but not limited to, vacation ~~or tour~~ packages, or vacation certificates in exchange for a fee, commission, or other valuable consideration. *The term includes such person, firm, corporation, or business entity who sells a vacation certificate to third-party merchants for a fee, or in exchange for a commission, or who offers such certificates to consumers in exchange for attendance at sales presentations.* The term also includes any business entity offering membership in a travel club or travel services for an advance fee or payment, even if no travel contracts or certificates or vacation or tour packages are sold by the business entity. *The term does not include third parties who may offer prearranged travel or tourist-related services, but do not participate in travel fulfillment or vacation certificate redemption.*

(12) “Student tour operator” means any resident or nonresident person, firm, corporation, or business entity that offers, directly or indirectly, prearranged travel or tourist-related services for groups within the educational community, school districts, educators, and students and their families, in exchange for a fee, a commission, or any other valuable consideration.

(13)(12) “Terrorist state” means any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(14)(13) “Vacation certificate” means any arrangement, plan, program, ~~or~~ vacation package, or advance travel purchase that promotes, discusses, or discloses a destination or itinerary or type of travel, whereby a purchaser ~~for consideration paid in advance~~ is entitled to the use of travel, accommodations, or facilities for any number of days, whether certain or uncertain, during the period in which the certificate can be exercised, and no specific date or dates for its use are designated. A vacation certificate does not include prearranged travel ~~or; tourist-related services, or tour guide services~~ when a seller of travel remits full payment for the cost of such services to the provider or supplier within 10 business days of the purchaser’s initial payment to the seller of travel. *The term does not include travel if exact travel dates are selected, guaranteed, and paid for at the time of the purchase.*

Section 28. Subsections (2) through (8) and present subsection (9) of section 559.928, Florida Statutes, are amended, and a new subsection (9) is added to that section, to read:

559.928 Registration.—

(2)(a) Registration fees shall be as follows:

1. Three hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(a).
2. One thousand dollars per year per registrant certifying its business activities under s. 559.9285(1)(b).
3. Twenty-five hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(c).

(b) All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the Department of Agriculture and Consumer Services pursuant to s. 570.20, for the sole purpose of administration of this part.

(c) *The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.*

(3) Each independent agent shall annually file an *application affidavit* with the department *before* ~~prior to~~ engaging in business in this state. This *application affidavit* must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, and the name and address of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. Each independent agent must also submit an annual registration fee of \$50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administering this part. As used in this subsection, the term "independent agent" means a person who represents a seller of travel by soliciting persons on its behalf; who has a written contract with a seller of travel which is operating in compliance with this part and any rules adopted thereunder; who does not receive a fee, commission, or other valuable consideration directly from the purchaser for the seller of travel; who does not at any time have any unissued ticket stock or travel documents in his or her possession; and who does not have the ability to issue tickets, vacation certificates, or any other travel document. The term "independent agent" does not include an affiliate of the seller of travel, as that term is used in s. 559.935(3), or the employees of the seller of travel or of such affiliates.

(4) ~~Any~~ person applying for or renewing a local business tax receipt to engage in business as a seller of travel must exhibit a current registration certificate from the department before the local business tax receipt may be issued or reissued.

(5) Each contract, *advertisement, certificate, or travel document* of a seller of travel must include the phrase " (NAME OF FIRM) is registered with the State of Florida as a Seller of Travel. Registration No....."

~~(6) Each advertisement of a seller of travel must include the phrase "Fla. Seller of Travel Reg. No....."~~

~~(6)(7) A No registration is not shall be valid for any seller of travel transacting business at any place other than that designated in its application, unless the department is first notified in writing in advance of any change of location. A No shall the registration is not be valid for an affiliate of the seller of travel who engages in the prearranged travel and tourist business. A registration issued under this part may shall not be assignable, and the seller of travel may shall not be permitted to~~

conduct business under more than one name except as registered. A seller of travel desiring to change its registered name or location or designated agent for service of process at a time other than upon renewal of registration shall notify the department of such change.

~~(7)(8) Applications under this section are shall be subject to the provisions of s. 120.60.~~

~~(8)(9) The department may deny, or refuse to renew, or revoke the registration of any seller of travel based upon a determination that the seller of travel, or any of its directors, officers, owners, or general partners while acting on behalf of the seller of travel:~~

(a) Has failed to meet the requirements for registration as provided in this part;

(b) Has been convicted of a crime involving fraud, *theft, embezzlement, dishonest dealing, or any other act of moral turpitude or any other act arising out of conduct as a seller of travel;*

(c) Has not satisfied a civil fine or penalty arising out of any administrative or enforcement action brought by any governmental agency or private person based upon conduct involving fraud, *theft, embezzlement, dishonest dealing, or any violation of this part; or*

~~(d) Has pending against her or him any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, dishonest dealing, or any other act of moral turpitude; or~~

~~(d)(e) Has had a judgment entered against her or him in any action brought by the department or the Department of Legal Affairs pursuant to ss. 501.201-501.213 or this act part.~~

(9) The department may deny or refuse to renew the registration of any seller of travel based upon a determination by the department that the seller of travel, or any of the seller's directors, officers, owners, or general partners has pending against him or her while acting on behalf of the seller of travel any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, theft, embezzlement, or dishonest dealing, or any other act of moral turpitude.

Section 29. Section 559.9281, Florida Statutes, is created to read:

559.9281 *Student tour operators.—*

(1) The Department of Agriculture and Consumer Services shall establish a process for sellers of travel to apply to be, and be listed as, approved student tour operators to serve students in all primary and secondary school districts within the state.

(2) The department shall adopt rules to implement this section, including the establishment of the application procedures and minimum standards for those persons wishing to be approved as student tour operators under this section. At a minimum, a student tour operator must be registered and approved by the department as a seller of travel under s. 559.928, maintain security requirements provided under s. 559.929, and be current on all state and local business taxes.

(3) The department shall maintain a list of approved student tour operators to serve students in all primary and secondary school districts within the state. The department shall update this list at least annually and shall provide, as created and updated, a current version of the list to the Department of Education.

(4) The Department of Education shall publish and maintain a current version of the list in a prominent location on its website.

Section 30. Subsections (2) through (6) of section 559.929, Florida Statutes, are amended to read:

559.929 *Security requirements.—*

(2) The bond must be filed with the department on a form adopted by department rule and must be in favor of the department for the use and benefit of a consumer traveler who is injured by the fraud, misrepresentation, breach of contract, or financial failure, or any other

violation of this part by the seller of travel. Such liability may be enforced by proceeding in an administrative action as specified in subsection (3) or by filing a civil action. ~~However, in such civil action the bond posted with the department shall not be amenable or subject to a judgment or other legal process issuing out of or from such court in connection with such civil action, but such bond shall be amenable to and enforceable only by and through administrative proceedings before the department. It is the intent of the Legislature that such bond be applicable and liable only for the payment of claims duly adjudicated by order of the department.~~ The bond must be open to successive claims, but the aggregate amount awarded may not exceed the amount of the bond. In addition to the foregoing, a bond provided by a registrant or applicant for registration which certifies its business activities under s. 559.9285(1)(b) or (c) must be in favor of the department, with payment in the following order of priority:

(a) The expenses for prosecuting the registrant or applicant in an administrative or civil action under this part, including attorney fees and fees for other professionals, court costs or other costs of the proceedings, and all other expenses incidental to the action.

(b) The costs and expenses of investigation before the commencement of an administrative or civil action under this part.

(c) An unpaid administrative fine imposed by final order or an unpaid civil penalty imposed by final judgment under this part.

(d) Damages or compensation for a ~~consumer traveler~~ injured as provided in this subsection.

(3) A ~~consumer traveler~~ may file a claim against the bond. Such claim, which must be submitted in writing on an affidavit form adopted by department rule, must be submitted to the department within 120 days after an alleged injury has occurred or is discovered to have occurred or a judgment has been entered. The proceedings shall be conducted pursuant to chapter 120. For proceedings conducted pursuant to ss. 120.569 and 120.57, the agency shall act only as a nominal party.

(4) A ~~consumer who is injured by the seller of travel, or the department or another governmental agency acting on behalf of the injured consumer, may bring and maintain an action to recover against the bond.~~

(5) Any indebtedness determined by final order of the department shall be paid by the seller of travel to the department within 30 days after the order is entered for disbursement to the consumer. If the seller of travel fails to make payment within 30 days, the agency shall make a demand for payment upon the surety which includes an institution issuing a letter of credit or depository on a certificate of deposit. Upon failure of a surety to comply with a demand for payment pursuant to a final order, the department may file an action in circuit court to recover payment, up to the amount of the bond or other form of security, pursuant to s. 120.69. If the department prevails, the department may recover court costs and reasonable attorney fees.

~~(6)(5)~~ If the seller of travel is currently the subject of an administrative, civil, or criminal action by the department, the Department of Legal Affairs, or the state attorney relating to compliance with this part, the right to proceed against the bond as provided in subsection (3) is suspended until any enforcement action becomes final.

~~(7)(6)~~ The department may waive the bond requirement on an annual basis if the seller of travel has had 5 or more consecutive years of experience as a seller of travel in this state in compliance with this part, has not had a civil, criminal, or administrative action instituted against the seller of travel in the vacation and travel business by a governmental agency or an action involving fraud, theft, misappropriation of property, violation of a statute pertaining to business or commerce with a terrorist state, ~~or~~ moral turpitude, or other violation of this part and has a satisfactory consumer complaint history with the department, and certifies its business activities under s. 559.9285. Such waiver may be revoked if the seller of travel violates this part. A seller of travel which certifies its business activities under s. 559.9285(1)(b) or (c) is not entitled to the waiver provided in this subsection.

Section 31. Subsections (2) and (17) of section 559.9295, Florida Statutes, are amended to read:

559.9295 Submission of vacation certificate documents.—Sellers of travel who offer vacation certificates must submit and disclose to the department with the application for registration, and any time such document is changed, but prior to the sale of any vacation certificate, the following materials:

(2) A copy of each promotional brochure, pamphlet, form letter, registration form, or any other written material disseminated in connection with the advertising, promotion, or sale of any vacation certificate. *Any such promotional materials that include terms such "free," "awarded," "prize," "absolutely without charge," and "free of charge," or similar words or groups of words, which might reasonably lead a person to believe that he or she may receive, or has been selected to receive, something of value without making full or partial compensation in any form from the recipient must:*

(a) *Clearly and conspicuously display the following disclosure in at least 12-point type: " (NAME OF FIRM) is registered with the State of Florida as a seller of travel, Registration No....THIS IS NOT A FREE OFFER. SEE TERMS AND CONDITIONS VIA WWW.(OFFER WEBSITE).COM. RESPONSE TO THIS OFFER DOES NOT GUARANTEE TRAVEL." The offer website referred to in the disclosure must include, and clearly indicate, the terms and conditions for such a vacation certificate offer.*

(b) *Disclose the number of individuals who actually traveled pursuant to the vacation certificate, as opposed to the number of individuals who submitted or otherwise activated the vacation certificate, in the 12 months preceding issuance of the promotional material.*

~~(17) Within 10 working days after receipt of any materials submitted subsequent to filing an initial registration application or any annual renewal thereof, the department shall determine whether such materials are adequate to meet the requirements of this section. The department shall notify the seller of travel that materials submitted are in substantial compliance, or shall notify the seller of travel of any specific deficiencies. If the department fails to notify the seller of travel of its determination within the period specified in this subsection, the materials shall be deemed in compliance; however, the failure of the department to send notification in either case will not relieve the seller of travel from the duty of complying with this section.~~

Neither the submission of these materials nor the department's response implies approval, recommendation, or endorsement by the department or that the contents of said materials have been verified by the department.

Section 32. Section 559.932, Florida Statutes, is amended to read:

559.932 Vacation certificate disclosure.—

~~(1) A It shall be unlawful for any seller of travel must to fail to provide each person solicited with a contract that includes which shall include the following information, which shall be in 12-point type, unless otherwise specified:~~

(a) A space for the date, name, address, and signature of the purchaser.

(b) The expiration date of the vacation certificate and the terms and conditions of its extension or renewal, if available.

(c) The name and business address of any seller of travel who may solicit vacation certificate purchasers for further purchases, and a full and complete statement as to the nature and method of that solicitation.

(d) The total financial obligation of the purchaser which shall include the initial purchase price and any additional charges to which the purchaser may be subject, including, but not limited to, any per diem, seasonal, reservation, or recreational charge.

(e) The name and street address of any person who has the right to alter, amend, or add to the charges to which the purchaser may be subject and the terms and conditions under which such charges may be imposed.

(f) If any accommodation or facility which a purchaser acquires the right to use pursuant to the vacation certificate is not completed at the time the certificate is offered for sale, the date of availability of each component of the accommodation or facility.

(g) By means of a section entitled "terms and conditions":

1. All eligibility requirements for use of the vacation certificate, including, but not limited to, age, sex, marital status, group association, residency, or geographic limitations.

2. All eligibility requirements for use of any discount or complimentary coupon or ticket.

3. A statement as to whether transportation and meals are provided pursuant to use of the certificate.

4. Any room deposit requirement, including all conditions for its return or refund.

5. The manner in which reservation requests are to be made and the method by which they are to be confirmed.

6. Any identification, credential, or other means by which a purchaser must establish her or his entitlement to the rights, benefits, or privileges of the vacation certificate.

7. Any restriction or limitation upon transfer of the vacation certificate or any right, benefit, or privilege thereunder.

8. Any other term, limitation, condition, or requirement material to use of the vacation certificate or any right, benefit, or privilege thereunder.

(h) In immediate proximity to the space reserved in the contract for the date and the name, address, and signature of the purchaser, the following statement in boldfaced type of a size of 10 points:

"YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

"YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS PROVIDED IN THE CONTRACT."

"TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED AND POSTMARKED, OR DELIVERED TO _____ (NAME) AT _____ (ADDRESS) NO LATER THAN MID-NIGHT OF _____ (DATE)."

"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE AND SENDING NOTICE TO: _____ (NAME OF SELLER) AT _____ (SELLER'S ADDRESS)."

(i) In immediate proximity to the statement required in paragraph (h), the following statement in boldfaced type of a size of 12 ~~10~~ points:

"NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN THOSE INCLUDED IN THIS CONTRACT."

However, inclusion of this statement shall not impair any purchaser's right to bring legal action based on verbal statements.

(j) In immediate proximity to the statement required in paragraph (i), the following statement:

"This contract is for the purchase of a vacation certificate and puts all assignees on notice of the consumer's right to cancel under section 559.933, Florida Statutes."

(2) If a sale or agreement to purchase a vacation certificate is completed over the telephone, the seller shall inform the purchaser over the telephone that:

(a) The purchaser may cancel the contract without any penalty or obligation within 30 days from the date of purchase or receipt of the vacation certificate, whichever occurs later.

(b) The purchaser may also cancel the contract if accommodations or facilities are not available upon request for use as provided in the contract.

(3) *Upon receipt of a copy of a vacation certificate or contract required pursuant to s. 559.9295, the department shall review the vacation certificate or contract for compliance with the disclosures required under this section. The submission of the vacation certificate or contract and the department's response do not imply approval, recommendation, or endorsement by the department or that the contents of the vacation certificate or contract have been verified by the department.*

Section 33. Section 559.933, Florida Statutes, is amended to read:

559.933 Vacation certificate cancellation and refund provisions.—

(1) ~~A It shall be unlawful for any~~ seller of travel or an assignee must honor a purchaser's request to cancel a vacation certificate if such request is made:

~~(1) To fail or refuse to honor a purchaser's vacation certificate request to cancel if such request is made:~~

(a) Within 30 days ~~after from~~ the date of purchase or receipt of the vacation certificate, whichever occurs later; or

(b) At any time accommodations or facilities are not available pursuant to a request for use as provided in the contract, provided that:

1. The contract ~~may shall~~ not require notice greater than 60 days in advance of the date requested for use;

2. If acceptable to the purchaser, comparable alternate accommodations or facilities in a city, or reservations for a date different than that requested, may be provided.

(2) A seller of travel or an assignee must ~~To fail to~~ refund any and all payments made by the vacation certificate purchaser within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section, if the purchaser has not received any benefits pursuant to the vacation certificate.

(3) A seller of travel or an assignee must, if the purchaser has received any benefits pursuant to the vacation certificate, ~~to fail to~~ refund within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section any and all payments made by the purchaser which exceed a pro rata portion of the total price, representing the portion of any benefits actually received by the vacation certificate purchaser during the time preceding cancellation.

(4) ~~If Where~~ any purchaser has received confirmation of reservations in advance and is refused accommodations upon arrival, a seller of travel or an assignee must ~~to fail to~~ procure comparable alternate accommodations for the purchaser in the same city at no expense to the purchaser, or ~~to fail to~~ fully compensate the purchaser for the room rate incurred in securing comparable alternate accommodations himself or herself.

(5) A seller of travel or an assignee may not ~~To~~ collect more than the full contract price from the purchaser.

(6) A seller of travel or an assignee may not ~~To~~ sell, assign, or otherwise transfer any interest in a seller of travel business, or ~~to~~ sell,

assign, or otherwise transfer to a third party any interest in any vacation certificate unless:

(a) The third party agrees in writing to fully honor the rights of vacation certificate purchasers to cancel and to receive an appropriate refund or reimbursement as provided in this section.

(b) The third party agrees in writing to comply with all other provisions of this part for as long as the third party continues the sale of vacation certificates or for the duration of the period of validity of outstanding vacation certificates, whichever is longer in time.

(c) The seller of travel agrees to be liable for and fully indemnify a purchaser from any loss occasioned by the failure of the third party to honor the purchaser's right to cancel and failure to make prompt and complete refund to the purchaser of all sums paid to the third party, or occasioned by the third party's failure to comply with the provisions of this part.

(7) ~~A seller of travel or an assignee must~~ ~~To fail to~~ fulfill the terms of a vacation certificate within 18 months ~~after~~ of the initial payment of any consideration by the purchaser to a seller of travel or third party.

Section 34. Section 559.9335, Florida Statutes, is amended to read:

559.9335 Violations.—It is a violation of this part for any *seller of travel, independent agent, assignee, or other person*:

(1) To conduct business as a seller of travel without registering annually with the department unless exempt pursuant to s. 559.935.

(2) To conduct business as a seller of travel without an annual purchase of a performance bond in the amount set by the department unless exempt pursuant to s. 559.935.

(3) Knowingly to make any false statement, representation, or certification in any application, document, or record required to be submitted or retained under this part *or in any response to an inquiry or investigation conducted by the department or any other governmental agency*.

(4) Knowingly to sell or market any ~~number of~~ vacation certificates that exceed the number disclosed to the department pursuant to this section.

(5) Knowingly to sell or market vacation certificates with an expiration date of more than 18 months from the date of issuance.

~~(6) Knowingly to require, request, encourage, or suggest, directly or indirectly, that payment for the right to obtain a travel contract, certificate, or vacation package must be by credit card authorization or to otherwise announce a preference for that method of payment over any other when no correct and true explanation for such preference is likewise stated.~~

~~(6)(7)~~ Knowingly to state, represent, indicate, suggest, or imply, directly or indirectly, that the travel contract, certificate, or vacation package being offered by the seller of travel cannot be purchased at some later time or may not otherwise be available after the initial contact, or that callbacks by the prospective purchaser are not accepted, when no such restrictions or limitations in fact exist.

~~(7)(8)~~ To misrepresent ~~in any manner~~ the purchaser's right to cancel and to receive an appropriate refund or reimbursement as provided by this part.

~~(8)(9)~~ To sell any vacation certificate the duration of which exceeds the duration of any agreement between the seller and any business entity obligated thereby to provide accommodations or facilities pursuant to the vacation certificate.

~~(9)(10)~~ To misrepresent or deceptively represent:

(a) The amount of time or period of time accommodations or facilities will be available.

(b) The location of accommodations or facilities offered.

(c) The price, size, nature, extent, qualities, or characteristics of accommodations or facilities offered.

(d) The nature or extent of other goods, services, or amenities offered.

(e) A purchaser's rights, privileges, or benefits.

(f) The conditions under which the purchaser may obtain a reservation for the use of offered accommodations or facilities.

(g) That the recipient of an advertisement or promotional materials is a winner, or has been selected, or is otherwise being involved in a select group for receipt, of a gift, award, or prize, unless this fact is the truth.

~~(10)(11)~~ To fail to inform a purchaser of a nonrefundable cancellation policy ~~before~~ ~~prior to~~ the seller of travel accepting any fee, commission, or other valuable consideration.

~~(11)(12)~~ To fail to include, when offering to sell a vacation certificate, in any advertisement or promotional material, the following statement: "This is an offer to sell travel."

~~(12)(13)~~ To fail to honor and comply with all provisions of the vacation certificate regarding the purchaser's rights, benefits, and privileges thereunder.

~~(13)(14)(a)~~ To include in any vacation certificate or contract any provision purporting to waive or limit any right or benefit provided to purchasers under this part; or

(b) To seek or solicit such waiver or acceptance of limitation from a purchaser concerning rights or benefits provided under this part.

~~(14)(15)~~ To offer vacation certificates for any accommodation or facility for which there is no contract with the owner of the accommodation or facility securing the purchaser's right to occupancy and use, unless the seller is the owner.

~~(15)(16)~~ To use a local mailing address, registration facility, drop box, or answering service in the promotion, advertising, solicitation, or sale of vacation certificates, unless the seller's fixed business address is clearly disclosed during any telephone solicitation and is prominently and conspicuously disclosed on all solicitation materials and on the contract.

~~(16)(17)~~ To use any registered trademark, trade name, or trade logo in any promotional, advertising, or solicitation materials without written authorization from the holder of such trademark, trade name, or trade logo.

~~(17)(18)~~ To represent, directly or by implication, any affiliation with, or endorsement by, any governmental, charitable, educational, medical, religious, fraternal, or civic organization or body, or any individual, in the promotion, advertisement, solicitation, or sale of vacation certificates without express written authorization.

~~(18)(19)~~ To sell a vacation certificate to any purchaser who is ineligible for its use.

~~(19)(20)~~ To sell any ~~number of~~ vacation certificates *in excess of exceeding the number of available accommodations disclosed pursuant to this part.*

~~(20)(21)~~ During the period of a vacation certificate's validity, in the event, for any reason whatsoever, of lapse or breach of an agreement for the provision of accommodations or facilities to purchasers, to fail to procure similar agreement for the provision of comparable alternate accommodations or facilities in the same city or surrounding area.

~~(21)(22)~~ To offer to sell, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, without

disclosing such business activities in a certification filed under s. 559.9285(1)(b) or (c).

(22)(23) To violate any state or federal law restricting or prohibiting commerce with terrorist states.

(23)(24) To engage in ~~de~~ any other act that

And the title is amended as follows:

Delete lines 110-133 and insert: by such veterans or spouses; amending s. 559.927, F.S.; revising definitions and defining the term “student tour operator”; amending s. 559.928, F.S.; requiring the department to waive the initial seller of travel registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; requiring independent agents to annually file an application, rather than an affidavit; requiring each advertisement, certificate, and other travel documents to include a specified phrase; deleting a provision requiring an advertisement to include a specified phrase; revising the circumstances under which the department may deny or refuse to renew a registration; authorizing the department to revoke the registration of a seller of travel under certain circumstances; creating s. 559.9281, F.S.; requiring the Department of Agriculture and Consumer Services to establish a process for specified persons to apply to be, and be listed as, approved student tour operators; requiring the department to adopt rules to establish an application process and standards for persons wishing to be approved as student tour operators; specifying minimum standards for such operators; requiring the department to maintain a list of approved operators; requiring the department to update the list at least annually and to provide a current version of the list to the Department of Education; requiring the Department of Education to publish and maintain such list on its website; amending s. 559.929,

Amendment 3 (906956) (with title amendment)—Delete lines 1939-2088 and insert:

him. *A lienholder has standing to allege any violation of part IX of chapter 559 in a proceeding instituted pursuant to this subsection. Any person who files a demand for hearing shall mail copies of the demand to all other owners and lienors as reflected on the notice required in subsection (1).*

(a) Upon the filing of a demand for hearing, a hearing shall be held before ~~prior to~~ the proposed or scheduled date of sale of the vehicle.

(b) Upon the posting of the bond and payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle to the lienholder or the owner, based upon whomever posted the bond.

(c) *If a lienholder obtains the vehicle and the owner of the vehicle is not in default under the installment sales contract or title loan at the time the lienholder has possession of the vehicle, the lienholder must return the vehicle to the owner within 5 days after the owner repays the lienholder for the amount of the bond, or makes arrangements to repay the lienholder for the bond under terms agreeable to the lienholder. A lienholder may retain possession of the vehicle if the owner is in default until such time as the default is cured and the amount of the bond is repaid by the owner, or an arrangement agreeable to the lienholder is made with the owner.*

(7) At a ~~the~~ hearing on a complaint relating to the requirements of this section ~~on the complaint~~, the court shall ~~forthwith~~ issue an ~~its~~ order determining:

(a) Whether the vehicle is subject to a valid lien by the lienor and the amount thereof;

(b) The priority of the lien of the lienor as against any existing security interest in the vehicle;

(c) The distribution of any proceeds of the sale by the clerk of the circuit court;

(d) *The awarding of damages, if any;*

(e)(~~d~~) *The award of reasonable attorney ~~attorney's~~ fees and costs, at the court's discretion, to the prevailing party; and*

(f)(~~e~~) *The reasonableness of storage charges.*

A final order, by the court, must also provide for immediate payment of any proceeds or awards, and the immediate release of the bond to the posting party, if applicable.

(13) A failure to make good faith efforts as defined in subsection (2) precludes the imposition of any storage charges against the vehicle. If a lienor fails to provide notice to any person claiming a lien on a vehicle under subsection (1) within 7 ~~15~~ business days after the assessment of storage charges has begun, then the lienor is precluded from charging for more than 7 ~~15~~ days of storage, but failure to provide timely notice does not affect charges made for repairs, adjustments, or modifications to the vehicle or the priority of liens on the vehicle.

Section 40. Subsections (2), (4), (5), and (10) of section 790.06, Florida Statutes, are amended, and paragraph (f) is added to subsection (6) of that section, to read:

790.06 License to carry concealed weapon or firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(a) Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under chapter 397 or under the provisions of former chapter 396 or has been convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, ~~using~~ ~~utilizing~~ instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or military service;

6. Is licensed or has been licensed to carry a firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; ~~or~~ an affidavit from the instructor, school, club, organization, or group that conducted or taught *such said* course or class attesting to the completion of the course or class by the applicant; or a copy of any document *that which* shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. ~~A~~ ~~any~~ person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm *in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001*;

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state, unless 5 years have elapsed since the applicant's restoration to capacity by court order;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years ~~before~~ ~~prior to~~ the date of submission of the application;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony ~~or misdemeanor crime of domestic violence~~ unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, ~~or expunction has occurred the record has been sealed or expunged~~;

(l) *Has not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged*;

And the title is amended as follows:

Delete line 168 and insert: vehicle held by a lienor; specifying that lienholders have standing in certain proceedings to allege violations of the Florida Motor Vehicle Repair Act; requiring the clerk of the

Amendment 4 (307800) (with title amendment)—Delete lines 2251-2377 and insert:

Section 43. Subsection (1) and paragraph (d) of subsection (3) of section 559.9285, Florida Statutes, are amended to read:

559.9285 Certification of business activities.—

(1) Each certifying party, as defined in s. 559.927(2):

(a) Which does not offer for sale, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida;

(b) Which offers for sale, at wholesale or retail, only prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, but engages in no other business dealings or commerce with any terrorist state; or

(c) Which offers for sale, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, and also engages in any other business dealings or commerce with any terrorist state,

shall annually certify its business activities by filing a disclosure statement with the department which accurately represents the scope of the seller's business activities according to the criteria provided in paragraph (a), paragraph (b), or paragraph (c).

(3) The department shall specify by rule the form of each certification under this section which shall include the following information:

(d) The type of all prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ that the certifying party offers for sale to individuals or groups traveling directly to any terrorist state and that originate in Florida, and the frequency with which such services are offered.

Section 44. Subsection (2) of section 559.937, Florida Statutes, is amended to read:

559.937 Criminal penalties.—Any person or business that violates this part:

(2) Which violation directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel ~~or~~ tourist-related services, ~~or tour guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 45. *For the 2016-2017 fiscal year, the sum of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund is appropriated to the Department of Agriculture and Consumer Services for the purpose of implementing s. 493.6108, Florida Statutes, regarding the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.*

Section 46. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete line 199 and insert: 559.9285 and 559.937, F.S.; conforming

Pursuant to Rule 4.19, **CS for CS for SB 772**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 11:51 a.m. to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—34:

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

Flores	Joyner	Simpson
Gaetz	Legg	Smith
Galvano	Margolis	Sobel
Garcia	Montford	Soto
Gibson	Negron	Stargel
Grimsley	Richter	Thompson
Hays	Ring	
Hukill	Sachs	

BILLS ON THIRD READING

CS for SB 1176—A bill to be entitled An act relating to dredge and fill activities; amending s. 373.4144, F.S.; revising the acreage of wetlands and other surface waters subject to impact by dredge and fill activities under a state programmatic general permit; providing that seeking to use such a permit consents to specified federal wetland jurisdiction criteria; authorizing the Department of Environmental Protection to delegate federal permitting programs for the discharge of dredged or fill material; deleting certain conditions limiting when the department may assume federal permitting programs for the discharge of dredged or fill material; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1176** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Evers, Hutson, Simmons

SB 206—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons permanently incapable of caring for themselves may be permanently excused from jury service upon request; providing requirements for such a request; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 206**, pursuant to Rule 3.11(3), there being no objection, **HB 111** was withdrawn from the Committees on Judiciary; Health Policy; and Rules.

On motion by Senator Clemens, by two-thirds vote—

HB 111—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; providing that certain persons incapable of caring for themselves may be permanently excluded from jury service upon request; providing requirements for such a request; providing an effective date.

—a companion measure, was substituted for **SB 206** and read the second time by title.

On motion by Senator Clemens, by two-thirds vote, **HB 111** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Evers, Simmons

CS for CS for HB 145—A bill to be entitled An act relating to financial transactions; amending s. 501.0117, F.S.; exempting a private school from the prohibition against charging certain convenience fees to a student or family paying tuition, fees, or other student account charges by credit card under certain circumstances; amending s. 516.07, F.S., prohibiting a licensee from making payments to a person as compensation, inducement, or reward for referring loan applications to the licensee under certain circumstances; amending s. 670.108, F.S.; revising applicability; providing that chapter 670, F.S., governs certain funds transfers that are remittance transfers; providing that the federal Electronic Fund Transfer Act governs any inconsistency between a funds transfer under chapter 670, F.S.; amending s. 701.03, F.S.; reducing the time limit for a mortgagee or an assignee to cancel a mortgage, except in cases where the loan is an open-end mortgage; authorizing an open-end mortgage to be canceled within a specified timeframe if the borrower provides written notice of his or her intent to close the open-end mortgage; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for CS for HB 145** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Evers, Simmons

CS for HB 103—A bill to be entitled An act relating to transactions in fresh produce markets; creating s. 414.456, F.S.; providing definitions; authorizing certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing restrictions on the use of Supplemental Nutrition Assistance Program benefits in such markets; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Thompson, CS for HB 103 was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted 'yea' for CS for HB 103.

Nays—None

Vote after roll call:

Yea—Evers, Simmons

SB 444—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; re-defining the term “financially disadvantaged small community” to include counties and special districts; defining the term “special district”; providing an effective date.

—was read the third time by title.

Pending further consideration of SB 444, pursuant to Rule 3.11(3), there being no objection, HB 525 was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Montford, by two-thirds vote—

HB 525—A bill to be entitled An act relating to the Small Community Sewer Construction Assistance Act; amending s. 403.1838, F.S.; re-defining the term “financially disadvantaged small community” to include counties and special districts; defining the term “special district”; providing an effective date.

—a companion measure, was substituted for SB 444 and read the second time by title.

On motion by Senator Montford, by two-thirds vote, HB 525 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Brandes, Diaz de la Portilla. Lists names of senators who voted 'yea' for HB 525.

Table with 3 columns: Name, Margolis, Simpson. Lists names of senators who voted 'yea' for CS for HB 103.

Nays—None

Vote after roll call:

Yea—Evers

CS for SB 580—A bill to be entitled An act relating to reimbursement to health access settings for dental hygiene services for children; amending s. 409.906, F.S.; authorizing reimbursement for children’s dental services provided by licensed dental hygienists in certain circumstances; providing an effective date.

—as amended February 24, was read the third time by title.

On motion by Senator Grimsley, CS for SB 580, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted 'yea' for CS for SB 580.

Nays—None

Vote after roll call:

Yea—Evers

CS for SB 620—A bill to be entitled An act relating to medical examiners; amending s. 382.011, F.S.; providing that a member of the public may not be charged for certain examinations, investigations, or autopsies; authorizing a county to charge a medical examiner approval fee under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, CS for SB 620 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted 'yea' for CS for SB 620.

Nays—None

Vote after roll call:

Yea—Evers

CS for HB 173—A bill to be entitled An act relating to medical faculty certification; amending s. 458.3145, F.S.; revising the list of schools at which certain faculty members are eligible to receive a medical faculty certificate; providing an effective date.

—was read the third time by title.

On motion by Senator Sachs, **CS for HB 173** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Evers

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 read the third time by title.

On motion by Senator Detert, **CS for CS for HB 719** was passed and certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—1

Bullard

Vote after roll call:

Yea—Evers

CS for SB 922—A bill to be entitled An act relating to solid waste management; amending s. 403.709, F.S.; providing for the funding of a waste tire abatement program from the Solid Waste Management Trust Fund up to a specified percentage of total funds; establishing a solid waste landfill closure account within the Solid Waste Management Trust Fund; specifying the purpose of the account; authorizing the Department of Environmental Protection to use account funds to contract with a third party for the closing and long-term care of solid waste management facilities under specified circumstances; requiring the department to deposit certain funds into the solid waste landfill closure account; authorizing the department to use funds from the Solid Waste Management Trust Fund to pay for or reimburse specified expenses under certain circumstances; deleting a solid waste landfill closure account within the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; authorizing waste tire abatement programs under the small county consolidated grant program; removing the waste tire abatement program supported by the solid waste management grant program; removing distribution requirements; deleting an obsolete provision; reenacting ss. 403.413(6)(a) and 403.7032(5)(h), F.S., relating to the Florida Litter Law and recycling, respectively, to incorporate the amendments made to s. 403.7095, F.S., in references thereto; providing effective dates.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 922** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Evers

CS for HB 695—A bill to be entitled An act relating to title insurance; amending s. 625.111, F.S.; revising the reserves that certain title insurers must set aside after a certain date; revising the manner in which reserves must be released; revising reserve requirements for a

title insurer who transfers domicile to this state; requiring the calculation of an adjusted statutory premium reserve; requiring increases to statutory premium reserves under certain circumstances; authorizing the release of reserves to surplus in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 695** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Detert, Evers

CS for HB 875—A bill to be entitled An act relating to motor vehicle service agreement companies; amending s. 634.011, F.S.; revising and providing definitions; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for HB 875** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SPECIAL RECOGNITION OF SENATOR GAETZ

The President introduced Senator Gaetz’ wife, Vicky; daughter, Erin; and son, Matt, who were present in the chamber; along with his district staff, Eric Edwards, Allison Hess, Emily Heiden, who were present in the gallery, and watching from Destin, Missy Ullery. A video tribute was played honoring Senator Gaetz. Several Senators were recognized for farewell comments. Senator Gaetz was recognized and invited to the rostrum for farewell remarks.

Senator Richter presented Senator Gaetz with a plaque honoring his years of service to the Senate.

BILLS ON THIRD READING, continued

CS for CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; revising the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce ch. 119, F.S.; prohibiting a court from assessing and awarding the reasonable costs of enforcement against an agency if certain conditions exist; specifying circumstances under which a complainant is not required to provide certain written notice of a public record request; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for CS for SB 1220** was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Gaetz	Montford
Abruzzo	Garcia	Richter
Altman	Gibson	Ring
Bean	Grimsley	Sachs
Benacquisto	Hays	Simmons
Brandes	Hutson	Simpson
Bullard	Joyner	Smith
Clemens	Latvala	Soto
Diaz de la Portilla	Legg	Stargel
Evers	Margolis	Thompson

Nays—None

Vote after roll call:

Yea—Braynon, Hukill

Vote preference:

May 6, 2016: Yea—Sobel

SPECIAL RECOGNITION OF MINORITY (DEMOCRATIC) LEADER JOYNER

The President introduced Senator Joyner’s sister, Sonja Bexley; and niece, Katrina Bellups; along with her district staff, Maria Nieto, Randi Rosete, and Rosalie Smith, who were present in the chamber. A video tribute was played honoring Senator Joyner. Several Senators were recognized for farewell comments. Senator Joyner was recognized for farewell remarks.

Senator Richter presented Senator Joyner with a plaque honoring her years of service to the Senate.

BILLS ON THIRD READING, continued

SB 1300—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors such a vessel or allows it to occupy waters of this state commits a noncriminal infraction; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1300**, pursuant to Rule 3.11(3), there being no objection, **HB 7025** was withdrawn from the Committees

on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Dean, by two-thirds vote—

HB 7025—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors or allows such a vessel to occupy waters of this state commits a noncriminal violation; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—a companion measure, was substituted for **SB 1300** and read the second time by title.

On motion by Senator Dean, by two-thirds vote, **HB 7025** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Hutson

CS for CS for SB 1318—A bill to be entitled An act relating to shellfish harvesting; amending s. 597.010, F.S.; revising provisions directing the Department of Agriculture and Consumer Services, in cooperation with the Fish and Wildlife Conservation Commission and the Department of Environmental Protection, to protect specified shellfish beds, grounds, and reefs; defining the terms “dredge or mechanical harvesting devices” and “shellfish”; providing for the harvesting of shellfish from sovereign submerged land leases; providing for the Board of Trustees of the Internal Improvement Trust Fund to authorize the use of dredges or mechanical harvesting devices as special lease conditions of sovereign submerged land leases under certain circumstances; limiting the number of such dredges or mechanical harvesting devices per lease; prohibiting certain use and possession of such dredges or mechanical harvesting devices; providing penalties; removing provisions relating to shellfish harvesting seasons and removal of oysters, clams, or mussels from natural reefs; authorizing the department, rather than requiring, to designate areas for the taking of oysters and clams to be planted on public lands; deleting a provision allowing such takings to be planted on leases and grants; specifying that the commission, rather than the department, shall establish the amount of oysters, clams, and mussels that may be relayed or transplanted; removing provisions relating to dredging of dead shells and oyster culture; making technical changes; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for SB 1318** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Hutson

SPECIAL ORDER CALENDAR, continued

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

CS for CS for CS for SB 1442—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding health insurers, health maintenance organizations, health care practitioners, and practice groups that it contracts with, and a specified disclosure statement; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization’s process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—which was previously considered and amended this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Richter, the rules were waived and the Senate reconsidered the vote by which **Amendment 3 (158798)** was adopted.

MOTION

Senator Latvala moved to reconsider the vote by which the motion to reconsider **Amendment 3 (158798)** was adopted. The motion was adopted.

Senator Richter moved to reconsider **Amendment 3 (158798)**. The motion was adopted.

The vote was:

Yeas—26

Mr. President	Diaz de la Portilla	Lee
Altman	Evers	Montford
Bean	Flores	Richter
Bradley	Galvano	Ring
Brandes	Garcia	Simmons
Braynon	Gibson	Simpson
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Detert	Hutson	

Nays—14

Abruzzo	Joyner	Sachs
Benacquisto	Latvala	Smith
Dean	Legg	Sobel
Gaetz	Margolis	Thompson
Grimsley	Negron	

The question recurred on **Amendment 3 (158798)**. **Amendment 3** was withdrawn.

On motion by Senator Garcia, further consideration of **CS for CS for CS for SB 1442**, as amended, was deferred.

On motion by Senator Lee—

SB 908—A bill to be entitled An act relating to organization of the Department of Financial Services; amending ss. 17.04 and 17.0401, F.S.; authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; making conforming changes; reordering and amending s. 20.121, F.S.; revising the divisions and the location of bureaus within the divisions; revising the functions of the department; providing duties for the Division of Investigative and Forensic Services; authorizing the Chief Financial Officer to establish divisions, bureaus, and offices of the department; amending s. 624.26, F.S.; conforming a provision to changes made by the act; amending s. 624.307, F.S.; providing powers and duties of the Division of Consumer Services; authorizing the division to impose certain penalties; authorizing the department to adopt rules relating to the division; providing for construction; amending ss. 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S., relating to the renaming of the Division of Insurance Fraud; conforming provisions to changes made by the act; making technical changes; amending ss. 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, and 791.013, F.S., relating to the transfer of certain functions to the Division of Investigative and Forensic Services; conforming provisions to changes made by the act; amending ss. 538.32, 717.1241, 717.1323, 717.135, 717.1351, and 717.1400, F.S., relating to the renaming of the Bureau of Unclaimed Property; conforming provisions to changes made by the act; making technical changes; amending s. 717.138, F.S.; specifying rule-making authority of the department; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (384246) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 17.04, Florida Statutes, is amended to read:

17.04 To audit and adjust accounts of officers and those indebted to the state.—The Chief Financial Officer, using generally accepted auditing procedures for testing or sampling, shall examine, audit, adjust, and settle the accounts of all the officers of this state, and any other person in anywise entrusted with, or who may have received any property, funds, or moneys of this state, or who may be in anywise indebted or accountable to this state for any property, funds, or moneys, and require such officer or persons to render full accounts thereof, and to yield up such property or funds according to law, or pay such moneys into the treasury of this state, or to such officer or agent of the state as may be appointed to receive the same, and on failure so to do, to cause to be instituted and prosecuted proceedings, criminal or civil, at law or in equity, against such persons, according to law. The *Chief Financial Officer Division of Accounting and Auditing* may conduct investigations within or outside of this state as it deems necessary to aid in the enforcement of this section. If during an investigation the *Chief Financial Officer division* has reason to believe that any criminal statute of this state has or may have been violated, the *Chief Financial Officer division* shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.

Section 2. Section 17.0401, Florida Statutes, is amended to read:

17.0401 Confidentiality of information relating to financial investigations.—Except as otherwise provided by this section, information relative to an investigation conducted by the *Chief Financial Officer Division of Accounting and Auditing* pursuant to s. 17.04, including any consumer complaint, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation is completed or ceases to be active. Any information relating to an investigation conducted by the *division* pursuant to s. 17.04 shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution after the *division's* investigation is completed or ceases to be active if the *Chief Financial Officer division* submits the information to any law enforcement or prosecutorial agency for further investigation. Such information shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until that agency's investigation is completed or ceases to be active. For purposes of this section, an investigation shall be considered "active" so long as the *Chief Financial Officer division* or any law enforcement or prosecutorial agency is proceeding with reasonable dispatch and has a reasonable good faith belief that the investigation may lead to the filing of an administrative, civil, or criminal proceeding. This section shall not be construed to prohibit disclosure of information that is required by law to be filed with the Department of Financial Services or the Office of Financial Regulation and that, but for the investigation, would otherwise be subject to public disclosure. Nothing in this section shall be construed to prohibit the *Chief Financial Officer division* from providing information to any law enforcement or prosecutorial agency. Any law enforcement or prosecutorial agency receiving confidential information from the *Chief Financial Officer division* in connection with its official duties shall maintain the confidentiality of the information as provided for in this section.

Section 3. Subsection (2) of section 20.121, Florida Statutes, is re-ordered and amended to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions *and office*:

(a) The Division of Accounting and Auditing, ~~which shall include the following bureau and office:~~

~~1. The Bureau of Unclaimed Property.~~

~~2. The Office of Fiscal Integrity which shall function as a criminal justice agency for purposes of ss. 943.045-943.08 and shall have a separate budget. The office may conduct investigations within or outside this state as the bureau deems necessary to aid in the enforcement of this section. If during an investigation the office has reason to believe that any criminal law of this state has or may have been violated, the office shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.~~

~~(b)(h)~~ The Division of Consumer Services.

~~1. The Division of Consumer Services shall perform the following functions concerning products or services regulated by the department or by the Office of Insurance Regulation:~~

- ~~a. Receive inquiries and complaints from consumers.~~
- ~~b. Prepare and disseminate such information as the department deems appropriate to inform or assist consumers.~~
- ~~e. Provide direct assistance and advocacy for consumers who request such assistance or advocacy.~~
- ~~d. With respect to apparent or potential violations of law or applicable rules by a person or entity licensed by the department or office, report apparent or potential violations to the office or the appropriate division of the department, which may take such further action as it deems appropriate.~~
- ~~e. Designate an employee of the division as primary contact for consumers on issues relating to sinkholes.~~

~~2. Any person licensed or issued a certificate of authority by the department or by the Office of Insurance Regulation shall respond, in writing, to the Division of Consumer Services within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint. The division may impose an administrative penalty for failure to comply with this subparagraph of up to \$2,500 per violation upon any entity licensed by the department or the office and \$250 for the first violation, \$500 for the second violation, and up to \$1,000 per violation thereafter upon any individual licensed by the department or the office.~~

~~3. The department may adopt rules to administer this paragraph.~~

~~4. The powers, duties, and responsibilities expressed or granted in this paragraph do not limit the powers, duties, and responsibilities of the Department of Financial Services, the Financial Services Commission, the Office of Insurance Regulation, or the Office of Financial Regulation set forth elsewhere in the Florida Statutes.~~

~~(c)(n)~~ The Division of Funeral, Cemetery, and Consumer Services.

~~(d)(g)~~ The Division of Insurance Agent and Agency Services.

~~(e) The Division of Investigative and Forensic Services which shall function as a criminal justice agency for purposes of ss. 943.045-943.08. The division may conduct investigations within or outside of this state as it deems necessary. If, during an investigation, the division has reason to believe that any criminal law of this state has or may have been violated, it shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required. The division shall include the following bureaus and office:~~

- ~~1. The Bureau of Forensic Services;~~
- ~~2. The Bureau of Fire and Arson Investigations; and~~
- ~~3. The Office of Fiscal Integrity, which shall have a separate budget Insurance Fraud.~~

~~(f)(e)~~ The Division of Public Assistance Fraud.

~~(g)(f)~~ The Division of Rehabilitation and Liquidation.

~~(h)(e)~~ The Division of Risk Management.

~~(i)(b)~~ The Division of State Fire Marshal.

~~(j)(d)~~ The Division of Treasury, which shall include a Bureau of Deferred Compensation responsible for administering the Government Employees Deferred Compensation Plan established under s. 112.215 for state employees.

~~(k)~~ The Division of Unclaimed Property.

~~(l)(i)~~ The Division of Workers' Compensation.

~~(m)(j)~~ The Division of Administration.

~~(k)~~ The Division of Legal Services.

~~(l)~~ The Division of Information Systems.

~~(n)(m)~~ The Office of Insurance Consumer Advocate.

Section 4. Subsection (4) of section 624.26, Florida Statutes, is amended to read:

624.26 Collaborative arrangement with the Department of Health and Human Services.—

(4) The department's Division of Consumer Services may respond to complaints by consumers relating to a requirement of PPACA as authorized under s. 20.121(2)(h), and report apparent or potential violations to the office and to the federal Department of Health and Human Services.

Section 5. Subsection (10) is added to section 624.307, Florida Statutes, to read:

624.307 General powers; duties.—

(10)(a) The Division of Consumer Services shall perform the following functions concerning products or services regulated by the department or office:

1. Receive inquiries and complaints from consumers.
2. Prepare and disseminate information that the department deems appropriate to inform or assist consumers.
3. Provide direct assistance to and advocacy for consumers who request such assistance or advocacy.
4. With respect to apparent or potential violations of law or applicable rules committed by a person or entity licensed by the department or office, report apparent or potential violations to the office or to the appropriate division of the department, which may take any additional action it deems appropriate.
5. Designate an employee of the division as the primary contact for consumers on issues relating to sinkholes.

(b) Any person licensed or issued a certificate of authority by the department or the office shall respond, in writing, to the division within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint. The division may impose an administrative penalty for failure to comply with this paragraph of up to \$2,500 per violation upon any entity licensed by the department or the office and \$250 for the first violation, \$500 for the second violation, and up to \$1,000 for the third or subsequent violation upon any individual licensed by the department or the office.

(c) The department may adopt rules to administer this subsection.

(d) The powers, duties, and responsibilities expressed or granted in this subsection do not limit the powers, duties, and responsibilities of the department, the Financial Services Commission, the Office of Insurance

Regulation, or the Office of Financial Regulation as otherwise provided by law.

Section 6. Notwithstanding the expiration date in section 41 of chapter 2015-222, Laws of Florida, section 624.502, Florida Statutes, as amended by chapter 2013-41, Laws of Florida, is reenacted and amended to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the party requesting service plaintiff shall pay to the department or office a fee of \$15 for such service of process on an authorized or unauthorized insurer, which fee shall be deposited into the Administrative Trust Fund.

Section 7. Section 16.59, Florida Statutes, is amended to read:

16.59 Medicaid fraud control.—The Medicaid Fraud Control Unit is created in the Department of Legal Affairs to investigate all violations of s. 409.920 and any criminal violations discovered during the course of those investigations. The Medicaid Fraud Control Unit may refer any criminal violation so uncovered to the appropriate prosecuting authority. The offices of the Medicaid Fraud Control Unit, the Agency for Health Care Administration Medicaid program integrity program, and the Divisions of *Investigative and Forensic Services Insurance Fraud* and Public Assistance Fraud within the Department of Financial Services shall, to the extent possible, be collocated; however, positions dedicated to Medicaid managed care fraud within the Medicaid Fraud Control Unit shall be collocated with the Division of *Investigative and Forensic Services Insurance Fraud*. The Agency for Health Care Administration, the Department of Legal Affairs, and the Divisions of *Investigative and Forensic Services Insurance Fraud* and Public Assistance Fraud within the Department of Financial Services shall conduct joint training and other joint activities designed to increase communication and coordination in recovering overpayments.

Section 8. Subsection (9) of section 400.9935, Florida Statutes, is amended to read:

400.9935 Clinic responsibilities.—

(9) In addition to the requirements of part II of chapter 408, the clinic shall display a sign in a conspicuous location within the clinic readily visible to all patients indicating that, pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234. An authorized employee of the Division of *Investigative and Forensic Services Insurance Fraud* may make unannounced inspections of a clinic licensed under this part as necessary to determine whether the clinic is in compliance with this subsection. A licensed clinic shall allow full and complete access to the premises to such authorized employee of the division who makes an inspection to determine compliance with this subsection.

Section 9. Subsection (6) of section 409.91212, Florida Statutes, is amended to read:

409.91212 Medicaid managed care fraud.—

(6) Each managed care plan shall report all suspected or confirmed instances of provider or recipient fraud or abuse within 15 calendar days after detection to the Office of Medicaid Program Integrity within the agency. At a minimum the report must contain the name of the provider or recipient, the Medicaid billing number or tax identification number, and a description of the fraudulent or abusive act. The Office of Medicaid Program Integrity in the agency shall forward the report of suspected overpayment, abuse, or fraud to the appropriate investigative unit, including, but not limited to, the Bureau of Medicaid program integrity, the Medicaid fraud control unit, the Division of Public Assistance Fraud, the Division of *Investigative and Forensic Services Insurance Fraud*, or the Department of Law Enforcement.

(a) Failure to timely report shall result in an administrative fine of \$1,000 per calendar day after the 15th day of detection.

(b) Failure to timely report may result in additional administrative, civil, or criminal penalties.

Section 10. Paragraph (a) of subsection (1) of section 440.105, Florida Statutes, is amended to read:

440.105 Prohibited activities; reports; penalties; limitations.—

(1)(a) Any insurance carrier, any individual self-insured, any commercial or group self-insurance fund, any professional practitioner licensed or regulated by the Department of Health, except as otherwise provided by law, any medical review committee as defined in s. 766.101, any private medical review committee, and any insurer, agent, or other person licensed under the insurance code, or any employee thereof, having knowledge or who believes that a fraudulent act or any other act or practice which, upon conviction, constitutes a felony or misdemeanor under this chapter is being or has been committed shall send to the Division of *Investigative and Forensic Services Insurance Fraud*, Bureau of Workers' Compensation Fraud, a report or information pertinent to such knowledge or belief and such additional information relative thereto as the bureau may require. The bureau shall review such information or reports and select such information or reports as, in its judgment, may require further investigation. It shall then cause an independent examination of the facts surrounding such information or report to be made to determine the extent, if any, to which a fraudulent act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under this chapter is being committed. The bureau shall report any alleged violations of law which its investigations disclose to the appropriate licensing agency and state attorney or other prosecuting agency having jurisdiction with respect to any such violations of this chapter. If prosecution by the state attorney or other prosecuting agency having jurisdiction with respect to such violation is not begun within 60 days of the bureau's report, the state attorney or other prosecuting agency having jurisdiction with respect to such violation shall inform the bureau of the reasons for the lack of prosecution.

Section 11. Subsections (1) and (2) of section 440.1051, Florida Statutes, are amended to read:

440.1051 Fraud reports; civil immunity; criminal penalties.—

(1) The Bureau of Workers' Compensation Insurance Fraud of the Division of *Investigative and Forensic Services Insurance Fraud* of the department shall establish a toll-free telephone number to receive reports of workers' compensation fraud committed by an employee, employer, insurance provider, physician, attorney, or other person.

(2) Any person who reports workers' compensation fraud to the Division of *Investigative and Forensic Services Insurance Fraud* under subsection (1) is immune from civil liability for doing so, and the person or entity alleged to have committed the fraud may not retaliate against him or her for providing such report, unless the person making the report knows it to be false.

Section 12. Paragraph (c) of subsection (1) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(1) Compensation is not allowed for the first 7 days of the disability, except for benefits provided under s. 440.13. However, if the injury results in more than 21 days of disability, compensation is allowed from the commencement of the disability.

(c) Each carrier shall keep a record of all payments made under this subsection, including the time and manner of such payments, and shall furnish these records or a report based on these records to the Division of *Investigative and Forensic Services Insurance Fraud* and the Division of Workers' Compensation, upon request.

Section 13. Subsection (1) of section 624.521, Florida Statutes, is amended to read:

624.521 Deposit of certain tax receipts; refund of improper payments.—

(1) The department of ~~Financial Services~~ shall promptly deposit in the State Treasury to the credit of the Insurance Regulatory Trust Fund all “state tax” portions of agents’ licenses collected under s. 624.501 necessary to fund the Division of *Investigative and Forensic Services Insurance Fraud*. The balance of the tax shall be credited to the General Fund. All moneys received by the department of ~~Financial Services~~ or the office not in accordance with the provisions of this code or not in the exact amount as specified by the applicable provisions of this code shall be returned to the remitter. The records of the department or office shall show the date and reason for such return.

Section 14. Subsection (4) of section 626.016, Florida Statutes, is amended to read:

626.016 Powers and duties of department, commission, and office.—

(4) ~~Nothing in~~ This section is *not* intended to limit the authority of the department and the Division of *Investigative and Forensic Services Insurance Fraud*, as specified in s. 626.989.

Section 15. Section 626.989, Florida Statutes, is amended to read:

626.989 Investigation by department or Division of *Investigative and Forensic Services Insurance Fraud*; compliance; immunity; confidential information; reports to division; division investigator’s power of arrest.—

(1) For the purposes of this section:

(a) A person commits a “fraudulent insurance act” if the person:

1. Knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, self-insurer, self-insurance fund, servicing corporation, purported insurer, broker, or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a claim for payment or other benefit pursuant to any insurance policy, which the person knows to contain materially false information concerning any fact material thereto or if the person conceals, for the purpose of misleading another, information concerning any fact material thereto.

2. Knowingly submits:

a. A false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400 with an intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle No-Fault Law.

b. A claim for payment or other benefit pursuant to a personal injury protection insurance policy under the Florida Motor Vehicle No-Fault Law if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

(b) The term “insurer” also includes a health maintenance organization, and the term “insurance policy” also includes a health maintenance organization subscriber contract.

(2) If, by its own inquiries or as a result of complaints, the department or its Division of *Investigative and Forensic Services Insurance Fraud* has reason to believe that a person has engaged in, or is engaging in, a fraudulent insurance act, an act or practice that violates s. 626.9541 or s. 817.234, or an act or practice punishable under s. 624.15, it may administer oaths and affirmations, request the attendance of witnesses or proffering of matter, and collect evidence. The department

or its Division of *Investigative and Forensic Services* shall not compel the attendance of any person or matter in any such investigation except pursuant to subsection (4).

(3) If matter that the department or its division seeks to obtain by request is located outside the state, the person so requested may make it available to the division or its representative to examine the matter at the place where it is located. The division may designate representatives, including officials of the state in which the matter is located, to inspect the matter on its behalf, and it may respond to similar requests from officials of other states.

(4)(a) The department or its division may request that an individual who refuses to comply with any such request be ordered by the circuit court to provide the testimony or matter. The court shall not order such compliance unless the department or its division has demonstrated to the satisfaction of the court that the testimony of the witness or the matter under request has a direct bearing on the commission of a fraudulent insurance act, on a violation of s. 626.9541 or s. 817.234, or on an act or practice punishable under s. 624.15 or is pertinent and necessary to further such investigation.

(b) Except in a prosecution for perjury, an individual who complies with a court order to provide testimony or matter after asserting a privilege against self-incrimination to which the individual is entitled by law may not be subjected to a criminal proceeding or to a civil penalty with respect to the act concerning which the individual is required to testify or produce relevant matter.

(c) In the absence of fraud or bad faith, a person is not subject to civil liability for libel, slander, or any other relevant tort by virtue of filing reports, without malice, or furnishing other information, without malice, required by this section or required by the department or division under the authority granted in this section, and no civil cause of action of any nature shall arise against such person:

1. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from law enforcement officials, their agents, or employees;

2. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from other persons subject to the provisions of this chapter;

3. For any such information furnished in reports to the department, the division, the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or any local, state, or federal enforcement officials or their agents or employees; or

4. For other actions taken in cooperation with any of the agencies or individuals specified in this paragraph in the lawful investigation of suspected fraudulent insurance acts.

(d) In addition to the immunity granted in paragraph (c), persons identified as designated employees whose responsibilities include the investigation and disposition of claims relating to suspected fraudulent insurance acts may share information relating to persons suspected of committing fraudulent insurance acts with other designated employees employed by the same or other insurers whose responsibilities include the investigation and disposition of claims relating to fraudulent insurance acts, provided the department has been given written notice of the names and job titles of such designated employees prior to such designated employees sharing information. Unless the designated employees of the insurer act in bad faith or in reckless disregard for the rights of any insured, neither the insurer nor its designated employees are civilly liable for libel, slander, or any other relevant tort, and a civil action does not arise against the insurer or its designated employees:

1. For any information related to suspected fraudulent insurance acts provided to an insurer; or

2. For any information relating to suspected fraudulent insurance acts provided to the National Insurance Crime Bureau or the National Association of Insurance Commissioners.

Provided, however, that the qualified immunity against civil liability conferred on any insurer or its designated employees shall be forfeited with respect to the exchange or publication of any defamatory information with third persons not expressly authorized by this paragraph to share in such information.

(e) The Chief Financial Officer and any employee or agent of the department, commission, office, or division, when acting without malice and in the absence of fraud or bad faith, is not subject to civil liability for libel, slander, or any other relevant tort, and no civil cause of action of any nature exists against such person by virtue of the execution of official activities or duties of the department, commission, or office under this section or by virtue of the publication of any report or bulletin related to the official activities or duties of the department, division, commission, or office under this section.

(f) This section does not abrogate or modify in any way any common-law or statutory privilege or immunity heretofore enjoyed by any person.

(5) The office's and the department's papers, documents, reports, or evidence relative to the subject of an investigation under this section are confidential and exempt from the provisions of s. 119.07(1) until such investigation is completed or ceases to be active. For purposes of this subsection, an investigation is considered "active" while the investigation is being conducted by the office or department with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the office or department is proceeding with reasonable dispatch and has a good faith belief that action could be initiated by the office or department or other administrative or law enforcement agency. After an investigation is completed or ceases to be active, portions of records relating to the investigation shall remain exempt from the provisions of s. 119.07(1) if disclosure would:

- (a) Jeopardize the integrity of another active investigation;
- (b) Impair the safety and soundness of an insurer;
- (c) Reveal personal financial information;
- (d) Reveal the identity of a confidential source;
- (e) Defame or cause unwarranted damage to the good name or reputation of an individual or jeopardize the safety of an individual; or
- (f) Reveal investigative techniques or procedures. Further, such papers, documents, reports, or evidence relative to the subject of an investigation under this section shall not be subject to discovery until the investigation is completed or ceases to be active. Office, department, or division investigators shall not be subject to subpoena in civil actions by any court of this state to testify concerning any matter of which they have knowledge pursuant to a pending insurance fraud investigation by the division.

(6) Any person, other than an insurer, agent, or other person licensed under the code, or an employee thereof, having knowledge or who believes that a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being or has been committed may send to the Division of *Investigative and Forensic Services* ~~Insurance Fraud~~ a report or information pertinent to such knowledge or belief and such additional information relative thereto as the department may request. Any professional practitioner licensed or regulated by the Department of Business and Professional Regulation, except as otherwise provided by law, any medical review committee as defined in s. 766.101, any private medical review committee, and any insurer, agent, or other person licensed under the code, or an employee thereof, having knowledge or who believes that a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being or has been committed shall send to the Division of *Investigative and Forensic Services* ~~Insurance Fraud~~ a report or information pertinent to such knowledge or belief and such additional information relative thereto as the department may require. The Division of *Investigative and Forensic Services*

~~Insurance Fraud~~ shall review such information or reports and select such information or reports as, in its judgment, may require further investigation. It shall then cause an independent examination of the facts surrounding such information or report to be made to determine the extent, if any, to which a fraudulent insurance act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under the code, or under s. 817.234, is being committed. The Division of *Investigative and Forensic Services* ~~Insurance Fraud~~ shall report any alleged violations of law which its investigations disclose to the appropriate licensing agency and state attorney or other prosecuting agency having jurisdiction with respect to any such violation, as provided in s. 624.310. If prosecution by the state attorney or other prosecuting agency having jurisdiction with respect to such violation is not begun within 60 days of the division's report, the state attorney or other prosecuting agency having jurisdiction with respect to such violation shall inform the division of the reasons for the lack of prosecution.

(7) Division investigators shall have the power to make arrests for criminal violations established as a result of investigations. Such investigators shall also be considered state law enforcement officers for all purposes and shall have the power to execute arrest warrants and search warrants; to serve subpoenas issued for the examination, investigation, and trial of all offenses; and to arrest upon probable cause without warrant any person found in the act of violating any of the provisions of applicable laws. Investigators empowered to make arrests under this section shall be empowered to bear arms in the performance of their duties. In such a situation, the investigator must be certified in compliance with the provisions of s. 943.1395 or must meet the temporary employment or appointment exemption requirements of s. 943.131 until certified.

(8) It is unlawful for any person to resist an arrest authorized by this section or in any manner to interfere, either by abetting or assisting such resistance or otherwise interfering, with division investigators in the duties imposed upon them by law or department rule.

(9) In recognition of the complementary roles of investigating instances of workers' compensation fraud and enforcing compliance with the workers' compensation coverage requirements under chapter 440, the Department of Financial Services shall prepare and submit a joint performance report to the President of the Senate and the Speaker of the House of Representatives by January 1 of each year. The annual report must include, but need not be limited to:

- (a) The total number of initial referrals received, cases opened, cases presented for prosecution, cases closed, and convictions resulting from cases presented for prosecution by the Bureau of Workers' Compensation Insurance Fraud by type of workers' compensation fraud and circuit.
- (b) The number of referrals received from insurers and the Division of Workers' Compensation and the outcome of those referrals.
- (c) The number of investigations undertaken by the Bureau of Workers' Compensation Insurance Fraud which were not the result of a referral from an insurer or the Division of Workers' Compensation.
- (d) The number of investigations that resulted in a referral to a regulatory agency and the disposition of those referrals.
- (e) The number and reasons provided by local prosecutors or the statewide prosecutor for declining prosecution of a case presented by the Bureau of Workers' Compensation Insurance Fraud by circuit.

(f) The total number of employees assigned to the Bureau of Workers' Compensation Insurance Fraud and the Division of Workers' Compensation Bureau of Compliance delineated by location of staff assigned; and the number and location of employees assigned to the Bureau of Workers' Compensation Insurance Fraud who were assigned to work other types of fraud cases.

(g) The average caseload and turnaround time by type of case for each investigator and division compliance employee.

(h) The training provided during the year to workers' compensation fraud investigators and the division's compliance employees.

Section 16. Subsections (1), (2), and (3) of section 626.9891, Florida Statutes, are amended to read:

626.9891 Insurer anti-fraud investigative units; reporting requirements; penalties for noncompliance.—

(1) Every insurer admitted to do business in this state who in the previous calendar year, at any time during that year, had \$10 million or more in direct premiums written shall:

(a) Establish and maintain a unit or division within the company to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or

(b) Contract with others to investigate possible fraudulent claims for services or repairs against policies held by insureds.

An insurer subject to this subsection shall file with the Division of *Investigative and Forensic Services Insurance Fraud* of the department on or before July 1, 1996, a detailed description of the unit or division established pursuant to paragraph (a) or a copy of the contract and related documents required by paragraph (b).

(2) Every insurer admitted to do business in this state, which in the previous calendar year had less than \$10 million in direct premiums written, must adopt an anti-fraud plan and file it with the Division of *Investigative and Forensic Services Insurance Fraud* of the department on or before July 1, 1996. An insurer may, in lieu of adopting and filing an anti-fraud plan, comply with the provisions of subsection (1).

(3) Each insurers anti-fraud plans shall include:

(a) A description of the insurer's procedures for detecting and investigating possible fraudulent insurance acts;

(b) A description of the insurer's procedures for the mandatory reporting of possible fraudulent insurance acts to the Division of *Investigative and Forensic Services Insurance Fraud* of the department;

(c) A description of the insurer's plan for anti-fraud education and training of its claims adjusters or other personnel; and

(d) A written description or chart outlining the organizational arrangement of the insurer's anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts.

Section 17. Subsection (2) of section 626.9892, Florida Statutes, is amended to read:

626.9892 Anti-Fraud Reward Program; reporting of insurance fraud.—

(2) The department may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

Section 18. Subsection (1) of section 626.9893, Florida Statutes, is amended to read:

626.9893 Disposition of revenues; criminal or forfeiture proceedings.—

(1) The Division of *Investigative and Forensic Services Insurance Fraud* of the Department of Financial Services may deposit revenues received as a result of criminal proceedings or forfeiture proceedings, other than revenues deposited into the Department of Financial Services' Federal Law Enforcement Trust Fund under s. 17.43, into the Insurance Regulatory Trust Fund. Moneys deposited pursuant to this section shall be separately accounted for and shall be used solely for the division to carry out its duties and responsibilities.

Section 19. Subsection (2) of section 626.9894, Florida Statutes, is amended to read:

626.9894 Gifts and grants.—

(2) All rights to, interest in, and title to such donated or granted property shall immediately vest in the Division of *Investigative and Forensic Services Insurance Fraud* upon donation. The division may hold such property in coownership, sell its interest in the property, liquidate its interest in the property, or dispose of its interest in the property in any other reasonable manner.

Section 20. Section 626.99278, Florida Statutes, is amended to read:

626.99278 Viatical provider anti-fraud plan.—Every licensed viatical settlement provider and registered life expectancy provider must adopt an anti-fraud plan and file it with the Division of *Investigative and Forensic Services Insurance Fraud* of the department. Each anti-fraud plan shall include:

(1) A description of the procedures for detecting and investigating possible fraudulent acts and procedures for resolving material inconsistencies between medical records and insurance applications.

(2) A description of the procedures for the mandatory reporting of possible fraudulent insurance acts and prohibited practices set forth in s. 626.99275 to the Division of *Investigative and Forensic Services Insurance Fraud* of the department.

(3) A description of the plan for anti-fraud education and training of its underwriters or other personnel.

(4) A written description or chart outlining the organizational arrangement of the anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts and for the investigation of unresolved material inconsistencies between medical records and insurance applications.

(5) For viatical settlement providers, a description of the procedures used to perform initial and continuing review of the accuracy of life expectancies used in connection with a viatical settlement contract or viatical settlement investment.

Section 21. Paragraph (k) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(k)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the corporation's Office of the Inspector General and the Division of *Investigative and Forensic Services Insurance Fraud* within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

Section 22. Subsections (4) and (7) of section 627.711, Florida Statutes, are amended to read:

627.711 Notice of premium discounts for hurricane loss mitigation; uniform mitigation verification inspection form.—

(4) An authorized mitigation inspector that signs a uniform mitigation form, and a direct employee authorized to conduct mitigation verification inspections under *subsection paragraph* (3), may not commit misconduct in performing hurricane mitigation inspections or in

completing a uniform mitigation form that causes financial harm to a customer or their insurer; or that jeopardizes a customer's health and safety. Misconduct occurs when an authorized mitigation inspector signs a uniform mitigation verification form that:

(a) Falsely indicates that he or she personally inspected the structures referenced by the form;

(b) Falsely indicates the existence of a feature which entitles an insured to a mitigation discount which the inspector knows does not exist or did not personally inspect;

(c) Contains erroneous information due to the gross negligence of the inspector; or

(d) Contains a pattern of demonstrably false information regarding the existence of mitigation features that could give an insured a false evaluation of the ability of the structure to withstand major damage from a hurricane endangering the safety of the insured's life and property.

(7) An insurer, person, or other entity that obtains evidence of fraud or evidence that an authorized mitigation inspector or an employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3) has made false statements in the completion of a mitigation inspection form shall file a report with the Division of *Investigative and Forensic Services Insurance Fraud*, along with all of the evidence in its possession that supports the allegation of fraud or falsity. An insurer, person, or other entity making the report shall be immune from liability, in accordance with s. 626.989(4), for any statements made in the report, during the investigation, or in connection with the report. The Division of *Investigative and Forensic Services Insurance Fraud* shall issue an investigative report if it finds that probable cause exists to believe that the authorized mitigation inspector, or an employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3), made intentionally false or fraudulent statements in the inspection form. Upon conclusion of the investigation and a finding of probable cause that a violation has occurred, the Division of *Investigative and Forensic Services Insurance Fraud* shall send a copy of the investigative report to the office and a copy to the agency responsible for the professional licensure of the authorized mitigation inspector, whether or not a prosecutor takes action based upon the report.

Section 23. Paragraph (i) of subsection (4) and subsection (14) of section 627.736, Florida Statutes, are amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(4) PAYMENT OF BENEFITS.—Benefits due from an insurer under ss. 627.730-627.7405 are primary, except that benefits received under any workers' compensation law must be credited against the benefits provided by subsection (1) and are due and payable as loss accrues upon receipt of reasonable proof of such loss and the amount of expenses and loss incurred which are covered by the policy issued under ss. 627.730-627.7405. If the Agency for Health Care Administration provides, pays, or becomes liable for medical assistance under the Medicaid program related to injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle, the benefits under ss. 627.730-627.7405 are subject to the Medicaid program. However, within 30 days after receiving notice that the Medicaid program paid such benefits, the insurer shall repay the full amount of the benefits to the Medicaid program.

(i) If an insurer has a reasonable belief that a fraudulent insurance act, for the purposes of s. 626.989 or s. 817.234, has been committed, the insurer shall notify the claimant, in writing, within 30 days after submission of the claim that the claim is being investigated for suspected fraud. Beginning at the end of the initial 30-day period, the insurer has an additional 60 days to conduct its fraud investigation. Notwithstanding subsection (10), no later than 90 days after the submission of the claim, the insurer must deny the claim or pay the claim with simple interest as provided in paragraph (d). Interest shall be assessed from the day the claim was submitted until the day the claim is paid. All

claims denied for suspected fraudulent insurance acts shall be reported to the Division of *Investigative and Forensic Services Insurance Fraud*.

(14) FRAUD ADVISORY NOTICE.—Upon receiving notice of a claim under this section, an insurer shall provide a notice to the insured or to a person for whom a claim for reimbursement for diagnosis or treatment of injuries has been filed, advising that:

(a) Pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

(b) Solicitation of a person injured in a motor vehicle crash for purposes of filing personal injury protection or tort claims could be a violation of s. 817.234, s. 817.505, or the rules regulating The Florida Bar and should be immediately reported to the Division of *Investigative and Forensic Services Insurance Fraud* if such conduct has taken place.

Section 24. Paragraphs (b) and (c) of subsection (1) of section 627.7401, Florida Statutes, are amended to read:

627.7401 Notification of insured's rights.—

(1) The commission, by rule, shall adopt a form for the notification of insureds of their right to receive personal injury protection benefits under the Florida Motor Vehicle No-Fault Law. Such notice shall include:

(b) An advisory informing insureds that:

1. Pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of *Investigative and Forensic Services Insurance Fraud* arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

2. Pursuant to s. 627.736(5)(e)1., if the insured notifies the insurer of a billing error, the insured may be entitled to a certain percentage of a reduction in the amount paid by the insured's motor vehicle insurer.

(c) A notice that solicitation of a person injured in a motor vehicle crash for purposes of filing personal injury protection or tort claims could be a violation of s. 817.234, s. 817.505, or the rules regulating The Florida Bar and should be immediately reported to the Division of *Investigative and Forensic Services Insurance Fraud* if such conduct has taken place.

Section 25. Subsection (2) of section 631.156, Florida Statutes, is amended to read:

631.156 Investigation by the department; scope of authority; sharing of materials.—

(2) The department may provide documents, books, and records; other investigative products, work product, and analysis; and copies of any or all of such materials to the Division of *Investigative and Forensic Services Insurance Fraud* or any other appropriate government agency. The sharing of these materials ~~does shall~~ not waive any work product or other privilege otherwise applicable under law.

Section 26. Subsection (4) of section 641.30, Florida Statutes, is amended to read:

641.30 Construction and relationship to other laws.—

(4) The Division of *Investigative and Forensic Services Insurance Fraud* of the department is vested with all powers granted to it under the Florida Insurance Code with respect to the investigation of any violation of this part.

Section 27. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of *Investigative and Forensic Services* ~~State Fire Marshal~~ of the Department of Financial Services who shall be appointed by the *Chief Financial Officer* ~~State Fire Marshal~~.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 28. Subsection (3) of section 552.113, Florida Statutes, is amended to read:

552.113 Reports of thefts, illegal use, or illegal possession.—

(3) The Division of *Investigative and Forensic Services* shall investigate, or be certain that a qualified law enforcement agency investigates, the cause and circumstances of each theft, illegal use, or illegal possession of explosives which occurs within the state. A report of each such investigation shall be made and maintained by the Division of *Investigative and Forensic Services*.

Section 29. Subsections (1) and (2) of section 552.21, Florida Statutes, are amended to read:

552.21 Confiscation and disposal of explosives.—

(1) Whenever the ~~department division~~ shall have reason to believe that any person is or has been violating the provisions of this chapter or any rules or regulations adopted and promulgated pursuant thereto, the ~~department division~~ may, without further process of law, confiscate the explosives in question and cause them to be stored in a safe manner, or, if any explosives are deemed by the ~~department division~~ to be in such a state or condition as to constitute a hazard to life or property, the ~~department division~~ may dispose of such explosives without further process of law. The ~~department division~~ is authorized to dispose of any abandoned explosives that it deems to be hazardous to life or property.

(2) If the person so charged is found guilty of violating ~~the provisions~~ of this chapter or any rule or regulation adopted pursuant thereto with regard to the possession, handling, or storage of explosives, the ~~department division~~ is authorized to dispose of the confiscated materials in such a way as it shall deem equitable.

Section 30. Paragraph (c) of subsection (6) of section 633.112, Florida Statutes, is amended to read:

633.112 State Fire Marshal; hearings; investigations; recordkeeping and reports; subpoenas of witnesses; orders of circuit court.—

(6) Upon request, the State Fire Marshal shall investigate the cause, origin, and circumstances of fires and explosions occurring in this state wherein property has been damaged or destroyed and there is probable cause to believe that the fire or explosion was the result of carelessness or design.

(c) The ~~State Fire Marshal division~~ shall adopt rules to assist local fire officials and law enforcement officers in determining the established responsibilities with respect to the initial or preliminary assessment of fire and explosion scenes, and the determination of whether probable cause exists to refer such scenes to the State Fire Marshal for an investigation.

Section 31. Subsection (1) of section 633.114, Florida Statutes, is amended to read:

633.114 State Fire Marshal agents; authority; duties; compensation.—

(1) The State Fire Marshal shall appoint such agents, *including agents of the Division of Investigative and Forensic Services*, as may be necessary to carry out effectively this chapter, who shall be reimbursed for travel expenses as provided in s. 112.061, in addition to their salary, when traveling or making investigations in the performance of their duties. Such agents, *including agents of the Division of Investigative and Forensic Services*, shall be at all times under the direction and control of the State Fire Marshal, who shall fix their compensation, and all orders shall be issued in the State Fire Marshal's name and by her or his authority.

Section 32. Section 633.122, Florida Statutes, is amended to read:

633.122 Impersonating State Fire Marshal, firefighter, volunteer firefighter, or firesafety inspector; criminal penalties.—A person who falsely assumes or pretends to be the State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or a firesafety inspector by identifying herself or himself as the State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or a firesafety inspector by wearing a uniform or presenting or displaying a badge as credentials that would cause a reasonable person to believe that she or he is a State Fire Marshal, an agent of the ~~State Fire Marshal division~~, a firefighter, a volunteer firefighter, or firesafety inspector commits a felony of the third degree, punishable as provided in ss. 775.082 and 775.083 or, if the impersonation occurs during the commission of a separate felony by that person, commits a felony of the first degree, punishable as provided in ss. 775.082 and 775.083.

Section 33. Paragraph (b) of subsection (1) of section 633.126, Florida Statutes, is amended to read:

633.126 Investigation of fraudulent insurance claims and crimes; immunity of insurance companies supplying information.—

(1)

(b) The State Fire Marshal or an agent appointed pursuant to s. 633.114, *an agent of the Division of Investigative and Forensic Services*, any law enforcement officer as defined in s. 111.065, any law enforcement officer of a federal agency, or any fire service provider official who is engaged in the investigation of a fire or explosion loss may request any insurance company or its agent, adjuster, employee, or attorney, investigating a claim under an insurance policy or contract with respect to a fire or explosion to release any information whatsoever in the possession of the insurance company or its agent, adjuster, employee, or attorney relative to a loss from that fire or explosion. The insurance company shall release the available information to and cooperate with any official authorized to request such information pursuant to this section. The information shall include, but shall not be limited to:

1. Any insurance policy relevant to a loss under investigation and any application for such a policy.

2. Any policy premium payment records.

3. The records, reports, and all material pertaining to any previous claims made by the insured with the reporting company.

4. Material relating to the investigation of the loss, including statements of a person, proof of loss, and other relevant evidence.

5. Memoranda, notes, and correspondence relating to the investigation of the loss in the possession of the insurance company or its agents, adjusters, employees, or attorneys.

Section 34. Subsection (5) of section 633.422, Florida Statutes, is amended to read:

633.422 Firefighters; supplemental compensation.—

(5) APPLICABILITY.—For the purposes of this section, the *department division* shall be considered a fire service provider responsible for the payment of supplemental compensation in accordance with this section to firefighters employed full time by the *department division*.

Section 35. Subsection (7) of section 633.508, Florida Statutes, is amended to read:

633.508 Workplace safety; rulemaking authority; division authority.—

(7) The *department division* shall:

(a) Investigate and prescribe by rule what safety devices, safeguards, or other means of protection must be adopted for the prevention of accidents and injuries in every firefighter employee place of employment or at any fire scene; determine what suitable devices, safeguards, or other means of protection for the prevention of occupational diseases must be adopted or followed in any or all such firefighter places of employment or at any emergency fire scene; and adopt reasonable rules for the prevention of accidents, the safety, protection, and security of firefighter employees engaged in interior firefighting, and the prevention of occupational diseases.

(b) Ascertain, fix, and order such reasonable standards and rules for the construction, repair, and maintenance of firefighter employee places of employment so as to render them safe. Such rules and standards shall be adopted in accordance with chapter 120.

(c) Adopt rules prescribing recordkeeping responsibilities for firefighter employers, which may include maintaining a log and summary of occupational injuries, diseases, and illnesses, for producing on request a notice of injury and firefighter employee accident investigation records, and prescribing a retention schedule for such records.

Section 36. Section 633.512, Florida Statutes, is amended to read:

633.512 Compliance.—Failure of a firefighter employer or an insurer to comply with this part, or with any rules adopted under this part, constitutes grounds for the *department division* to seek remedies, including injunctive relief, by making appropriate filings with the circuit court.

Section 37. Subsection (1) of section 633.518, Florida Statutes, is amended to read:

633.518 Studies, investigations, inspections, or inquiries by the division; refusal to admit; penalty.—

(1) The *department division* shall make studies, investigations, inspections, or inquiries with respect to compliance with this part or any rules authorized under this part and the causes of firefighter employee injuries, illnesses, safety-based complaints, or Line of Duty Deaths (LODD) as defined in rule in firefighter employee places of employment and shall make such recommendations to the Legislature and firefighter employers and insurers as the *department division* considers proper to prevent or reduce future occurrences. In making such studies, investigations, inspections, or inquiries, the *department division* may cooperate with any agency of the United States charged with the duty of enforcing any law securing safety against injury in any place of firefighter employment covered by this part or any agency or department of

the state engaged in enforcing any law to ensure safety for firefighter employees.

Section 38. Subsection (3) of section 791.013, Florida Statutes, is amended to read:

791.013 Testing and approval of sparklers; penalties.—

(3) For purposes of the testing requirement by this section, the division shall perform such tests as are necessary to determine compliance with the performance standards in the definition of sparklers, pursuant to s. 791.01. The State Fire Marshal shall adopt, by rule, procedures for testing products to determine compliance with this chapter. The Division of *Investigative and Forensic Services* shall dispose of any samples which remain after testing.

Section 39. Paragraphs (b), (c), and (d) of subsection (7) of section 538.32, Florida Statutes, are amended to read:

538.32 Registration, transaction, and recordkeeping requirements; penalties.—

(7)

(b) Alternatively, a secondhand dealer must give written notice to the seller, by United States mail or e-mail if an e-mail address is provided by the seller, that information otherwise required to be given by the seller under subsection (2) has not been provided by the seller to the secondhand dealer. Notice of the deficient information must be sent by the secondhand dealer no later than 10 days after the transaction is received by the secondhand dealer. The secondhand dealer must specify in the notice that:

1. The seller must provide the missing information or must request the return of the property from the secondhand dealer within 30 days after receiving the notice from the secondhand dealer; and

2. The failure of the seller to provide the missing information or request return of the property within the applicable 30-day time period shall result in abandonment of the seller's property to the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to chapter 717.

(c) If the seller fails to remedy the deficiency in information or request return of the property within 30 days after receiving the notice, the seller's property is deemed abandoned and is relinquished to the *Division Bureau* of Unclaimed Property pursuant to chapter 717 if the property's true market value is greater than \$50 as defined in chapter 717.

(d) Within 24 hours after the expiration of the 30-day hold period for the property, the secondhand dealer must notify the appropriate law enforcement agency of the abandonment of the property by electronic transmission or by sending a copy of the completed form authorized by chapter 717 to the Department of Financial Services, *Division Bureau* of Unclaimed Property.

Section 40. Subsection (1) of section 717.1241, Florida Statutes, is amended to read:

717.1241 Conflicting claims.—

(1) When conflicting claims have been received by the department for the same unclaimed property account or accounts, the property shall be remitted in accordance with the claim filed by the person as follows, notwithstanding the withdrawal of a claim:

(a) To the person submitting the first claim received by the *Division Bureau* of Unclaimed Property of the department that is complete or made complete.

(b) If a claimant's claim and a claimant's representative's claim are received by the *Division Bureau* of Unclaimed Property of the department on the same day and both claims are complete, to the claimant.

(c) If a buyer's claim and a claimant's claim or a claimant's representative's claim are received by the *Division Bureau* of Unclaimed Property of the department on the same day and the claims are complete, to the buyer.

(d) As between two or more claimant's representative's claims received by the *Division Bureau* of Unclaimed Property of the department that are complete or made complete on the same day, to the claimant's representative who has agreed to receive the lowest fee. If the two or more claimant's representatives whose claims received by the *Division Bureau* of Unclaimed Property of the department were complete or made complete on the same day are charging the same lowest fee, the fee shall be divided equally between the claimant's representatives.

(e) If more than one buyer's claim received by the *Division Bureau* of Unclaimed Property of the department is complete or made complete on the same day, the department shall remit the unclaimed property to the buyer who paid the highest amount to the seller. If the buyers paid the same amount to the seller, the department shall remit the unclaimed property to the buyers divided in equal amounts.

Section 41. Section 717.1323, Florida Statutes, is amended to read:

717.1323 Prohibited practice.—A ~~No~~ person may *not* knowingly enter false information onto the Internet website of the *Division Bureau* of Unclaimed Property.

Section 42. Subsection (2) and paragraph (a) of subsection (3) of section 717.135, Florida Statutes, are amended to read:

717.135 Power of attorney to recover reported property in the custody of the department.—

(2) A power of attorney described in subsection (1) must:

(a) Limit the fees and costs for services to 20 percent per unclaimed property account held by the department. Fees and costs for cash accounts shall be based on the value of the property at the time the power of attorney is signed by the claimant. Fees and costs for accounts containing securities or other intangible ownership interests, which securities or interests are not converted to cash, shall be based on the purchase price of the security as quoted on a national exchange or other market on which the property is regularly traded at the time the securities or other ownership interest is remitted to the claimant or the claimant's representative. Fees and costs for tangible property or safe-deposit box accounts shall be based on the value of the tangible property or contents of the safe-deposit box at the time the ownership interest is transferred or remitted to the claimant. Total fees and costs on any single account owned by a natural person residing in this country must not exceed \$1,000; or

(b) Fully disclose that the property is held by the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to this chapter, the mailing address of the *division bureau*, the Internet address of the *division bureau*, the person or name of the entity that held the property prior to the property becoming unclaimed, the date of the holder's last contact with the owner, if known, and the approximate value of the property, and identify which of the following categories of unclaimed property the claimant's representative is seeking to recover, as reported by the holder:

1. Cash accounts.
2. Stale dated checks.
3. Life insurance or annuity contract assets.
4. Utility deposits.
5. Securities or other interests in business associations.
6. Wages.
7. Accounts receivable.
8. Contents of safe-deposit boxes.

This subsection shall not apply if probate proceedings must be initiated on behalf of the claimant for an estate that has never been probated or if the unclaimed property is being claimed by a person outside of the United States.

(3)(a) A power of attorney described in paragraph (2)(b) must state in 12-point type or greater in the order indicated with the blank spaces accurately completed:

FULL DISCLOSURE STATEMENT

The property is currently held by the State of Florida Department of Financial Services, *Division Bureau* of Unclaimed Property, pursuant to chapter 717, Florida Statutes. The mailing address of the *Division Bureau* of Unclaimed Property is The Internet address of the *Division Bureau* of Unclaimed Property is

The property was remitted by:

Date of last contact:

Property category:

Section 43. Subsection (2) of section 717.1351, Florida Statutes, is amended to read:

717.1351 Acquisition of unclaimed property.—

(2) All contracts to acquire ownership of or entitlement to unclaimed property from the person or persons entitled to the unclaimed property must be in 10-point type or greater and must:

(a) Have a purchase price that discounts the value of the unclaimed property at the time the agreement is executed by the seller at no greater than 20 percent per account held by the department. An unclaimed property account must not be discounted in excess of \$1,000. However, the \$1,000 discount limitation does not apply if probate proceedings must be initiated on behalf of the seller for an estate that has never been probated or if the seller of the unclaimed property is not a natural person or is a person outside the United States; or

(b) Fully disclose that the property is held by the *Division Bureau* of Unclaimed Property of the Department of Financial Services pursuant to this chapter, the mailing address of the *division bureau*, the Internet address of the *division bureau*, the person or name of the entity that held the property prior to the property becoming unclaimed, the date of the holder's last contact with the owner, if known, and the approximate value of the property, and identify which of the following categories of unclaimed property the buyer is seeking to purchase as reported by the holder:

1. Cash accounts.
2. Stale dated checks.
3. Life insurance or annuity contract assets.
4. Utility deposits.
5. Securities or other interests in business associations.
6. Wages.
7. Accounts receivable.
8. Contents of safe-deposit boxes.

The purchase agreement described in this paragraph must state in 12-point type or greater in the order indicated with the blank spaces accurately completed:

FULL DISCLOSURE STATEMENT

The property is currently held by the State of Florida Department of Financial Services, *Division Bureau* of Unclaimed Property, pursuant to chapter 717, Florida Statutes. The mailing address of

the ~~Division Bureau~~ of Unclaimed Property is The Internet address of the ~~Division Bureau~~ of Unclaimed Property is

The property was remitted by:

Date of last contact:

Property category:

Immediately above the signature line for the seller, the purchase agreement described in this paragraph must state in 12-point type or greater:

Seller agrees, by signing below, that the FULL DISCLOSURE STATEMENT has been read and fully understood.

Section 44. Paragraphs (a) and (b) of subsection (5) of section 717.1400, Florida Statutes, are amended to read:

717.1400 Registration.—

(5) If a material change in the status of a registration occurs, a registrant must, within 30 days, provide the department with the updated documentation and information in writing. Material changes include, but are not limited to: a designated agent or employee ceasing to act on behalf of the designating person, a surrender, suspension, or revocation of a license, or a license renewal.

(a) If a designated agent or employee ceases to act on behalf of the person who has designated the agent or employee to act on such person's behalf, the designating person must, within 30 days, inform the ~~Division Bureau~~ of Unclaimed Property in writing of the termination of agency or employment.

(b) If a registrant surrenders the registrant's license or the license is suspended or revoked, the registrant must, within 30 days, inform the ~~division bureau~~ in writing of the surrender, suspension, or revocation.

Section 45. Paragraphs (k) and (l) of subsection (6) of section 932.7055, Florida Statutes, are amended to read:

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(k) The Division of *Investigative and Forensic Services* ~~State Fire Marshal~~ in the Department of Financial Services, the proceeds accrued under the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund to be used for the purposes of arson suppression, arson investigation, and the funding of anti-arson rewards.

(l) The Division of *Investigative and Forensic Services* ~~Insurance Fraud~~ of the Department of Financial Services, the proceeds accrued pursuant to ~~the provisions of~~ the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund as provided in s. 626.9893 or into the Department of Financial Services' Federal Law Enforcement Trust Fund as provided in s. 17.43, as applicable.

Section 46. 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 organization of the Department of Financial Services; amending ss. 17.04 and 17.0401, F.S.; authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; making conforming changes; amending s. 20.121, F.S.; revising the divisions and the location of bureaus within the divisions; revising the functions of the department; providing duties for the Division of Investigative and Forensic Services; amending s. 624.26, F.S.; deleting a cross-reference; amending s. 624.307, F.S.; providing powers and duties

of the Division of Consumer Services; authorizing the division to impose certain penalties; authorizing the department to adopt rules relating to the division; providing for construction; reenacting and amending s. 624.502, F.S., relating to service of process fees; providing that a party requesting service of process shall pay a specified fee to the department or the Office of Insurance Regulation for such service; abrogating the scheduled expiration and reversion of amendments to s. 624.502, F.S.; amending ss. 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9891, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S., relating to the renaming of the Division of Insurance Fraud; conforming provisions to changes made by the act; making technical changes; amending ss. 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, and 791.013, F.S., relating to the transfer of certain functions to the Division of Investigative and Forensic Services; conforming provisions to changes made by the act; amending ss. 538.32, 717.1241, 717.1323, 717.135, 717.1351, and 717.1400, F.S., relating to the renaming of the Bureau of Unclaimed Property; conforming provisions to changes made by the act; making technical changes; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **SB 908**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 520—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE-Vocational Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE-Vocational Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 520**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 793** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Fiscal Policy.

On motion by Senator Lee—

CS for HB 793—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified programs and degree programs; amending ss. 1009.534 and 1009.535, F.S.; requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; creating the Florida Gold Seal CAPE Scholars award within the Florida Bright Futures Scholarship Program; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal CAPE Scholars award; providing that certain students may receive an award for a specified number of credits toward specified programs and degree programs; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 520** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 793** was placed on the calendar of Bills on Third Reading.

SB 972—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; providing a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—was read the second time by title.

Pending further consideration of **SB 972**, pursuant to Rule 3.11(3), there being no objection, **HB 967** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Lee—

HB 967—A bill to be entitled An act relating to family law; providing a short title; providing a directive to the Division of Law Revision and Information; providing legislative findings; creating s. 61.55, F.S.; pro-

viding a purpose; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; providing that a collaborative law process begins when the parties enter into a collaborative law participation agreement; prohibiting a tribunal from ordering a party to participate in a collaborative law process over the party's objection; providing the conditions under which a collaborative law process concludes, terminates, or continues; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that specified provisions do not take effect until 30 days after the Florida Supreme Court adopts rules of procedure and professional responsibility; providing a contingent effective date; providing effective dates.

—a companion measure, was substituted for **SB 972** and read the second time by title.

Pursuant to Rule 4.19, **HB 967** was placed on the calendar of Bills on Third Reading.

SB 110—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 110**, pursuant to Rule 3.11(3), there being no objection, **HB 43** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Bean, by two-thirds vote—

HB 43—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

—a companion measure, was substituted for **SB 110**, and by two-thirds vote, read the second time by title.

SENATOR RICHTER PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **HB 43** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Michael S. "Mike" Bennett who was present in the gallery.

MOTIONS

On motion by Senator Simmons, the rules were waived and all bills remaining and temporarily postponed on the Special Order Calendar this day 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 Wednesday, March 2, 2016: SB 7076, CS for SB

1534, CS for CS for SB 514, CS for SB 1034, CS for CS for SB 938, CS for CS for SB 772, CS for SB 754, CS for SB 7068, SB 908, CS for SB 520, CS for SB 986, SB 972, CS for SB 960, CS for SB 1508, CS for CS for SB 436, SB 1402, CS for CS for CS for SB 948, CS for CS for SB 1432, SB 110, CS for SB 1538, SB 1412, CS for CS for SB 524, CS for CS for CS for SB 1442, CS for CS for SB 1604, CS for SB 1570, SB 1312, CS for CS for CS for SB 912, CS for CS for SB 718, CS for CS for SB 400, CS for SB 1160, CS for CS for SB 1422, CS for CS for SB 1686, CS for SB 1470, CS for CS for CS for SB 768, CS for SB 700, CS for CS for SB 1274, SB 498, CS for SB 342, CS for CS for SB 1104, CS for SB 122, CS for CS for SB 964.

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

The Committee on Appropriations recommends the following pass: CS for CS for SB 324; CS for SB 440; CS for CS for SB 488; CS for SJR 492; CS for SB 670; CS for SJR 1194; CS for SB 1360

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 534; CS for SB 668; CS for SB 760; CS for SB 766; CS for SB 936; SB 1106; CS for SB 1248; CS for CS for SB 1262; SB 1316; SB 1418; CS for SB 1462; SB 1662; SB 7018

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 1044; SB 1294; CS for SB 1394

The Committee on Rules recommends committee substitutes for the following: SB 460; CS for CS for SB 1036; CS for SB 1190

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on General Government recommends a committee substitute for the following: CS for SB 1150

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Altman—

SR 1784—A resolution supporting the decision of the United States Air Force in awarding the contract for the Long-Range Strike Bomber to Northrop Grumman.

—was referred to the Committees on Commerce and Tourism; and Governmental Oversight and Accountability.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Rules; and Senators Bradley, Soto, Sobel, and Hutson—

CS for SB 460—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, medical cannabis, or a cannabis delivery device; revising the information a physician must update on the registry; requiring a phy-

sician to update the registry within a specified timeframe; requiring a physician to obtain certain written consent; providing that a physician commits a misdemeanor of the first degree under certain circumstances; providing that an eligible patient who uses medical cannabis, and such patient's legal representative, who administers medical cannabis in specified prohibited locations commits a misdemeanor of the first degree; 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; providing that the appropriate board must require the medical director of each dispensing organization to hold a certain license; revising the information that the Department of Health is required to include in its online compassionate use registry; revising performance bond requirements for certain dispensing organizations; requiring the department to approve three dispensing organizations, including specified applicants, under certain circumstances; providing requirements for the three dispensing organizations; requiring the department to allow a dispensing organization to make certain wholesale purchases from or distributions to another dispensing organization; revising standards to be met and maintained by dispensing organizations; authorizing dispensing organizations to use certain pesticides after consultation with the Department of Agriculture and Consumer Services; providing requirements for dispensing organizations when they are growing and processing low-THC cannabis or medical cannabis; requiring dispensing organizations to inspect seeds and growing plants for certain pests and perform certain fumigation and treatment of plants; providing that dispensing organizations may not dispense low-THC cannabis and medical cannabis unless they meet certain testing requirements; requiring dispensing organizations to maintain certain records; requiring dispensing organizations to contract with an independent testing laboratory to perform certain audits; providing packaging requirements for low-THC and medical cannabis; requiring dispensing organizations to retain certain samples for specified purposes; providing delivery requirements for dispensing organizations when dispensing low-THC cannabis and medical cannabis; providing certain safety and security requirements for dispensing organizations; providing certain safety and security requirements for the transport of low-THC cannabis and medical cannabis; authorizing the department to conduct certain inspections; providing inspection requirements; authorizing the department to enter into certain interagency agreements; requiring the department to make certain information available on its website; authorizing the department to establish a system for issuing and renewing registration cards; providing requirements for the registration cards; authorizing the department to impose certain fines; authorizing the department to suspend, revoke, or refuse to renew a dispensing organization's approval under certain circumstances; requiring the department to renew the dispensing organization biennially under certain conditions; providing applicability; authorizing an approved independent testing laboratory to possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis by department rule; providing that a dispensing organization is presumed to be registered with the department under certain circumstances; providing that a person is not exempt from prosecution for certain offenses and is not relieved from certain requirements of law under certain circumstances; amending s. 499.0295, F.S.; revising definitions; authorizing certain manufacturers to dispense cannabis delivery devices; requiring the department to authorize certain dispensing organizations or applicants to provide low-THC cannabis, medical cannabis, and cannabis delivery devices to eligible patients; providing for dispensing organizations or applicants meeting specified criteria to be granted authorization to cultivate certain cannabis and operate as dispensing organizations; requiring the department to grant approval as a dispensing organization to certain qualified applicants by a specified date; authorizing two dispensing organizations in the same region under certain circumstances; authorizing the Department of Health to enforce certain rules; providing applicability; providing an effective date.

By the Committees on Appropriations; Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for CS for SB 534—A bill to be entitled An act relating to water and wastewater; creating s. 159.8105, F.S.; requiring the Division

of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation and reallocation of bonds for water and wastewater infrastructure projects; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified percentage or cost; amending s. 367.081, F.S.; authorizing the commission to allow a utility to create a reserve fund upon the commission's own motion or upon the request of the utility; requiring the commission to adopt rules to govern the implementation, management, and use of the fund; establishing criteria for adjusted rates; specifying expense items that may be the basis for an automatic increase or decrease of a utility's rates; authorizing the commission to establish by rule additional specified expense items; requiring the commission to consider certain criteria, when specifically raised in writing by certain parties; specifying standards for evidentiary proceeding involving challenges to such criteria; authorizing the commission to allocate benefits between the customers, shareholders, owners, or affiliates and to disallow rate case expense under certain circumstances; amending s. 367.0814, F.S.; prohibiting the commission from awarding rate case expenses to recover attorney fees or fees of other outside consultants in certain circumstances; providing exceptions; requiring the commission to propose rules by a certain date; amending s. 367.0816, F.S.; providing an exception to the provision requiring rate case expense recovery to be apportioned over 4 years; prohibiting a utility from earning a return on the unamortized balance of rate case expense; excluding such expenses from rate bases; amending s. 367.111, F.S.; authorizing the commission to review water quality and wastewater service upon its own motion or based on complaints of customers; amending s. 367.165, F.S.; requiring a county that regulates water or wastewater services to comply with the requirements for abandoned water and wastewater systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to require or request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit, privately owned, or investor-owned water systems; deleting restrictions on such activities; providing an effective date.

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

CS for CS for SB 668—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring a court to consider certain alimony factors and make specific written findings of fact under certain circumstances; prohibiting a court from using certain presumptive alimony guidelines in calculating alimony pendente lite; amending s. 61.08, F.S.; defining terms; requiring a court to make specified initial written findings in a dissolution of marriage proceeding where a party has requested alimony; requiring a court to make specified findings before ruling on a request for alimony; providing for determinations of presumptive alimony amount range and duration range; providing presumptions concerning alimony awards depending on the duration of marriages; providing for imputation of income in certain circumstances; specifying exceptions to the guidelines for the amount and duration of alimony awards; providing for awards of nominal alimony in certain circumstances; providing for taxability and deductibility of alimony awards; prohibiting a combined award of alimony and child support from constituting more than a specified percentage of a payor's net income; authorizing the court to order a party to protect an alimony award by specified means; providing for termination of an award; authorizing a court to modify or terminate the amount of an initial alimony award; prohibiting a court from modifying the duration of an alimony award; providing for payment of awards; amending s. 61.13, F.S.; specifying a premise that a minor child should spend approximately equal amounts of time with each parent; revising a finite list of factors that a court must evaluate when establishing or modifying parental responsibility or a parenting plan; requiring a court order to be supported by written findings of fact under certain circumstances; amending s. 61.14, F.S.; prohibiting a court from changing the duration of alimony; authorizing a party to pursue an immediate modification of alimony in certain circumstances; revising factors to be considered in determining whether an existing award of alimony should be reduced or terminated because of an alleged supportive relationship; providing for burden of proof for

claims concerning the existence of supportive relationships; providing for the effective date of a reduction or termination of an alimony award; providing that the remarriage of an alimony obligor is not a substantial change in circumstance; providing that the financial information of a spouse of a party paying or receiving alimony is inadmissible and undiscoverable; providing an exception; providing for modification or termination of an award based on a party's retirement; providing a presumption upon a finding of a substantial change in circumstance; specifying factors to be considered in determining whether to modify or terminate an award based on a substantial change in circumstance; providing for a temporary suspension of an obligor's payment of alimony while his or her petition for modification or termination is pending; providing for an award of attorney fees and costs for unreasonably pursuing or defending a modification of an award; providing for an effective date of a modification or termination of an award; amending s. 61.30, F.S.; requiring that a child support award be adjusted to reduce the combined alimony and child support award under certain circumstances; creating s. 61.192, F.S.; providing for motions to advance the trial of certain actions if a specified period has passed since the initial service on the respondent; amending ss. 61.1827 and 409.2579, F.S.; conforming cross-references; providing applicability; providing an effective date.

By the Committees on Appropriations; and Agriculture; and Senators Bean, Sobel, Soto, and Flores—

CS for CS for SB 760—A bill to be entitled An act relating to the Healthy Food Financing Initiative; providing definitions; directing the Department of Agriculture and Consumer Services to establish a Healthy Food Financing Initiative program to provide specified financing to construct, rehabilitate, or expand independent grocery stores and supermarkets in underserved communities in low-income and moderate-income communities; authorizing the department to contract with a third-party administrator; establishing funding specifications for administrators; providing program, project, and applicant requirements; authorizing funds to be used for specified purposes; directing the department to submit an annual report to the Legislature and adopt rules; providing that implementation of the program is contingent upon legislative appropriation; providing an effective date.

By the Committees on Appropriations; and Finance and Tax; and Senator Flores—

CS for CS for SB 766—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.0105, F.S.; conforming provisions to changes made by the act; amending s. 193.073, F.S.; revising procedures for the revision of an erroneous or incomplete personal property tax return; amending s. 193.122, F.S.; specifying deadlines for value adjustment boards to complete certain hearings and final assessment roll certifications; providing exceptions; providing applicability; amending ss. 193.155, 193.1554, and 193.1555, F.S.; requiring a property appraiser to serve a notice of intent to record a notice of tax lien under certain circumstances; requiring certain taxpayers to be given a specified timeframe to pay taxes, penalties, and interest to avoid the filing of a lien; prohibiting the assessment of penalties and interest under certain circumstances; amending s. 194.011, F.S.; revising the procedures for filing petitions to the value adjustment board; providing applicability as to the confidentiality of certain taxpayer information; amending s. 194.014, F.S.; revising the entities authorized to determine under certain circumstances that a petitioner owes ad valorem taxes or is owed a refund of overpaid taxes; revising the rate at which interest accrues on unpaid and overpaid ad valorem taxes; defining the term "bank prime loan rate"; amending s. 194.032, F.S.; revising the purposes for which a value adjustment board may meet; revising requirements for the provision of property record cards to a petitioner for certain hearings; requiring the petitioner or property appraiser to show good cause to reschedule a hearing related to an assessment; defining the term "good cause"; amending s. 194.034, F.S.; revising requirements for an entity that may represent a taxpayer before the value adjustment board; requiring the Department of Revenue to adopt certain forms; prohibiting a taxpayer from contesting an assessment unless the return was timely filed; defining the term "timely filed"; revising provisions

relating to findings of fact; amending s. 194.035, F.S.; specifying that certain petitions must be heard by a special magistrate; prohibiting consideration of assessment reductions recommended in previous hearings by special magistrates when appointing or when scheduling a special magistrate; amending s. 197.3632, F.S.; extending the dates for certain counties to adopt or certify non-ad valorem assessment rolls; reenacting and amending s. 1011.62(4)(e), F.S.; revising the time period for requirements and calculations applicable to the levy and adjustment of the Prior Period Funding Adjustment Millage before and after certification of the district's final taxable value; repealing certain provisions of a rule adopted by the Department of Revenue; providing a finding of important state interest; providing effective dates.

By the Committees on Appropriations; and Criminal Justice; and Senator Ring—

CS for CS for SB 936—A bill to be entitled An act relating to criminal justice system interviews of individuals with autism or an autism spectrum disorder; providing a short title; creating s. 943.0439, F.S.; requiring a law enforcement officer, correctional officer, or another public safety official to make a good faith effort, upon the request of a parent, a guardian, or the individual, to ensure that specified professionals are present at all interviews of an individual diagnosed with autism or an autism spectrum disorder; providing specifications for the professional; specifying that the parent, guardian, or individual bears the expense of hiring the professional; requiring a convicted defendant to pay for the professional under certain circumstances; specifying that not having a professional present is not a basis for suppressing statements or for bringing a cause of action; providing applicability; requiring law enforcement agencies to develop and implement appropriate policies and provide training; providing an effective date.

By the Committees on Rules; Commerce and Tourism; and Banking and Insurance; and Senator Brandes—

CS for CS for CS for SB 1036—A bill to be entitled An act relating to automobile insurance; amending s. 627.311, F.S.; authorizing the Florida Automobile Joint Underwriting Association and a joint underwriting plan approved by the Office of Insurance Regulation to cancel personal lines or commercial policies within a specified time for non-payment of premium due to certain reasons; prohibiting an insured from cancelling a policy or binder within a specified time except under certain conditions; amending s. 627.7283, F.S.; authorizing an insured who cancels a policy to apply the unearned portion of any premium paid to unpaid balances of other policies with the same insurer or insurer group; amending s. 627.7295, F.S.; updating applicability language to include a reference to recurring credit card or debit card payments; authorizing an additional form of payment for certain motor vehicle insurance contract premiums; authorizing an insurer to impose a specified insufficient funds fee under certain circumstances; amending s. 627.736, F.S.; requiring that a certain standard form be approved by the office and adopted by the Financial Services Commission, rather than approved by the office or adopted by the commission; revising standards for compliance for specified billings for medical services; adding a specified entity to a list of entities that are not required to be licensed as a clinic to receive reimbursement under the Florida Motor Vehicle No-Fault Law; providing an effective date.

By the Committees on Fiscal Policy; and Criminal Justice; and Senators Brandes, Negron, Clemens, and Bean—

CS for CS for SB 1044—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.701, F.S.; conforming provisions to changes made by the act; amending s. 932.703, F.S.; specifying that property may be seized only under certain circumstances; defining the term “monetary instrument”; requiring that specified persons approve a settlement; providing circumstances when property may be deemed contraband; allocating responsibility for damage to seized property and payment of storage and maintenance expenses; requiring the seizing agency to apply for an order, within a certain timeframe, making a probable cause determination after the agency seizes property; provid-

ing application requirements; requiring a court to make specified determinations; providing procedures upon certain court findings; authorizing the court to seal any portion of the application and of specified proceedings under certain circumstances; providing for construction; amending s. 932.704, F.S.; providing requirements for a filing fee and a bond to be paid to the clerk of court; increasing the evidentiary standard from clear and convincing evidence to proof beyond a reasonable doubt that a contraband article was being used in violation of the Florida Contraband Forfeiture Act for a court to order the forfeiture of the seized property; increasing the attorney fees and costs awarded to claimant under certain circumstances; requiring a sizing agency to annually review seizures, settlements, and forfeiture proceedings to determine compliance with the Florida Contraband Forfeiture Act; providing requirements for seizing law enforcement agencies; requiring seizing law enforcement agencies to adopt and implement specified written policies, procedures, and training; requiring law enforcement agency personnel to receive basic training and continuing education; requiring the maintenance of training records; amending s. 932.7055, F.S.; conforming provisions to changes made by the act; creating s. 932.7061, F.S.; providing reporting requirements for seized property for forfeiture; creating s. 932.7062, F.S.; providing penalties for non-compliance with reporting requirements; amending s. 322.34, F.S.; providing for payment of court costs, fines, and fees from proceeds of certain forfeitures; conforming provisions to changes made by the act; amending ss. 323.001, 328.07, and 817.625, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Appropriations; and Senator Flores—

CS for SB 1106—A bill to be entitled An act relating to international trust entities; amending s. 663.01, F.S.; defining the term “international trust entity”; creating s. 663.041, F.S.; providing for a moratorium for a specified timeframe on enforcement by the Office of Financial Regulation of certain licensure requirements for certain organizations and entities providing services to international trust companies; providing conditions to apply the moratorium to specified persons of the organization or entity; providing for construction; specifying requirements for a letter to the office to request qualification as a party to the moratorium; requiring the office to confirm specified findings when processing a request; specifying circumstances for establishing adequate supervision; providing procedures and timeframes for the office's processing of requests and the office's requests for additional information; providing timeframes for the office to confirm with the organization or entity whether it has been confirmed as a party to the moratorium; requiring the office to issue a notice of denial if it determines that an organization or entity is not a party to the moratorium; providing that a denied organization or entity may request a certain hearing to contest the denial; providing for construction if certain timeframes are not met; authorizing the office to conduct an onsite visitation of an organization or entity for a specified purpose until a specified time; requiring the office to issue an immediate final order disqualifying an organization or entity if it finds that such organization or entity made a material false statement in its request; providing for construction; providing for future repeal; providing an effective date.

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

CS for CS for SB 1190—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing local governments to hold joint public meetings to discuss matters of mutual interest upon certain conditions; prohibiting official votes from being taken at such meetings; specifying that such meetings may not take the place of certain required hearings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing in certain areas; requiring the governing body of a county to administer a separate reserve account for tax increment areas for the deposit of tax increment revenues; requiring that tax increment revenues be used to fund only certain activities and projects that directly benefit the tax increment area; specifying determination requirements for a tax increment; prohibiting the Department of Transportation or the Florida Turnpike Enterprise from imposing certain fees on or requiring certain

contributions from a commercial or retail development within a tax increment finance area; amending s. 163.3184, F.S.; specifying that certain developments must follow the state coordinated review process; providing timeframes within which the Division of Administrative Hearings must transmit certain recommended orders to the Administration Commission; establishing deadlines for the state land planning agency to take action on recommended orders relating to certain plan amendments; providing a procedure for issuing a final order if the state land planning agency fails to take action; amending s. 163.3245, F.S.; revising the acreage thresholds for sector plans; amending s. 171.046, F.S.; revising the size of an enclave that a municipality may annex on an expedited basis; amending s. 380.0555, F.S.; revising the applicability of certain requirements and restrictions relating to areas of critical state concern to the Apalachicola Bay Area; providing that such areas may not be recommended for resignation for a certain time period; specifying that the state land planning agency, rather than the Administration Commission, shall approve modifications to certain local plans and regulations in the Apalachicola Bay Area; providing standards for such review; amending s. 380.06, F.S.; authorizing certain changes to approved developments of regional impact; authorizing parties to amend certain development agreements without submittal, review, or approval of a notification of proposed change; revising the meaning of the term “essentially built out” as it relates to such amendments; providing criteria under which one approved land use may be submitted for another approved land use in certain land development agreements under certain circumstances; requiring the local government to consult with the Department of Transportation before approving such exchanges under certain circumstances; specifying that certain proposed changes to certain developments are a substantial deviation; specifying that such developments must undergo further development-of-regional-impact review; providing that certain phase date extensions to amend a development order are not substantial deviations under certain circumstances; specifying conditions under which certain proposed developments are not required to undergo the state-coordinated review process; amending s. 380.0651, F.S.; providing that lands acquired for development are not subject to aggregation under certain circumstances; amending s. 380.115, F.S.; providing the procedures to be used by a development that elects to rescind a development order; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Diaz de la Portilla—

CS for CS for SB 1248—A bill to be entitled An act relating to prohibited insurance practices; amending s. 626.854, F.S.; adding entities and persons that may not adjust a claim on behalf of an insured unless licensed and compliant as a public adjuster; revising an exception to include a subcontractor; creating s. 627.716, F.S.; prohibiting a person or entity from certain actions relating to the referral of certain business related to certain repair, mitigation, and restoration services; specifying requirements for an entity or person that provides certain emergency remediation or restoration services; providing applicability; authorizing the Department of Financial Services to seek a cease and desist order and administrative fines for certain violations; authorizing the department to enforce such penalties in a specified circuit court; authorizing the department to recommend disciplinary action to other licensing agencies or boards; providing applicability; creating s. 627.717, F.S.; providing that a policyholder that assigns the right to receive benefit of payment under a property insurance policy is not liable to the assignee for certain services or materials; prohibiting certain actions by an assignee against a policyholder under specified circumstances; providing an effective date.

By the Committees on Appropriations; Finance and Tax; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Simpson—

CS for CS for CS for SB 1262—A bill to be entitled An act relating to emergency management; amending s. 213.055, F.S.; defining terms; providing that out-of-state businesses and employees who enter the state in response to a disaster or an emergency are excluded from certain registration and licensing requirements and taxes; specifying the

obligations of an out-of-state business or employee after the disaster-response period; providing an effective date.

By the Committee on Fiscal Policy; and Senator Grimsley—

CS for SB 1294—A bill to be entitled An act relating to offenses involving minors and vulnerable persons; amending ss. 92.53 and 92.54, F.S.; increasing the maximum age at which a victim or witness under may be allowed to testify via closed circuit television rather than in a courtroom in certain circumstances; amending s. 92.55, F.S.; revising the definition of the term “sexual offense victim or witness”; increasing the maximum age of victims and witnesses for whom the court may enter protective orders; authorizing certain advocates to file motions for such orders on behalf of certain persons; amending s. 741.281, F.S.; requiring a court to order that a defendant attend and complete a parenting course if domestic violence was committed upon or in the presence of a child; amending s. 741.283, F.S.; increasing the minimum sentence that a court is required to order a person to serve if he or she is adjudicated guilty of domestic violence and intentionally causes bodily harm to another person; amending s. 775.08435, F.S.; prohibiting a court from withholding adjudication for a third degree felony offense of domestic violence; providing exceptions; amending s. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; reclassifying specified felony offenses under certain circumstances; prohibiting certain defenses to prosecution under certain circumstances; amending s. 794.022, F.S.; including human trafficking and lewd and lascivious offenses in the rules of evidence applicable to sexually-related offenses; amending ss. 90.404, 775.21, 943.0435, 944.606, and 944.607, F.S.; conforming provisions to changes made by the act; reenacting s. 924.07(1)(m), F.S., relating to an appeal by the state, to incorporate the amendment made to s. 775.08135, F.S., in a reference thereto; providing an effective date.

By the Committee on Appropriations; and Senator Grimsley—

CS for SB 1316—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department upon request; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions to conform to changes made by the compact; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse’s multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with practice laws of those states; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse’s multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information system; providing for the development of the system, reporting procedures, and the exchange of certain information between party states; establishing

the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rulemaking procedures; providing for state enforcement of the compact; providing a procedure for compact membership termination; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members, employees, or representatives of the Interstate Commission of Nurse Licensure Compact Administrators as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain claims or judgments; authorizing the commission to maintain insurance coverage to pay certain claims or judgments; providing a contingent effective date.

By the Committees on Fiscal Policy; and Transportation; and Senator Brandes—

CS for CS for SB 1394—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; defining the terms “service patrol vehicle” and “driver-assistive truck platooning technology”; amending s. 316.126, F.S.; requiring the driver of every other vehicle to take specified actions if a utility service vehicle displaying any visual signals or a service patrol vehicle displaying amber rotating or flashing lights is performing certain tasks on the roadside; amending s. 316.193, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; deleting obsolete provisions; deleting provisions relating to a qualified sobriety and drug monitoring program; directing the department to adopt rules providing for the implementation of the use of certain qualified sobriety and drug monitoring programs; redefining the terms “qualified sobriety and drug monitoring program” and “evidence-based program”; creating a qualified sobriety and drug monitoring pilot program effective on a specified date, subject to certain requirements; requiring a specified court to provide a report to the Governor and the Legislature by a specified date; amending s. 316.1937, F.S.; authorizing, as of a specified date, a specified court to order a certain qualified sobriety and drug monitoring program under a specified pilot program as an alternative to the placement of an ignition interlock device; amending s. 316.235, F.S.; revising requirements relating to a deceleration lighting system for buses; amending s. 316.303, F.S.; revising the prohibition from operating, under certain circumstances, a motor vehicle that is equipped with television-type receiving equipment; providing exceptions to the prohibition against actively displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 320.02, F.S.; increasing the timeframe within which the owner of any motor vehicle registered in the state must notify the department of a change of address; providing exceptions to such notification; amending s. 320.03, F.S.; providing that an authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system if a specified disclosure is made; amending s. 320.07, F.S.; prohibiting a law enforcement officer from issuing a citation for a specified violation until a certain date; amending s. 320.08053, F.S.; revising presale require-

ments for issuance of a specialty license plate; amending s. 320.08056, F.S.; revising conditions for discontinuing issuance of a specialty license plate; providing an exception to the minimum requirements for certain specialty license plates; amending s. 320.64, F.S.; revising provisions for denial, suspension, or revocation of the license of a manufacturer, factory branch, distributor, or importer of motor vehicles; revising provisions for certain audits of service-related payments or incentive payments to a dealer by an applicant or licensee and the timeframe for the performance of such audits; defining the term “incentive”; revising provisions for denial or chargeback of claims; revising provisions that prohibit certain adverse actions against a dealer that sold or leased a motor vehicle to a customer who exported the vehicle to a foreign country or who resold the vehicle; revising conditions for taking such adverse actions; prohibiting failure to make certain payments to a motor vehicle dealer for temporary replacement vehicles under certain circumstances; prohibiting requiring or coercing a dealer to purchase goods or services from a vendor designated by the applicant or licensee unless certain conditions are met; providing procedures for approval of a dealer to purchase goods or services from a vendor not designated by the applicant or licensee; defining the term “goods or services”; amending s. 322.051, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the identification card of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the card; authorizing a replacement identification card with the symbol without payment of a specified fee under certain circumstances; providing the international symbol for the deaf and hard of hearing; requiring the department to issue or renew an identification card to certain juvenile offenders; requiring that the department’s mobile issuing units process certain identification cards at no charge; amending s. 322.14, F.S.; authorizing the international symbol for the deaf and hard of hearing to be exhibited on the driver license of a person who is deaf or hard of hearing; requiring a fee for the exhibition of the symbol on the license; authorizing a replacement license without payment of a specified fee under certain circumstances; providing applicability; amending s. 322.19, F.S.; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in his or her legal name; providing exceptions to such requirement; increasing the timeframe within which certain persons must obtain a replacement driver license or identification card that reflects a change in the legal residence or mailing address in his or her application, license, or card; amending s. 322.21, F.S.; exempting certain juvenile offenders from a specified fee for an original, renewal, or replacement identification card; amending s. 322.221, F.S.; requiring the department to issue an identification card at no cost at the time a person’s driver license is suspended or revoked due to his or her physical or mental condition; amending s. 322.251, F.S.; requiring the department to include in a certain notice a specified statement; amending s. 322.2715, F.S.; requiring the department to use a certain qualified sobriety and drug monitoring program as an alternative to the placement of an ignition interlock device as of a specified date under certain circumstances; amending s. 765.521, F.S.; requiring the department to maintain an integrated link on its website referring certain visitors to a donor registry; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the Department of Transportation to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; providing effective dates.

By the Committee on Appropriations; and Senators Simmons and Garcia—

CS for SB 1418—A bill to be entitled An act relating to supplemental academic instruction; amending s. 1011.62, F.S.; requiring supplemental academic instruction categorical funds and research-based reading instruction allocation funds to be used by a school district that has one or more of the lowest-performing elementary schools for additional intensive reading instruction at the school during the summer program in addition to instruction during the school year; requiring certain school districts to provide additional instruction under certain circumstances; requiring such districts to provide the Department of Education with certain plans; providing effective dates.

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

CS for CS for SB 1462—A bill to be entitled An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character education programs to provide certain instruction to students in grades 9-12; providing an effective date.

By the Committee on Appropriations; and Senator Bradley—

CS for SB 1662—A bill to be entitled An act relating to sexual offenders; amending s. 775.21, F.S.; revising definitions; revising the criteria for a felony offense for which an offender is designated as a sexual predator; expanding the criteria by removing a requirement that the defendant not be the victim's parent or guardian; revising the information that a sexual predator is required to provide to specified entities under certain circumstances; revising registration and verification requirements imposed upon a sexual predator; conforming provisions to changes made by the act; amending s. 856.022, F.S.; revising the criteria for loitering or prowling by certain offenders; expanding the criteria by removing a requirement that the offender not be the victim's parent or guardian; amending s. 943.0435, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; deleting provisions of applicability; amending s. 943.04354, F.S.; modifying the list of offenses for which a sexual offender or sexual predator must be considered by the department for removal from registration requirements; deleting from the list a conviction or adjudication of delinquency for sexual battery; specifying the appropriate venue for a defendant to move the circuit court to remove the requirement to register as a sexual offender or sexual predator; amending s. 944.606, F.S.; revising definitions; revising the information that the Department of Law Enforcement is required to provide about a sexual offender upon his or her release from incarceration; conforming provisions to changes made by the act; amending s. 944.607, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.481, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 985.4815, F.S.; revising definitions; revising the reporting and registering requirements imposed upon a sexual offender to conform provisions to changes made by the act; amending ss. 92.55, 775.0862, 943.0515, 947.1405, 948.30, 948.31, 1012.315, and 1012.467, F.S.; conforming cross-references; reenacting s. 938.085, F.S., relating to additional costs to fund rape crisis centers, to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 794.056(1), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting s. 921.0022(3)(g), F.S., relating to level 7 of the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to ss. 775.21, 943.0435, 944.607, and 985.4815, F.S., in references thereto; reenacting s. 985.04(6)(b), F.S., relating to confidential information, to incorporate the amendments made to ss. 775.21, 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S., in references thereto; reenacting ss. 322.141(3) and (4), 948.06(4), and 948.063, F.S., relating to color or markings of certain licenses or identification cards, probation or community control, and violations of probation or community control by designated sexual offenders and sexual predators, respectively, to incorporate the amendments made to ss. 775.21, 943.0435, and 944.607, F.S., in references thereto; reenacting s. 944.607(10)(c), F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders, to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 397.4872(2) and 435.07(4)(b), F.S., relating to exemptions from disqualification, to incorporate the amendment made to s. 943.04354, F.S., in references thereto; reenacting s. 775.25, F.S., relating to prosecutions for acts or omissions, to incorporate the amendments made to ss. 944.606 and 944.607, F.S., in references thereto; reenacting ss. 775.24(2) and 944.608(7), F.S., relating to duty of the court to uphold laws governing sexual predators and sexual offenders and notification to the Department of Law Enforcement of information on career offenders, respectively, to incorporate the amendment made to s. 944.607, F.S., in references thereto; providing an effective date.

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

CS for SB 7018—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident response team advisory committee; amending s. 39.402, F.S.; revising information that the Department of Children and Families is required to inform the court at shelter hearings; revising the written findings required to be included in an order for placement of a child in shelter care; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans and predisposition studies; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing the purpose of a case plan; requiring a case plan to document that a preplacement plan has been provided and reasonable efforts have been made to prevent out-of-home placement; removing the prohibition of threatening or coercing a parent with the loss of custody or parental rights for failing to admit certain actions in a case plan; providing that a child must be given the opportunity to review, sign, and receive a copy of his or her case plan; providing additional requirements when the child attains a certain age; requiring the case plan to document that each parent has received additional written notices; amending s. 39.6012, F.S.; providing additional requirements for the department and criteria for a case plan, with regard to placement, permanency, education, health care, contact with family, extended family, and fictive kin, and independent living; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child attains 18 years of age; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under ch. 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information that must be included in a specified written report under certain circumstances; requiring a court, if possible, to order the department to file a written notification; creating s. 409.143, F.S.; requiring every child placed in out-of-home care to be referred within a certain time for a comprehensive behavioral health assessment; providing requirements and procedures for such assessment; requiring the department or the community-based care lead agency to establish permanency teams; requiring an assessment within a certain timeframe from the beginning of a new placement in group care; providing for judicial review of certain placements; requiring the department to submit an annual report to the Governor and the Legislature on the placement of children in licensed out-of-home care; creating s. 409.144, F.S.; providing legislative findings and intent; defining terms; requiring the department to develop a continuum of care for the placement of children in care settings; requiring a plan to recruit and retain specialized placements for specific children and young adults; requiring the department to develop a quality rating system for group home and foster homes; providing requirements for the rating system; requiring the department to submit a report annually to the Governor and the Legislature; requiring the department to adopt rules; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S., revising the definition of the term "care"; amending s. 409.988, F.S.; requiring lead agencies to ensure the availability of a full array of services; requiring specified intervention services; requiring the department to submit annually to the Governor and the Legislature a report that evaluates the adequacy of intervention services; requiring the department to adopt rules; amending s. 409.996, F.S.; requiring the department to ensure quality and availability of services; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

**REPORTS OF COMMITTEE RELATING
TO EXECUTIVE BUSINESS**

EXECUTIVE ORDER NUMBER 13-254
(Executive Order of Suspension)

WHEREAS, Doris Baddorf, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Doris Baddorf for notary misconduct; and

WHEREAS, the complainant states that Doris Baddorf failed to disclose a prior felony conviction for uttering forged bills, checks, drafts, or notes, in her sworn notary public application, dated October 24, 2012; and

WHEREAS, the failure to include the required information constitutes a material false statement on the application, for which Doris Baddorf may be suspended pursuant to section 117.01(4)(a), Florida Statutes; and

WHEREAS, Doris Baddorf appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on July 12, 2013, this Office mailed correspondence to Doris Baddorf requiring that she furnish a sworn response explaining the reason for her omission of this required disclosure; and

WHEREAS, to date, this Office has not received the required correspondence from Doris Baddorf; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Doris Baddorf be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Doris Baddorf is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
- B. Doris Baddorf's current commission runs from November 2, 2012, through November 1, 2016.
- C. Doris Baddorf made a material false statement on the application submitted on October 24, 2012.
- D. Doris Baddorf refused to respond to an investigation by the Governor's Office, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Doris Baddorf is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Doris Baddorf is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of September, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

**[Previously referred to the Committee on Ethics and Elections
March 4, 2014.]**

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Baddorf, Doris
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Doris Baddorf.

By Executive Order Number 13-254 filed with the Secretary of State on September 9, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Doris Baddorf as a Notary Public alleging that she failed to disclose a prior felony conviction in her sworn notary public application; that in doing so she may also be guilty of perjury by false written declaration in violation of Section 92.525, Florida Statutes; that the Governor demanded a sworn response explaining the omission; and that she failed to provide the required response. By letter dated December 20, 2013, the Committee attempted to notify Doris Baddorf by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Doris Baddorf that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. That letter was returned marked "Attempted-Not Known" by the U.S. Postal Service. The Committee again attempted to contact Ms. Baddorf by letter March 5, 2015, that letter was returned to the Committee by the U.S. Postal Service marked "Unclaimed." Finally, via letter dated January 21, 2016, the Committee again attempted notice at a possible new address. That parcel was successfully delivered on January 23, 2016. The Committee has not received a request for a hearing from Ms. Baddorf.

In light of Ms. Baddorf's failure to respond to the Governor's investigation, her omission of required information on her notary application, and her failure to request a hearing within 30 days from the date of the notice letter, we find that Ms. Baddorf has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Doris Baddorf from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-13
(Executive Order of Suspension)

WHEREAS, Elsa Candelario, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on December 12, 2013, in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida, Elsa Candelario was charged by Information in Case Numbers 2013CF009972, 2013CF009975, 2013CF012372, 2013CF012369, and 2013CF012370, with one count of Racketeering, a first-degree felony in violation of section 895.03(3), Florida Statutes; one count of Organized Scheme to Defraud, a first-degree felony in violation of section 817.034(4)(a)1., Florida Statutes; four counts of Fraudulent Use of Personal Identification Information, a first-degree felony in violation of section 817.568(2)(c), Florida Statutes; three counts of Forgery, a third-degree felony in violation of section 831.01, Florida Statutes; three counts of Uttering a Forgery, a third-degree felony in violation of section 831.02, Florida Statutes; three counts of Grand Theft (\$100,000 or more), a first-degree felony in violation of section 812.014(2)(a), Florida Statutes; two counts of Burglary of a Dwelling, a second-degree felony in violation of section 810.02(3)(b), Florida Statutes; and one count of Grand Theft

(\$300 or more), a third-degree felony in violation of section 812.014(2)(c), Florida Statutes; and

WHEREAS, the Governor may suspend by executive order an appointed public official who is informed against for commission of any felon offense, as provided in section 112.52(1), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Elsa Candelario be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Elsa Candelario is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Elsa Candelario is commissioned as a Florida notary public from April 4, 2012, through April 3, 2016.

C. Elsa Candelario is presently charged by Information with 18 felony counts in Case Numbers 2013CF009972, 2013CF009975, 2013CF012372, 2013CF012369, and 2013CF012370, in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Elsa Candelario is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Elsa Candelario is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 16th day of January 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Candelario, Elsa
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Elsa Candelario.

By Executive Order Number 14-013 filed with the Secretary of State on January 16, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Elsa Candelario as a Notary Public alleging that, while she was commissioned as a Notary Public, she was charged with Racketeering, a first degree felony in violation of Section 895.03(3), Florida Statutes; Organized Scheme to Defraud, a first degree felony in violation of Section 817.034(4)(a)1, Florida Statutes; four counts of Fraudulent Use of Personal Identification Information, a first degree felony in violation of Section 817.568(2)(c), Florida Statutes; three counts of Forgery, a third degree felony in violation of Section 831.01, Florida Statutes;

three counts of Uttering a Forgery, a third degree felony in violation of Section 831.02, Florida Statutes; three counts of Grand Theft (\$100,000 or more), a first degree felony in violation of Section 812.014(2)(a), Florida Statutes; two counts of Burglary of a Dwelling, a second degree felony in violation of Section 810.02(3)(b), Florida Statutes; and, one count of Grand Theft (\$300 or more), a third degree felony in violation of Section 812.041(2)(c)1, Florida Statutes.

By letter dated December 20, 2013, the Committee attempted to notify Elsa Candelario by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Candelario that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file for Elsa Candelario. No request for a hearing was received within 30 days of the date of the letter. Additionally, a review of the Orange County Clerk of Court's website indicates that Ms. Candelario was convicted of a first degree felony count of Grand Theft.

Because Ms. Candelario's failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Elsa Candelario from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-115
(Executive Order of Suspension)

WHEREAS, David Chaves is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about June 13, 2012, David Chaves was convicted in the circuit court of the Ninth Judicial Circuit, in and for Orange County, in case number 2011CF016465, of Possession of a Controlled Substance, a third-degree felony in violation of section 893.13(6)(a), Florida Statutes; and

WHEREAS, on or about June 22, 2012, David Chaves was convicted in the circuit court of the Ninth Judicial Circuit, in and for Osceola County, in case number 2011CF000435, of Trafficking Oxycodone (Four Grams or More), a first-degree felony in violation of section 893.135(1)(c)1., Florida Statutes; and

WHEREAS, David Chaves failed to notify the Department of State of the above-stated changes to his criminal history record during the pendency of his application for the renewal of his commission as a Florida notary public, or at any time thereafter, as required by section 117.01(2); and

WHEREAS, on January 16, 2014, this Office mailed correspondence to David Chaves requiring that he provide a written response regarding his failure to notify the Department of State of the change in his criminal history; and

WHEREAS, to date, this Office has not received the required response from David Chaves; and

WHEREAS, the Governor may suspend an appointed public official from office for the commission of any felony, as provided in Article IV, Section 7 of the Florida Constitution; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that David Chaves be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. David Chaves is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. David Chaves is commissioned as a Florida notary public from July 2, 2012, through July 1, 2016.

C. David Chaves failed to notify the Department of State of the changes to his criminal history record following felony convictions in Orange and Osceola Counties in 2012, as required by section 117.01(2), Florida Statutes.

D. David Chaves refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. David Chaves is suspended from the public office which he now holds: Notary Public of the State of Florida.

Section 2. David Chaves is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Chaves, David
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of David Chaves.

By Executive Order Number 14-115 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended David Chaves as a Notary Public alleging that he had been convicted on or about June 13, 2012, of Possession of a Controlled Substance, a third degree felony pursuant to Section 893.13(6)(a), Florida Statutes, and Trafficking Oxycodone, a first degree felony pursuant to Section 893.135(1)(c)1., Florida Statutes. The Executive Order also alleges that he failed to notify the Department of State of the conviction as required by Section 117.01(2), Florida Statutes. Finally, the Executive Order alleges that he refused to cooperate in the investigation by the Executive Office of the Governor as required by Section 117.01(4)(c), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify David Chaves by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Chaves that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully

delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Chaves failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove David Chaves from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-114
(Executive Order of Suspension)

WHEREAS, Jenna R. Childs is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about November 20, 2012, Jenna R. Childs was convicted in the Circuit Court of the Fifth Judicial Circuit, in and for Hernando County, in case number 2012CF001959, of one count of Grand Theft (more than \$300, less than \$5,000), a third-degree felony in violation of section 812.014(2)(c)1., Florida Statutes; and

WHEREAS, Jenna R. Childs failed to notify the Department of State of the above-stated change to her criminal history record while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 9, 2014, and February 6, 2014, this Office notified Jenna R. Childs by certified mail, and required that she respond to the investigation conducted by this Office regarding her felony while commissioned as a Florida notary public; and

WHEREAS, during the investigation by this Office, it was discovered that Jenna R. Childs had moved from the address on file and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, to date, this Office has not received the required response from Jenna R. Childs; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Jenna R. Childs be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Jenna R. Childs is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Jenna R. Childs is commissioned as a Florida notary public from March 30, 2012, through March 29, 2016.

C. Jenna R. Childs was convicted of a felony in Hernando County in 2012, while commissioned as a Florida notary public.

D. Jenna R. Childs failed to notify the Department of State of the change to her criminal history record following her felony conviction in Hernando County in 2012, as required by section 117.01(2), Florida Statutes.

E. Jenna R. Childs failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

F. Jenna R. Childs refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Jenna R. Childs is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Jenna R. Childs is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Childs, Jenna R.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Jenna R. Childs.

By Executive Order Number 14-114 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Jenna R. Childs as a Notary Public alleging that she had been convicted on or about November 20, 2012, of Grand Theft, a third degree felony pursuant to Section 812.014(2)(c)1., Florida Statutes. The Executive Order also alleges that she failed to notify the Department of State of the conviction and her change of address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Jenna R. Childs by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Childs that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Childs failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Jenna R. Childs from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-92
(Executive Order of Suspension)

WHEREAS, Lori J. Gulden, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Lori J. Gulden for notary misconduct from the State of Florida Commission on Ethics, and thereafter initiated an investigation of the reported violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, in response to the investigation conducted by the State of Florida Commission on Ethics, Lori J. Gulden admitted that she notarized the signature of an individual without the signatory in her presence, in violation of section 117.107(9), Florida Statutes; and

WHEREAS, based upon the above-stated violation of the presence requirement, Lori J. Gulden made a false or fraudulent acknowledgment by stating the absent party appeared before her at the time of the notarization of the document, in violation of section 117.105, Florida Statutes; and

WHEREAS, on January 15, 2014, this Office notified Lori J. Gulden by certified mail of the investigation of notary misconduct, and required that she provide a sworn written response to the above-stated reported violations; and

WHEREAS, to date, Lori J. Gulden has not cooperated with, or responded to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Lori J. Gulden be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Lori J. Gulden is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Lori J. Gulden is commissioned as a Florida notary public from March 4, 2013, through March 3, 2017.

C. Lori J. Gulden notarized a document when the signer was not in her presence at the time of the notarization, in violation of section 117.107(9), Florida Statutes.

D. Lori J. Gulden made a false or fraudulent acknowledgment of the instrument being notarized, in violation of section 117.105, Florida Statutes.

E. Lori J. Gulden refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Lori J. Gulden is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Lori J. Gulden is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which period shall begin, today, until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 18th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 18, 2014.]

The Honorable Andy Gardiner
 President of the Senate
 409, The Capitol
 Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
 Gulden, Lori J.
 Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Lori J. Gulden.

By Executive Order Number 14-92 filed with the Secretary of State on March 18, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Lori J. Gulden as a Notary Public alleging that a complaint had been received that she had committed notarial misconduct. Ms. Gulden admitted that she notarized the signature of an individual without the signatory in her presence in violation of Section 117.107(9), Florida Statutes. It is further alleged that she made a false or fraudulent acknowledgment by stating the absent party was present in violation of Section 117.105, Florida Statutes. The Executive Order further alleges that she was notified that she was required to submit a sworn written response to the violations and that she has failed to cooperate or respond to the investigation.

By letter dated March 5, 2015, the Committee attempted to notify Lori J. Gulden by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Gulden that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Gulden failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Lori J. Gulden from the office of Notary Public.

Sincerely,
 Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-116
 (Executive Order of Suspension)

WHEREAS, Michael John Lee is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about February 14, 2013, Michael John Lee was convicted in the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, in case number 2012CF006834, of one count of Possession of Cocaine, a third-degree felony in violation of section 893.13(6)(a), Florida Statutes; and

WHEREAS, Michael John Lee failed to notify the Department of State of the above-stated change to his criminal history record during his commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 10, 2014, this Office notified Michael John Lee by certified mail, and required that he respond to the investigation by this Office of his felony conviction that occurred while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Michael John Lee; and

WHEREAS, during the investigation by this Office, it was discovered that Michael John Lee had moved from the address under which he was commissioned and had failed to notify the Department of State of his change of address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Michael John Lee be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Michael John Lee is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Michael John Lee is commissioned as a Florida notary public from October 24, 2012, through October 23, 2016.

C. Michael John Lee failed to notify the Department of State of the change to his criminal history record following his felony conviction in Hillsborough County in 2013, as required by section 117.01(2), Florida Statutes.

D. Michael John Lee was convicted of a felony in Hillsborough County in 2013, while commissioned as a Florida notary public.

E. Michael John Lee failed to notify the Department of State within 60 days of his change of address, in violation of section 117.01(2), Florida Statutes.

F. Michael John Lee refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Michael John Lee is suspended from the public office which he now holds: Notary Public of the State of Florida.

Section 2. Michael John Lee is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
 GOVERNOR



ATTEST:
 Ken Detzner
 SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
 President of the Senate
 409, The Capitol
 Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
 Lee, Michael John
 Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Michael John Lee.

By Executive Order Number 14-116 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Michael John Lee as a Notary Public alleging that he had been convicted on or about February 14, 2013, of Possession of Cocaine, a third degree felony pursuant to Section 893.13(6)(a), Florida Statutes. The Executive Order also alleges that he failed to notify the Department of State of the conviction and an address change as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Michael John Lee by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Lee that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Lee failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove Michael John Lee from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-107
(Executive Order of Suspension)

WHEREAS, Cherie Shannon Smith is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about February 12, 2009, Cherie Shannon Smith was convicted in the circuit court of the Seventh Judicial Circuit in and for Volusia County, in case number 2008CF033805, of Uttering a Forgery, a third degree felony in violation of section 831.02, Florida Statutes; and

WHEREAS, Cherie Shannon Smith failed to disclose her prior felony conviction, as required, on her sworn application for appointment as a Florida notary public, dated May 14, 2012; and

WHEREAS, by refusing to disclose her prior felony conviction, as required, Cherie Shannon Smith made a material false statement on the sworn application for appointment as a Florida notary public, for which the Governor may suspend her commission under section 117.01(4)(a), Florida Statutes; and

WHEREAS, by making a material false statement on the sworn notary application, Cherie Shannon Smith appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on January 10, 2014, January 29, 2014, and February 6, 2014, this Office notified Cherie Shannon Smith by certified mail, and required that she respond to the investigation by this Office of the felony conviction that she failed to disclose on her sworn notary application; and

WHEREAS, during the investigation by this Office, it was discovered that Cherie Shannon Smith had moved from the address under which she is commissioned and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Cherie Shannon Smith be immediately suspended from the

public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Cherie Shannon Smith is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Cherie Shannon Smith is commissioned as a Florida notary public from May 18, 2012, through May 17, 2016.

C. Cherie Shannon Smith made a material false statement on the sworn notary public application submitted on May 14, 2012.

D. Cherie Shannon Smith failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Cherie Shannon Smith is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Cherie Shannon Smith is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:

Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Smith, Cherie Shannon
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Cherie Shannon Smith.

By Executive Order Number 14-107 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Cherie Shannon Smith as a Notary Public alleging that she had been convicted of Uttering a Forgery, a third degree felony in violation of Section 831.02, Florida Statutes. The Executive Order further alleges that she failed to disclose her conviction on her subsequent application for appointment as a Notary Public and, by doing so, made a false statement on her application, for which the Governor may suspend her pursuant to Section 117.01(4)(a), Florida Statutes. It is alleged that by making a material false statement, she appears to have committed perjury by false written declaration in violation of Sections 92.525(2) and (3), Florida Statutes. Finally, it is alleged that she failed to update her address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Cherie Shannon Smith by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Smith that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Ms. Smith failed to request a hearing within 30 days of the date of the letter, she has waived her right to contest the allegations against her.

Based on the foregoing, I advise and recommend that the Senate remove Cherie Shannon Smith from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-112
(Executive Order of Suspension)

WHEREAS, Giancarlo Tommasello is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 22, 2013, Giancarlo Tommasello was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2012CF009361, of Felony Battery, a third-degree felony in violation of section 784.041, Florida Statutes; and

WHEREAS, Giancarlo Tommasello failed to notify the Department of State of the change to his criminal history record following his conviction of the above-stated felony while commissioned as a Florida notary public, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order a public official for the commission of a felony; and

WHEREAS, on January 9, 2014, and January 29, 2014, this Office notified Giancarlo Tommasello by certified mail, and required that he respond to the investigation by this Office of his felony conviction while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Giancarlo Tommasello; and

WHEREAS, during the investigation by this Office, it was discovered that Giancarlo Tommasello had moved from the address on file and had failed to notify the Department of State of the change in his address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Giancarlo Tommasello be immediately suspended from the public office, which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Giancarlo Tommasello a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
- B. Giancarlo Tommasello is commissioned as a Florida notary public from February 2, 2012, through February 1, 2016.
- C. Giancarlo Tommasello was convicted of a felony in Orange County in 2013, while commissioned as a Florida notary public.
- D. Giancarlo Tommasello failed to notify the Department of State of the change to his criminal history record following his conviction in Orange County in 2013, as required by section 117.01(2), Florida Statutes.

E. Giancarlo Tommasello refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Giancarlo Tommasello is suspended from the public office which he now holds: Notary Public of the State of Florida.

Section 2. Giancarlo Tommasello is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Tommasello, Giancarlo
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Giancarlo Tommasello.

By Executive Order Number 14-112 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Giancarlo Tommasello as a Notary Public alleging that he had been convicted of Felony Battery, a third degree felony in violation of Section 784.041, Florida Statutes. The Executive Order further alleges that he failed to notify the Department of State of the change to his criminal history as required by Section 117.01(2), Florida Statutes. It is also alleged that he did not respond to the investigation. Finally, it is alleged that he failed to update his address as required by Section 117.01(2), Florida Statutes.

By letter dated March 5, 2015, the Committee attempted to notify Giancarlo Tommasello by certified mail that he had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Mr. Tommasello that if he failed to respond and request a hearing within that timeframe he would be deemed to have waived his right to a hearing and would be removed from office. That letter was successfully delivered to the address on file. The Committee did not receive a request for a hearing within 30 days from the date of that letter.

Because Mr. Tommasello failed to request a hearing within 30 days of the date of the letter, he has waived his right to contest the allegations against him.

Based on the foregoing, I advise and recommend that the Senate remove Giancarlo Tommasello from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-134
(Executive Order of Suspension)

WHEREAS, Mercedes Martinez is presently serving as a Notary Public of the State of Florida; and

WHEREAS, the Executive Office of the Governor received a complaint against Mercedes Martinez for notary misconduct; and

WHEREAS, the complaint alleges that Mercedes Martinez notarized a signature without the presence of the signator in violation of section 117.107(9), Florida Statutes, and that Mercedes Martinez notarized a signature without personally knowing or obtaining the satisfactory evidence that the person whose signature was to be notarized was in fact that person in violation of section 117.05(5), Florida Statutes; and

WHEREAS, correspondence was sent to Mercedes Martinez on March 16, 2012, April 12, 2012, and May 22, 2012, requesting that she respond to the allegations; and

WHEREAS, Mercedes Martinez's failure to respond to these allegations is a violation of section 117.01(4)(c), Florida Statutes; and

WHEREAS, it is in the best interest of the residents of the State of Florida, that Mercedes Martinez be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 117.01(4)(c), Florida Statutes, issue the following Executive Order, effective immediately:

Section 1. Mercedes Martinez is suspended from the public office of Notary Public.

Section 2. Mercedes Martinez is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 28th day of May, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Martinez, Mercedes
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Mercedes Martinez.

By Executive Order Number 13-134 filed with the Secretary of State on May 28, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Mercedes Martinez as a Notary Public alleging: that a complaint was filed against Mercedes Martinez which alleged that she notarized a signature without the presence of the signator; that the complaint also alleged that she notarized a signature without personally knowing or obtaining satisfactory evidence that the person whose signature was to be notarized was in fact that person; and the Executive Order further alleged that she failed to respond to the alleged complaint in violation of s. 117.01(4)(c), Florida Statutes. By letters dated December 20, 2013, and February 27, 2015, the Committee notified Mercedes Martinez by certified mail that she had a right to a hearing if requested within 30 days

of the date of the letter. The letter also notified Mercedes Martinez that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. The Committee did not receive a return receipt nor was the parcel returned by the U.S. Postal Service. After confirming Ms. Martinez's address with the Executive Office of the Governor, the Committee attempted a final time to send a letter to Ms. Martinez via certified mail on January 21, 2016. That letter was returned to the Committee marked "Unclaimed/Max Hold Time Expired." The Committee did not receive a response or a request for a hearing within 30 days from the date of the letter.

In light of the foregoing, we find that Ms. Mercedes Martinez has not responded to the allegations, has not accepted certified mailing from the Committee, and has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Mercedes Martinez from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-259
(Executive Order of Suspension)

WHEREAS, Sherri Owens, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Sherri Owens for notary misconduct; and

WHEREAS, the complainant states that Sherri Owens notarized a document outside the geographical bounds of the State of Florida and did not complete a notarial certificate with all of the required information, in violation of sections 117.01(1) and 117.05(4)(a)-(h), Florida Statutes; and

WHEREAS, on July 19, 2013, after Sherri Owens confirmed the above stated violations, this Office required the immediate resignation of Sherri Owens from her commission as a notary public, pursuant to section 117.01(5)(b), Florida Statutes; and

WHEREAS, to date, this Office has not received the required resignation of Sherri Owens; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Sherri Owens be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Sherri Owens is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Sherri Owens is commissioned as a Florida notary public from September 7, 2012, through September 6, 2016.

C. Sherri Owens notarized a document outside the boundaries of the state, in violation of section 117.01(1), Florida Statutes.

D. Sherri Owens failed to complete a notarial certificate with all of the required information, in violation of section 117.05(4), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Sherri Owens is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Sherri Owens is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which period

shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 11th day of September, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Owens, Sherri
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Sherri Owens.

By Executive Order Number 13-259 filed with the Secretary of State on September 11, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Sherri Owens as a Notary Public alleging that a complaint was filed against her alleging that she notarized a document outside of the State of Florida and that she did not complete a notarial certificate with all required information in violation of Sections 117.01(1) and 117.05(4)(a)-(h), Florida Statutes. The Executive Order also alleges that she confirmed the alleged violations and that her resignation was demanded by the Executive Office of the Governor. Ms. Owens did not resign as required by Section 117.01(5)(b), Florida Statutes. By letters dated December 20, 2013, and March 5, 2015, the Committee attempted to notify Sherri Owens by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Sherri Owens that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Both letters were returned to the Committee by the U.S. Postal Service marked "Forward Time Exp Return to Sender." Upon learning of a possible new address for Ms. Owens, the Committee again attempted to notify her of her right to a hearing via letter dated January 21, 2016. That attempt was also unsuccessful.

In light of Ms. Owens' admission to the allegations, her failure to respond to the Governor's demand for her resignation, and her failure to accept or respond to certified mail on three occasions from the Committee, we find that Ms. Owens has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Sherri Owens from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-274
(Executive Order of Suspension)

WHEREAS, Heather Brown, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Heather Brown for notary misconduct; and

WHEREAS, the complainant states Heather Brown notarized an incomplete or blank document, and failed to include a proper notarial certificate on the notarized document, in violation of sections 117.107(10), and 117.05(4)(f) and (i), Florida Statutes; and

WHEREAS, on July 9, 2013, and July 31, 2013, this Office mailed letters to Heather Brown requiring that she provide a sworn written response as part of the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, to date, Heather Brown has not cooperated with, or responded to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, on August 22, 2013, this Office required Heather Brown's immediate resignation from the office of notary public, pursuant to section 117.01(5)(b); and

WHEREAS, to date, this Office not received the required resignation of Heather Brown; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Heather Brown, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Heather Brown is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
B. Heather Brown is commissioned as a Florida notary public from March 29, 2012, through March 28, 2016.
C. Heather Brown refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Heather Brown is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Heather Brown is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 19th day of September, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Brown, Heather
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Heather Brown.

By Executive Order Number 13-274 filed with the Secretary of State on September 19, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended

Heather Brown as a Notary Public alleging that a complaint was filed against her that alleges that she notarized an incomplete document and failed to include a proper notarial certificate. The Executive Order further alleges that she has not responded to the investigation or the Governor's demand for her resignation, as required by Section 117.01(5)(b), Florida Statutes. By letters dated December 20, 2013, and March 5, 2015, the Committee attempted to notify Heather Brown by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Heather Brown that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Both letters were returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Brown's failure to respond to the Governor's investigation and subsequent demand for her resignation, and her failure to accept certified mail on two occasions from the Committee, we find that Ms. Heather Brown has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Heather Brown from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 13-330
(Executive Order of Suspension)

WHEREAS, Tanya C. Lollie, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, while commissioned as a Florida notary public, Tanya C. Lollie was convicted of public assistance fraud, a third-degree felony, in violation of section 414.39(2), Florida Statutes; and

WHEREAS, Tanya C. Lollie failed to notify the Department of State of the change in her criminal history within 60 days of her conviction, as required by section 117.01(2), Florida Statutes; and

WHEREAS, in March 2013, Tanya C. Lollie submitted a sworn application to renew her commission as a Florida notary public, but failed to disclose her recent criminal history, and thereby made a material false statement on the application, in violation of section 117.01(4)(a), Florida Statutes; and

WHEREAS, by submitting the sworn notary public application with misleading information, Tanya C. Lollie appears to be in violation of sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, on September 18, 2013, this Office mailed correspondence to Tanya C. Lollie requiring that she provide a sworn written response regarding her failure to include the criminal history information in her most recent notary application and her failure to report a change in her criminal history during her previous notary commission; and

WHEREAS, to date, this Office has not received the required sworn response from Tanya C. Lollie; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Tanya C. Lollie be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Tanya C. Lollie is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Tanya C. Lollie is commissioned as a Florida notary public from April 4, 2013, through April 3, 2017.

C. Tanya C. Lollie made a material false statement on the sworn notary public application submitted in March of 2013.

D. Tanya C. Lollie failed to report a change in her criminal history following her 2009 conviction of welfare fraud.

E. Tanya C. Lollie refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Tanya C. Lollie is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Tanya C. Lollie is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which period shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of November, 2013.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Lollie, Tanya C.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Tanya C. Lollie.

By Executive Order Number 13-330 filed with the Secretary of State on November 25, 2013, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Tanya C. Lollie as a Notary Public alleging that, while she was commissioned as a Notary Public, she was convicted of public assistance fraud, a third degree felony in violation of Section 414.39(2), Florida Statutes. The Executive Order further alleges that she failed to disclose the conviction when she reapplied for a Notary Public commission and that such nondisclosure appears to be perjury by false written declaration in violation of Sections 92.525(2) and (3), Florida Statutes. Finally, the Executive Order alleges that she refused to cooperate or respond to an investigation by the Executive Office of the Governor as required by Section 117.01(4)(c), Florida Statutes.

By letter dated December 20, 2013, the Committee attempted to notify Tanya C. Lollie by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. That letter was returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." The Committee sought address confirmation from the Executive Office of the Governor and received a response indicating that the address on file had not changed. The Committee again attempted to notify Ms. Lollie that she had been suspended and had a right to a hearing by letter dated March 5, 2015. That letter was also returned to the Committee by the U.S. Postal Service marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Lollie's failure to disclose her criminal history, her failure to respond to the Governor's demand for a response, and her failure to accept or respond to certified mail on two occasions from the

Committee, we find that Ms. Lollie has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Tanya C. Lollie from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-63
 (Executive Order of Suspension)

WHEREAS, Angela Harris, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Angela Harris for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, on December 9, 2013, and January 6, 2014, this Office notified Angela Harris by certified mail of the investigation conducted by this Office, and required that she provide a sworn written response addressing the complaint of notary misconduct; and

WHEREAS, to date, Angela Harris has refused to cooperate with, or respond to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Angela Harris, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Angela Harris is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Angela Harris is commissioned as a Florida notary public from January 30, 2013, through January 29, 2017.

C. Angela Harris refused to cooperate with or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Angela Harris is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Angela Harris is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 12th day of February, 2014.

Rick Scott
 GOVERNOR



ATTEST:
Ken Detzner
 SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
 President of the Senate
 409, The Capitol
 Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
 Harris, Angela
 Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Angela Harris.

By Executive Order Number 14-63 filed with the Secretary of State on February 12, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Angela Harris as a Notary Public alleging a complaint was received alleging violations of the laws governing Notaries Public. The Executive Order alleges that Ms. Harris was notified by certified mail and required a sworn written response to the allegations from her. It is further alleged that she has refused to cooperate with, or respond to, the investigation.

By letter dated February 28, 2014, the Committee attempted to notify Angela Harris by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Harris that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Harris of her right to a hearing. That parcel was also returned to the Committee. Finally, by letter dated March 5, 2015, the Committee again attempted to notify Ms. Harris of her right to a hearing. That parcel was also returned to the Committee by the U.S. Postal Service.

In light of Ms. Harris' failure to respond to an investigation by the Executive Office of the Governor and her failure to accept certified mail from this Committee, we find that Ms. Harris has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Angela Harris from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-64
 (Executive Order of Suspension)

WHEREAS, Angelic D. Davidson, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Angelic D. Davidson for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, Angelic D. Davidson submitted a sworn written response to this Office on October 29, 2013, admitting that she notarized the challenged document, but failed to fully explain the reported violations of the laws governing notary conduct; and

WHEREAS, on December 4, 2013, and January 6, 2014, this Office notified Angelic D. Davidson by certified mail that the investigation of reported notary misconduct remained active, and required that she provide additional information to explain the remaining allegations; and

WHEREAS, to date, Angelic D. Davidson has refused to cooperate with, or respond to, the investigation by this Office regarding the complaint of notary misconduct; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Angelic D. Davidson, be immediately suspended from the

public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Angelic D. Davidson is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Angelic D. Davidson is commissioned as a Florida notary public from February 27, 2013, through February 26, 2017.

C. Angelic D. Davidson refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Angelic D. Davidson is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Angelic D. Davidson is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 12th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Davidson, Angelic D.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Angelic D. Davidson.

By Executive Order Number 14-64 filed with the Secretary of State on February 12, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Angelic D. Davidson as a Notary Public alleging a complaint was received alleging violations of the laws governing Notaries Public. The Executive Order alleges that Ms. Davidson was notified by certified mail and that she submitted a sworn response. The Executive Order further alleges that additional information was required of her by the Executive Office of the Governor and that she has refused to cooperate with, or respond to, the additional inquiry, in violation of s. 117.01(4)(c), Florida Statutes.

By letter dated February 28, 2014, the Committee attempted to notify Angelic D. Davidson by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Davidson that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor

and, on February 27, 2015, attempted to notify Ms. Davidson of her right to a hearing. That parcel was also returned to the Committee marked "Unclaimed, Unable to Forward." No additional contact information is known.

In light of Ms. Davidson's failure to respond to an investigation by the Executive Office of the Governor and her failure to accept certified mail from this Committee, we find that Ms. Davidson has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Angelic D. Davidson from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-71
(Executive Order of Suspension)

WHEREAS, Lauri Christensen, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2011CF023237, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes, and one count of Possession of Burglary Tools, a third-degree felony in violation of section 810.06, Florida Statutes; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2012CF007194, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes; and

WHEREAS, on or about September 18, 2012, Lauri Christensen was convicted in the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, in case number 2012CF007836, of one count of Burglary of an Unoccupied Dwelling, a third-degree felony in violation of section 810.02(4)(a), Florida Statutes; and

WHEREAS, Lauri Christensen failed to notify the Department of State of the above-stated changes to her criminal history record while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 9, 2014, this Office notified Lauri Christensen by certified mail, and required that she respond to the investigation by this Office of the felony convictions that occurred while commissioned as a Florida notary public; and

WHEREAS, during the investigation conducted by this Office, it was discovered that Lauri Christensen had moved from the address listed on file for her notary commission and failed to notify the Department of State of the change to her contact information within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, to date, this Office has not received the required response from Lauri Christensen; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Lauri Christensen be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follow:

A. Lauri Christensen is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Lauri Christensen is commissioned as a Florida notary public from December 29, 2010, through December 28, 2014.

C. Lauri Christensen was convicted of four separate felonies in Pinellas County in 2012, while commissioned as a Florida notary public.

D. Lauri Christensen failed to notify the Department of State of the changes to her criminal history record following the felony convictions in Pinellas County in 2012, as required by section 117.01(2), Florida Statutes.

E. Lauri Christensen failed to notify the Department of State of the changes to her contact information, as required by section 117.01(2), Florida Statutes.

F. Lauri Christensen refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Lauri Christensen is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Lauri Christensen is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Christensen, Lauri
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Lauri Christensen.

By Executive Order Number 14-71 filed with the Secretary of State on February 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Lauri Christensen as a Notary Public alleging that she had been convicted of three separate counts of Burglary of an Unoccupied Dwelling, a third degree felony in violation of Section 810.02(4)(a), Florida Statutes; and one count of Possession of Burglary Tools, a third degree felony in violation of Section 810.06, Florida Statutes. The Executive Order alleges that Ms. Christensen failed to notify the Department of State of her change in criminal history; a change of address; and failed to respond to the investigation as required by Section 117.01, Florida Statutes. A review of the Pinellas County Clerk of Court's website indicates that Ms. Christensen was convicted of at least three of the aforementioned felonies.

By letter dated February 28, 2014, the Committee attempted to notify Lauri Christensen by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Christensen that if she failed to respond and request a hearing

within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Not Deliverable as Addressed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Christensen of her right to a hearing. That parcel was returned to the Committee marked "Unclaimed, Unable to Forward" by the U.S. Postal Service. No additional contact information is known.

In light of Ms. Christensen's felony convictions, her failure to respond to an investigation by the Executive Office of the Governor, and her failure to accept certified mail from this Committee, we find that Ms. Christensen has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Lauri Christensen from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-72
(Executive Order of Suspension)

WHEREAS, Kesia Velez, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 7, 2011, Kesia Velez was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2009CF018540, of one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b)2., Florida Statutes, and one count of Obtaining Property by Fraud (more than \$20,000, less than \$50,000), a second-degree felony in violation of section 817.034(4)(a)2., Florida Statutes; and

WHEREAS, on or about October 23, 2012, Kesia Velez was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, of Grand Theft (more than \$300, less than \$5,000), a third-degree felony in violation of section 812.014(2)(c)1., Florida Statutes; and

WHEREAS, Kesia Velez failed to notify the Department of State of the above-stated changes to her criminal history record during her commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 16, 2014, this Office notified Kesia Velez by certified mail of the investigation by this Office of the above-stated matters, and required that she provide a written response explaining her failure to notify the Department of State of the changes in her criminal history while commissioned as a Florida notary public; and

WHEREAS, to date, this Office has not received the required response from Kesia Velez; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Kesia Velez be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Kesia Velez is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Kesia Velez is commissioned as a Florida notary public from March 3, 2013, through March 2, 2017.

C. Kesia Velez was convicted of two felonies in Orange County in 2011, while commissioned as a Florida notary public.

D. Kesia Velez was convicted of a felony in Orange County in 2012, while commissioned as a Florida notary public.

E. Kesia Velez failed to notify the Department of State of the changes to her criminal history record following her felony convictions in Orange County in 2011 and 2012, as required by section 117.01(2), Florida Statutes.

F. Kesia Velez refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Kesia Velez is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Kesia Velez is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of February, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 4, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

October 6, 2015

RE: Suspension of:
Velez, Kesia
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Kesia Velez.

By Executive Order Number 14-72 filed with the Secretary of State on February 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Kesia Velez as a Notary Public alleging that she had been convicted of Grand Theft (more than \$20,000, less than \$100,000), a second degree felony in violation of Section 812.014(2)(b)2., Florida Statutes; one count of Grand Theft (more than \$300, less than \$5,000), a third degree felony in violation of Section 812.014(2)(c)1., Florida Statutes; and, one count of Obtaining Property by Fraud (more than \$20,000, less than \$50,000), a second degree felony in violation of Section 817.034(4)(a)2., Florida Statutes. The Executive Order alleges that Ms. Velez failed to notify the Department of State of her change in criminal history; a change of address; and failed to respond to the investigation as required by Section 117.01(4)(c), Florida Statutes. A review of the Orange County Clerk of Court's website indicates that Ms. Velez was convicted of the aforementioned felonies.

By letter dated February 28, 2014, the Committee attempted to notify Kesia Velez by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also advised Ms. Velez that if she failed to respond and request a hearing within that timeframe she would be deemed to have waived her right to a hearing and would be removed from office. That letter was returned to the Committee marked "Unclaimed, Unable to Forward." The Committee received a new address from the Executive Office of the Governor and, on January 7, 2015, attempted to notify Ms. Velez of her right to a

hearing. That parcel was also returned to the Committee marked "Attempted-Not Known, Unable to Forward" by the U.S. Postal Service. No additional contact information is known.

In light of Ms. Velez's felony convictions, her failure to respond to an investigation by the Executive Office of the Governor, and her failure to accept certified mail from this Committee, we find that Ms. Velez has neglected her duties as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate remove Kesia Velez from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-113
(Executive Order of Suspension)

WHEREAS, Erin M. Horton is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about November 1, 2012, Erin M. Horton was convicted in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, in case number 2012CF002477, of one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b)1., Florida Statutes; and

WHEREAS, Erin M. Horton failed to notify the Department of State of the above-stated change to her criminal history record during her commission as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 10, 2014, and January 16, 2014, this Office notified Erin M. Horton by certified mail, and required that she respond to the investigation by this Office of the felony conviction that occurred while commissioned as a Florida notary public; and

WHEREAS, in a written response dated February 10, 2014, Erin M. Horton confirmed the above-referenced felony conviction; and

WHEREAS, during the investigation by this Office, it was discovered that Erin M. Horton had moved from the address under which she was commissioned and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Erin M. Horton be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Erin M. Horton is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Erin M. Horton is commissioned as a Florida notary public from March 16, 2012, through March 15, 2016.

C. Erin M. Horton was convicted of a felony in Orange County in 2012, while commissioned as a Florida notary public.

D. Erin M. Horton failed to notify the Department of State of the change to her criminal history record following her felony conviction in Orange County in 2012, as required by section 117.01(2), Florida Statutes.

E. Erin M. Horton failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Erin M. Horton is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Erin M. Horton is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

February 23, 2016

RE: Suspension of:
Horton, Erin M.
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Erin M. Horton.

By Executive Order Number 14-113 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Erin M. Horton as a Notary Public alleging that she had been convicted on or about November 1, 2012, of Grand Theft of more than \$20,000, but less than \$100,000, a second degree felony pursuant to s. 812.014(2)(b) 1., Florida Statutes. The Executive Order also alleges that she failed to notify the Department of State of the conviction and her change of address as required by s. 117.01(2), Florida Statutes. Although adjudication was withheld, the Executive Order alleges that she committed a felony and that she "confirmed the above-referenced conviction." By letters dated January 7, 2015, and March 5, 2015, the Committee attempted to notify Ms. Horton by certified mail that she had a right to a hearing if requested within 30 days of the date of the letter. The letter also notified Erin M. Horton that failure to request the hearing within that timeframe is deemed a waiver and that she would be removed from office of Notary Public if she failed to respond. Those letters were returned to the Committee as undeliverable. Upon learning of a possible new address for Ms. Horton, the Committee sent a final notice letter to the new address on January 21, 2016. That letter was returned to the Committee as "Refused."

In light of the foregoing, we find that Ms. Horton failed to update her criminal history, has also refused correspondence from the Committee, and has neglected her duties as a Notary Public.

Based on the foregoing, we advise and recommend that the Senate remove Erin M. Horton from the office of Notary Public.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-91
(Executive Order of Suspension)

WHEREAS, Huberta Rejouis, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about January 31, 2014, Huberta Rejouis was convicted in the Circuit Court of the Tenth Judicial Circuit, in and for Polk County, in case number 2013CF008245, of one count of Burglary of an Unoccupied Conveyance, a third-degree felony in violation of section 810.02(4)(b), Florida Statutes, and one count of Grand Theft (more than \$20,000, less than \$100,000), a second-degree felony in violation of section 812.014(2)(b), Florida Statutes, and one count of Uttering a Forged Instrument, a third-degree felony in violation of section 831.02, Florida Statutes, and one count of Fraudulent Use or Possession with Intent to Fraudulently Use Personal Identification Information of a Deceased Individual, a third-degree felony in violation of section 817.568(8)(a), Florida Statutes, and one count of False or Fraudulent Acknowledgment as a Notary Public, a third-degree felony, in violation of section 117.1054(2)(b), Florida Statutes; and

WHEREAS, Huberta Rejouis, failed to notify the Department of State of the above-stated changes to her criminal history record following her felony convictions while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by Executive Order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Huberta Rejouis be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

- A. Huberta Rejouis is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.
B. Huberta Rejouis is commissioned as a Florida notary public from March 27, 2013, through March 26, 2017.
C. Huberta Rejouis was convicted of five separate felonies in Polk County in 2013, while commissioned as a Florida notary public.

D. Huberta Rejouis failed to notify the Department of State of the changes to her criminal history record following the felony convictions in Polk County in 2013, as required by section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Huberta Rejouis is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Huberta Rejouis is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 18th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections
March 18, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

RE: Suspension of:
REJOUIS, Huberta
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Huberta Rejouis.

By Executive Order Number 14-91 filed with the Secretary of State on March 18, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Huberta Rejouis as a Notary Public alleging that she had been convicted on or about January 31, 2014, of the following charges:

- Burglary of an unoccupied Conveyance (3rd degree felony pursuant to s. 810.02(4)(b), Florida Statutes);
- Grand Theft (2nd degree felony pursuant to s. 812.014(2)(b), Florida Statutes);
- Uttering a Forged Instrument (3rd degree felony pursuant to s. 831.02, Florida Statutes);
- Fraudulent Use of Possession with Intent to Fraudulently Use Personal Identification Information of a Deceased Individual (3rd degree felony pursuant to s. 817.538(8)(a), Florida Statutes); and
- False or Fraudulent Acknowledgment as a Notary Public (3rd degree felony pursuant to s. 117.105, Florida Statutes).

The Executive Order also alleges that she failed to notify the Department of State of the convictions as required by s. 117.01(2), Florida Statutes. The convictions were confirmed through the Polk County Clerk of Court's and the Florida Department of Corrections' websites.

Because Ms. Rejouis was convicted of a felony, she is ineligible to hold the office of Notary Public unless or until her civil rights have been restored. A convicted felon may not have his or her rights restored until at least 5 years after the completion of any sentence imposed by the court. Ms. Rejouis' notary commission will expire on March 26, 2017. In light of the foregoing, Ms. Rejouis would not be eligible to apply for restoration of rights until after the expiration of her commission as a notary public.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2016 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Garrett Richter, Chair

EXECUTIVE ORDER NUMBER 14-154
(Executive Order of Suspension)

WHEREAS, Jacqueline Johnson is presently serving as a Notary Public of the State of Florida; and

WHEREAS, this Office received a complaint reporting Jacqueline Johnson for notary misconduct, and thereafter initiated an investigation of alleged violations of the laws governing Florida notaries public defined within Chapter 117, Florida Statutes; and

WHEREAS, the complainant, Detective Nephtali Sepulveda, Jr., of the Hillsborough County Sheriff's Office, reported he was investigating the execution of two quit claim deeds containing forged signatures of the property owners that were notarized by Jacqueline Johnson on May 16, 2013, and which resulted in the theft of the property owners' home by sale without their knowledge or consent; and

WHEREAS, Jacqueline Johnson submitted a sworn written response to this Office on February 12, 2014, admitting that she notarized the

challenged documents without the purported signing parties in her presence, in violation of section 117.107(9), Florida Statutes; and

WHEREAS, by notarizing the signatures of parties not in her presence, Jacqueline Johnson took a false or fraudulent acknowledgment of the challenged instruments as a notary public, in violation of section 117.105, Florida Statutes; and

WHEREAS, during the investigation by this Office, it was discovered that Jacqueline Johnson had moved from the address on file and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Jacqueline Johnson, be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Jacqueline Johnson is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Jacqueline Johnson commissioned as a Florida notary public from September 14, 2012, through September 13, 2016.

C. Jacqueline Johnson notarized the challenged documents without the signing parties in her presence at the time of the notarization, in violation of section, 117.107(9), Florida Statutes.

D. Jacqueline Johnson took a false or fraudulent acknowledgment of the challenged documents as a notary public, in violation of section 117.105, Florida Statutes.

E. Jacqueline Johnson failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Jacqueline Johnson is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Jacqueline Johnson is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 2nd day of May, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections
May 2, 2014.]

The Honorable Andy Gardiner
President of the Senate
409, The Capitol
Tallahassee, FL 32399-1100

March 2, 2016

RE: Suspension of:
JOHNSON, Jacqueline
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Jacqueline Johnson.

By Executive Order Number 14-154 filed with the Secretary of State on May 2, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Jacqueline Johnson as a Notary Public alleging that she had notarized a signature without the presence of the signator in violation of s. 117.107(9), Florida Statutes, and that such action was a false or fraudulent acknowledgment, in violation of s. 117.105, Florida Statutes. Additionally, it is alleged that she failed to report a change in her address in violation of s. 117.01(2), Florida Statutes. By letter dated February 9, 2016, Ms. Jacqueline Johnson resigned from the office of Notary Public.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2016 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Garrett Richter, Chair

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 CS/CS/HB 37, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Finance & Tax Committee and Representative(s) Costello, Miller, Artiles, Burgess, Cortes, B., Eagle, Mayfield, Renner, Roberson, K., Spano, Sprowls—

CS for CS for HB 37—A bill to be entitled An act relating to direct primary care; creating s. 624.27, F.S.; providing definitions; specifying that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code, including chapter 636, F.S., relating to prepaid limited health service organizations and discount medical plan organizations; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to the code; providing that a certificate of authority is not required to market, sell, or offer to sell a direct primary care agreement; specifying criteria for a direct primary care agreement; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 43, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plakon, Cortes, B., Artiles, Baxley, Broxson, Costello, Drake, Fant, Gonzalez, Harrison, Hill, Mayfield, Moraitis, Stone, Sullivan, Van Zant—

HB 43—A bill to be entitled An act relating to churches or religious organizations; creating s. 761.061, F.S.; providing that churches or religious organizations, related organizations, or certain individuals may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for related purposes if such action would violate a sincerely held religious belief; prohibiting certain legal actions, penalties, or governmental sanctions against such individuals or entities; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 85 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Fitzenhagen, Renner—

HB 85—A bill to be entitled An act relating to recovery care services; amending s. 395.001, F.S.; providing legislative intent regarding recovery care centers; amending s. 395.002, F.S.; revising and providing definitions; amending s. 395.003, F.S.; including recovery care centers as facilities licensed under chapter 395, F.S.; creating s. 395.0171, F.S.; providing admission criteria for a recovery care center; requiring emergency care, transfer, and discharge protocols; authorizing the Agency for Health Care Administration to adopt rules; amending s. 395.1055, F.S.; authorizing the agency to establish separate standards for the care and treatment of patients in recovery care centers; amending s. 395.10973, F.S.; directing the agency to enforce special-occupancy provisions of the Florida Building Code applicable to recovery care centers; amending s. 395.301, F.S.; providing for format and content of a patient bill from a recovery care center; amending s. 408.802, F.S.; providing applicability of the Health Care Licensing Procedures Act to recovery care centers; amending s. 408.820, F.S.; exempting recovery care centers from specified minimum licensure requirements; amending ss. 394.4787 and 409.975, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 139 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Health Quality Subcommittee and Representative(s) Cummings, Adkins, Artiles, Berman, Bracy, Broxson, Burgess, Campbell, Clarke-Reed, Combee, Cortes, B., Cortes, J., Costello, Cruz, Drake, DuBose, Dudley, Fresen, Fullwood, Gaetz, Geller, Hill, Jenne, Jones, M., Jones, S., Latvala, Moraitis, Moskowitz, Murphy, Narain, Pafford, Peters, Plakon, Plasencia, Richardson, Rodriguez, J., Santiago, Slosberg, Stark, Steube, Stevenson, Tobia, Torres, Trumbull, Watson, C., Williams, A.—

CS for CS for HB 139—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; providing definitions; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; limiting the number of new dental care access accounts established per fiscal year; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; authorizing the department to distribute state funds to accounts, subject to legislative appropriation; authorizing the department to accept contributions from local sources for deposit in designated accounts; limiting the number of years that an account may remain open; providing for the immediate closure of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time; requiring the department to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account;

requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank shortage areas and medically underserved areas; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; requiring rulemaking for the submission of information for such reporting; providing an appropriation and authorizing a position; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; 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 221, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Appropriations Committee, Insurance & Banking Subcommittee and Representative(s) Trujillo, Adkins, Artiles, Mayfield, O'Toole, Stark—

CS for CS for CS for HB 221—A bill to be entitled An act relating to out-of-network health insurance coverage; amending s. 395.003, F.S.; requiring hospitals, ambulatory surgical centers, specialty hospitals, and urgent care centers to comply with certain provisions as a condition of licensure; amending s. 395.301, F.S.; requiring a hospital to post on its website certain information regarding its contracts with health insurers, health maintenance organizations, and health care practitioners and medical practice groups and specified notice to patients and prospective patients; amending s. 408.7057, F.S.; providing requirements for settlement offers between certain providers and health plans in a specified dispute resolution program; requiring the Agency for Health Care Administration to include in its rules additional requirements relating to a resolution organization's process in considering certain claim disputes; requiring a final order to be subject to judicial review; amending ss. 456.072, 458.331, and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action, to which penalties apply; amending s. 626.9541, F.S.; specifying an additional unfair method of competition and unfair or deceptive act or practice; creating s. 627.64194, F.S.; defining terms; providing that an insurer is solely liable for payment of certain fees to a nonparticipating provider; providing limitations and requirements for reimbursements by an insurer to a nonparticipating provider; providing that certain disputes relating to reimbursement of a nonparticipating provider shall be resolved in a court of competent jurisdiction or through a specified voluntary dispute resolution process; amending s. 627.6471, F.S.; requiring an insurer that issues a policy including coverage for the services of a preferred provider to post on its website certain information about participating providers and physicians; requiring that specified notice be included in policies issued after a specified date which provide coverage for the services of a preferred provider; amending s. 627.662, F.S.; providing applicability of provisions relating to coverage for services and payment collection limitations to group health insurance, blanket health insurance, and franchise health insurance; providing effective dates.

—was referred to the Committees on Health Policy; Banking and Insurance; 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 259 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Civil Justice Subcommittee, Children, Families & Seniors Subcommittee and Representative(s) Rodrigues, R., Artiles—

CS for CS for CS for HB 259—A bill to be entitled An act relating to the temporary care of a child; creating s. 409.1761, F.S.; providing legislative findings; authorizing qualified nonprofit organizations to establish programs to provide temporary respite care for children; defining terms; providing registration and recordkeeping requirements for such organizations and the Department of Children and Families; exempting such organizations from specified licensure requirements; providing background screening requirements for certain persons; authorizing a parent or legal guardian to enter into a contract for care to provide temporary respite care for a child; specifying the form and execution of the contract; authorizing inspection of documents by the department; prohibiting certain children from obtaining such care; authorizing the department to refer a child for such care; providing applicability; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 373 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Quality Subcommittee and Representative(s) Burgess, Artiles, Avila, Plasencia—

CS for HB 373—A bill to be entitled An act relating to mental health counseling interns; amending s. 491.0045, F.S.; revising mental health intern registration requirements; revising requirements for supervision of registered interns; deleting specified education and experience requirements; establishing a validity period and providing for expiration of intern registrations; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, and mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 375, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Steube, Fresen, Peters, Van Zant—

CS for HB 375—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; deleting provisions related to examination by the Department of Health; amending s. 459.022, F.S.; revising circumstances under which a physician assistant may prescribe medication; authorizing a licensed physician assistant to perform certain services as delegated by a supervising physician; revising physician assistant licensure and license renewal requirements; removing a requirement for letters of recommendation; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 423, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Combee, Fresen, Latvala, Raschein, Rouson, Van Zant—

HB 423—A bill to be entitled An act relating to drug prescription by advanced registered nurse practitioners and physician assistants; providing a short title; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy or state pilot; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances to an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; expanding the prescribing authority of a licensed physician assistant; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, rather than to monitor and alter drug therapies; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license for or disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant is an exception from a prohibition relating to the possession of drugs or narcotics during probation; reenacting s. 310.071(3), F.S., relating to deputy pilot certification, to incorporate the amendment made by the act to s. 310.071, F.S., in a reference thereto; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.347(4)(e) and (9)(c), 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the non-applicability of certain provisions to specified health care practitioners, the prescribing or dispensing of medications by physician assistants, the duties of the Council on Physician Assistants, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, standing orders, and established protocols, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting ss. 464.008(2), 464.009(5), 464.018(2), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate

the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to the exclusion as a defense and nonadmissibility as evidence of voluntary intoxication, to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to the receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 563, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Children, Families & Seniors Subcommittee and Representative(s) Gaetz, Drake, Eagle, Smith, Tobia—

CS for CS for HB 563—A bill to be entitled An act relating to public assistance; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 402.82, F.S.; requiring the Department of Children and Families to impose a replacement fee for electronic benefits transfer cards under certain circumstances; amending s. 414.065, F.S.; revising penalties for noncompliance with the work requirements for temporary cash assistance; limiting the receipt of child-only benefits during periods of noncompliance with work requirements; providing applicability of work requirements before expiration of the minimum penalty period; requiring the Department of Children and Families to refer sanctioned participants to appropriate free and low-cost community services, including food banks; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible non-citizen family members in determining eligibility for temporary cash assistance; amending s. 445.024, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., the regional workforce boards, and the Department of Children and Families, to develop and implement a work plan agreement for participants in the temporary cash assistance program; requiring the plan to identify expectations, sanctions, and penalties for noncompliance with work requirements; reenacting s. 414.045(1), F.S., relating to the cash assistance program, to incorporate the amendment made by the act to s. 414.095, F.S., in a reference thereto; providing a contingent appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 599, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Children, Families & Seniors Subcommittee and Representative(s) Combee, Harrell, Campbell, Eagle, Geller, Perry, Pilon, Pritchett, Rooney—

CS for CS for HB 599—A bill to be entitled An act relating to child welfare; amending s. 39.013, F.S.; extending court jurisdiction to age 22 for young adults with disabilities in foster care; amending s. 39.2015, F.S.; revising requirements of the quarterly report submitted by the critical incident rapid response team advisory committee; amending s.

39.402, F.S.; revising information that the Department of Children and Families is required to inform the court of at shelter hearings; amending s. 39.521, F.S.; revising timelines and distribution requirements for case plans; amending s. 39.522, F.S.; providing conditions under which a child may be returned home with an in-home safety plan; amending s. 39.6011, F.S.; providing that a child of a certain age must be given the opportunity to be consulted on the creation of the case plan; providing for the child to select certain case planning team members and permit those team members access to confidential information; providing that the child review, sign, and receive a copy of his or her case plan; amending s. 39.6035, F.S.; requiring court approval of a transition plan before the child's 18th birthday; amending s. 39.621, F.S.; creating an exception to the order of preference for permanency goals under chapter 39, F.S., for maintaining and strengthening the placement; authorizing the new permanency goal to be used in specified circumstances; amending s. 39.701, F.S.; revising the information which must be included in a specified written report under certain circumstances; revising what must be found to maintain or return a child to his or her home; amending s. 409.1451, F.S.; requiring that a child be living in licensed care on or after his or her 18th birthday as a condition for receiving aftercare services; amending s. 409.986, F.S.; revising the definition of the term "care" to include intervention services; amending s. 409.988, F.S.; requiring a continuum of care; requiring specified intervention services; requiring the establishment of permanency teams for certain children; authorizing the department to adopt rules; requiring out-of-home care utilization plans by lead agencies; requiring department tracking of lead agency plans; requiring a report to the Governor and Legislature; amending s. 409.996, F.S.; requiring the department to ensure and develop an adequate array of services; requiring the development of a statewide quality rating system; requiring a report to the Governor and Legislature; amending s. 39.01, F.S.; revising definition of the term "permanency goal"; amending s. 39.202, F.S.; changing the designation of an entity; amending ss. 39.5085 and 1002.3305, F.S.; conforming cross-references; repealing s. 39.523, F.S., relating to the placement of children in residential group care; repealing s. 409.141, F.S., relating to equitable reimbursement methodology; repealing s. 409.1676, F.S., relating to comprehensive residential group care services to children who have extraordinary needs; repealing s. 409.1677, F.S., relating to model comprehensive residential services programs; repealing s. 409.1679, F.S., relating to program requirements and reimbursement methodology; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 769 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Children, Families & Seniors Subcommittee and Representative(s) Peters, Artilles, Pilon—

CS for CS for HB 769—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; provides for continuation of psychotropic medication by forensic and civil facilities for individuals receiving such medication before admission; amending s. 916.13, F.S.; providing a timeframe within which competency hearings must be held; requiring that a defendant be transported for the hearing; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants who remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; requiring that a defendant be transported for the hearing; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 941, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Gonzalez, Campbell, O'Toole—

CS for CS for HB 941—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming the Office of Minority Health within the department; specifying that the office shall be headed by a Senior Health Equity Officer and prescribing his or her duties; amending s. 215.5602, F.S.; revising the reporting requirements for the Biomedical Research Advisory Council under the James and Esther King Biomedical Research program; revising the reporting requirements for certain entities that perform or are associated with cancer research or care; amending s. 381.0034, F.S.; deleting the requirement that applicants making initial application for certain licensure complete certain courses; amending s. 381.7355, F.S.; revising the review criteria for Closing the Gap grant proposals; amending s. 381.82, F.S.; revising the reporting requirements for the Alzheimer's Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer's Disease Research Program; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 381.877, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a prescription or a non-patient specific standing order for an auto injection delivery system or an intranasal delivery system; prohibiting health care practitioners employed by the pharmacist from issuing a non-patient specific standing order for an emergency opioid antagonist; prohibiting a health care practitioner from receiving remuneration for issuing a non-patient specific standing order for an emergency opioid antagonist; requiring pharmacists dispensing emergency opioid antagonists to provide certain information to the patient or caregiver; amending s. 381.922, F.S.; providing reporting requirements for the Biomedical Research Advisory Council under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; amending s. 382.0255, F.S.; prohibiting a fee for a determination or medical certification of the cause of death under certain provisions; amending s. 384.23, F.S.; revising the factors to be considered in designating a condition as a sexually transmissible disease; amending s. 384.27, F.S.; authorizing certain health care practitioners to provide partner therapy under certain conditions; authorizing the department to adopt rules; amending s. 401.27, F.S.; increasing the length of time that an emergency medical technician or paramedic certificate may remain in an inactive status; revising the requirements for reactivating and renewing such a certificate; revising eligibility for certification; deleting a requirement that applicants successfully complete a certification examination within a specified timeframe; amending s. 456.013, F.S.; revising course requirements for renewing a certain license; amending s. 456.024, F.S.; revising the eligibility criteria for a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard and the spouse of an active duty military member to be issued a license to practice as a health care practitioner in this state; deleting provisions relating to temporary professional licensure for spouses of active duty members of the United States Armed Forces; creating s. 456.0241, F.S.; providing definitions; providing for issuance of a temporary certificate under certain conditions for certain military health care practitioners; providing for the automatic expiration of the temporary certificate unless renewed; providing for application and renewal fees; requiring the department to adopt rules; creating s. 456.0361, F.S.; requiring the department to establish an electronic continuing education tracking system; prohibiting the department from renewing a license unless the licensee has complied with all continuing education requirements; authorizing the department to adopt rules; amending s. 456.057, F.S.; requiring a person or entity appointed by the board as a custodian of medical records to be approved by the department; authorizing the department to contract with a third party to provide custodial services; amending s. 456.0635, F.S.; deleting a provision on applicability relating to the issuance of licenses; amending s. 457.107, F.S.; deleting a provision authorizing the Board of Acupuncture to request certain

documentation from applicants; amending s. 458.347, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 459.022, F.S.; deleting a requirement that a physician assistant file a signed affidavit with the department; amending s. 460.402, F.S.; providing an additional exception to licensure requirements for chiropractic physicians; amending s. 463.007, F.S.; making technical changes; amending s. 464.203, F.S.; revising inservice training requirements for certified nursing assistants; repealing s. 464.2085, F.S., relating to the Council on Certified Nursing Assistants; amending s. 465.009, providing training requirements for pharmacists related to opioid antagonist dispensing; authorizing the department to adopt rules; amending 465.027, F.S.; providing an additional exception to pharmacy regulations for manufacturers of dialysis drugs or supplies; amending s. 465.0275, F.S.; revising the amount of emergency prescription refill authorized to be dispensed by a pharmacist; amending s. 465.0276, F.S.; deleting a requirement that the department inspect certain facilities; amending s. 466.0135, F.S.; deleting a requirement that a dentist file a signed affidavit with the department; deleting a provision authorizing the Board of Dentistry to request certain documentation from applicants; amending s. 466.014, F.S.; deleting a requirement that a dental hygienist file a signed affidavit with the department; deleting a provision authorizing the board to request certain documentation from applicants; amending s. 466.032, F.S.; deleting a requirement that a dental laboratory file a signed affidavit with the department; deleting a provision authorizing the department to request certain documentation from applicants; repealing s. 468.1201, F.S., relating to a requirement for instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 483.901, F.S.; deleting provisions relating to the Advisory Council of Medical Physicists; authorizing the department to issue temporary licenses in certain circumstances; authorizing the department to adopt rules; amending s. 484.047, F.S.; deleting a requirement for a written statement from an applicant in certain circumstances; amending s. 486.102, F.S.; revising accrediting agencies that may approve physical therapy assistant programs for purposes of licensing; amending s. 486.109, F.S.; deleting a provision authorizing the department to conduct a random audit of certain information; amending ss. 499.028, 893.04, and 921.0022, F.S.; conforming provisions and cross-references; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 977 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Quality Subcommittee and Representative(s) Peters, Bernman, Pilon—

CS for HB 977—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and

459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and nonadmissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 989 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Harrell, Caldwell, Cortes, B., Dudley, Eagle, Fitzenhagen, Gonzalez, Hager, Lee, Magar, Mayfield, Pafford, Pilon, Raschein, Renner, Rodrigues, R., Rodríguez, J., Stevenson, Watson, C., Young—

HB 989—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce discharges to the St. Lucie and Caloosahatchee estuaries; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1061, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Edwards, Renner, Sprowls—

HB 1061—A bill to be entitled An act relating to the Nurse Licensure Compact; amending s. 456.073, F.S.; requiring the Department of Health to report certain investigative information to the coordinated licensure information system; amending s. 456.076, F.S.; requiring an impaired practitioner consultant to disclose certain information to the department; requiring a nurse holding a multistate license to report participation in a treatment program to the department; amending s. 464.003, F.S.; revising definitions, to conform; amending s. 464.004, F.S.; requiring the executive director of the Board of Nursing or his or her designee to serve as state administrator of the Nurse Licensure Compact; amending s. 464.008, F.S.; providing eligibility criteria for a multistate license; requiring that multistate licenses be distinguished from single-state licenses; exempting certain persons from licensed practical nurse and registered nurse licensure requirements; amending s. 464.009, F.S.; exempting certain persons from requirements for licensure by endorsement; creating s. 464.0095, F.S.; creating the Nurse Licensure Compact; providing findings and purpose; providing definitions; providing for the recognition of nursing licenses in party states; requiring party states to perform criminal history checks of licensure applicants; providing requirements for obtaining and retaining a multistate license; authorizing party states to take adverse action against a nurse's multistate licensure privilege; requiring notification to the home licensing state of an adverse action against a licensee; requiring nurses practicing in party states to comply with state practice laws; providing limitations for licensees not residing in a party state; providing the effect of the act on a current licensee; providing application requirements for a multistate license; providing licensure requirements when a licensee moves between party states or to a nonparty state; providing certain authority to state licensing boards of party states; requiring deactivation of a nurse's multistate licensure privilege under certain circumstances; authorizing participation in an alternative program in lieu of adverse action against a license; requiring all party states to participate in a coordinated licensure information; providing for the development of the system, reporting procedures, and the exchange of

certain information between party states; establishing the Interstate Commission of Nurse Licensure Compact Administrators; providing for the jurisdiction and venue for court proceedings; providing membership and duties; authorizing the commission to adopt rules; providing rule-making procedures; providing for state enforcement of the compact; providing for the termination of compact membership; providing procedures for the resolution of certain disputes; providing an effective date of the compact; providing a procedure for membership termination; providing compact amendment procedures; authorizing nonparty states to participate in commission activities before adoption of the compact; providing construction and severability; amending s. 464.012, F.S.; authorizing a multistate licensee under the compact to be certified as an advanced registered nurse practitioner if certain eligibility criteria are met; amending s. 464.015, F.S.; authorizing registered nurses and licensed practical nurses holding a multistate license under the compact to use certain titles and abbreviations; amending s. 464.018, F.S.; revising the grounds for denial of a nursing license or disciplinary action against a nursing licensee; authorizing certain disciplinary action under the compact for certain prohibited acts; amending s. 464.0195, F.S.; revising the information required to be included in the database on nursing supply and demand; requiring the Florida Center for Nursing to analyze and make future projections of the supply and demand for nurses; authorizing the center to request, and requiring the Board of Nursing to provide, certain information about licensed nurses; amending s. 768.28, F.S.; designating the state administrator of the Nurse Licensure Compact and other members or employees of the commission as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain judgments or claims; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1063, as amended, by the required Constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Pigman, Campbell, Sprowls—

HB 1063—A bill to be entitled An act relating to public records and meetings; creating s. 464.0096, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health or the Board of Nursing pursuant to the Nurse Licensure Compact; authorizing disclosure of the information under certain circumstances; providing an exemption from public meeting requirements for certain meetings of the Interstate Commission of Nurse Licensure Compact Administrators; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portion of such a meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Policy; Governmental Oversight and Accountability; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1083, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Health & Human Services Committee and Representative(s) Renner, Artilles, Wood—

CS for CS for HB 1083—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising and defining terms; repealing s. 393.0641, F.S., relating to a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; providing for the assignment of priority to clients waiting for waiver services; requiring an agency to allow a certain individual to receive such services if the individual's parent or legal guardian is an active-duty military servicemember; requiring the agency to send an annual letter to clients and their guardians or families; providing that certain agency action does not establish a right to a hearing or an administrative proceeding; amending s. 393.066, F.S.; providing for the use of an agency data management system; providing requirements for persons or entities under contract with the agency; amending s. 393.0662, F.S.; adding client needs that qualify as extraordinary needs, which may result in the approval of an increase in a client's allocated funds; revising duties of the Agency for Health Care Administration relating to the iBudget system; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring certain intermediate care facilities to comply with certain requests and inspections by the agency; amending s. 393.11, F.S.; providing for annual reviews for persons involuntarily admitted to residential services provided by the agency; requiring the agency to contract with a qualified evaluator; providing requirements for annual reviews; requiring a hearing to be held to consider the results of an annual review; requiring the agency to provide a copy of the review to certain persons; providing a definition; repealing ss. 24 and 26 of chapter 2015-222, Laws of Florida; abrogating the scheduled expiration and reversion of amendments to ss. 393.067(15) and 393.18, F.S.; providing for contingent retroactive operation; reenacting s. 393.067(15), F.S., relating to a provision specifying that the agency is not required to contract with certain licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; providing qualification requirements for the supervisor of the clinical director of a specified licensee; revising the organization and operation of components of such a program; providing for the integration of educational components with the local school district; providing that failure of certain licensees to comply with the terms of a settlement agreement is grounds for discipline; authorizing the agency to approve the admission or readmission of an individual to such a program; amending ss. 383.141 and 1002.385, F.S.; conforming cross-references to changes made by the act; providing an appropriation; providing a contingent appropriation; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; 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 1125 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Criminal Justice Subcommittee, Children, Families & Seniors Subcommittee and Representative(s) McBurney, Campbell, Kerner—

CS for CS for CS for HB 1125—A bill to be entitled An act relating to eligibility for employment as child care personnel; amending s. 435.07, F.S.; providing criteria for disqualification from employment for child care personnel; requiring that certain persons who have been granted an exemption from disqualification from child care employment be rescreened by a specified date; providing applicability with respect to specified provisions adopted during the same legislative session; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1175, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee and Representative(s) Sprows, Renner—

CS for CS for HB 1175—A bill to be entitled An act relating to transparency in health care; amending s. 395.301, F.S.; requiring a facility licensed under chapter 395, F.S., to provide timely and accurate financial information and quality of service measures to certain individuals; requiring a licensed facility to post certain payment information regarding defined bundles of services and procedures and other specified consumer information and notifications on its website; requiring a facility to provide a good faith estimate of charges to a patient or prospective patient within a certain timeframe; requiring a facility to provide information regarding its financial assistance policy to a patient or a prospective patient; providing a penalty for failing to provide such estimate of charges to a patient; deleting a requirement that a licensed facility not operated by the state provide notice to a patient of his or her right to an itemized bill within a certain timeframe; revising the information that must be included on a patient's statement or bill; amending s. 395.107, F.S.; defining the term "facility" to mean an urgent care center or a diagnostic-imaging center operated by a licensed hospital but not located on the hospital premises; requiring a facility to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the facility's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis; revising requirements for the collection and use of health-related data by the Agency for Health Care Administration; requiring the agency to contract with a vendor to provide an Internet-based platform with certain attributes and a state-specific data set available to the public; providing vendor qualifications; requiring the agency to design a patient safety culture survey for hospitals and ambulatory surgical centers licensed under chapter 395, F.S.; requiring the survey to measure certain aspects of a facility's patient safety practices; exempting certain licensed facilities from survey requirements; prohibiting the agency from establishing a certain database without express legislative authority; revising the duties of the members of the State Consumer Health Information and Policy Advisory Council; revising provisions relating to the use of certain fees; revising the agency's rulemaking authority; deleting an obsolete provision; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; amending s. 408.810, F.S.; requiring certain licensed hospitals and ambulatory surgical centers to submit a facility patient safety culture survey to the agency; amending s. 456.0575, F.S.; requiring a health care practitioner to provide a good faith estimate of anticipated charges to a patient upon request within a certain timeframe; providing for disciplinary action and a fine for failure to comply; creating s. 627.6385, F.S.; requiring a health insurer to make available on its website certain information and a method for policyholders to estimate certain health care services costs and charges; providing that an estimate does not preclude an actual cost from exceeding the estimate; requiring a health insurer to provide notice in insurance policies that certain information is available on its website; requiring a health insurer that participates in the state group health insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health insurers; requiring that an insurer and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 641.54, F.S.; requiring a health maintenance organization to make certain information available to its subscribers on its website; requiring a health insurer to provide a hyperlink to certain health information on its website; requiring a health maintenance organization that participates in the state group health

insurance plan or Medicaid managed care to contribute all Florida claims data held by it or its affiliates to the contracted vendor selected by the agency; establishing a deadline for submission of Medicaid managed care claims data by health maintenance organizations; requiring that a health maintenance organization and its affiliates not submit claims data reflecting certain coverage to the contracted vendor; amending s. 409.967, F.S.; requiring managed care plans to contribute all Florida claims data to the contracted vendor selected by the agency; amending s. 110.123, F.S.; requiring the Department of Management Services to contribute certain data to the vendor for the price transparency database established by the agency; requiring a contracted vendor for the state group health insurance plan to contribute Florida claims data to the contracted vendor selected by the agency; amending ss. 20.42, 381.026, 395.602, 395.6025, 400.991, 408.07, 408.18, 408.8065, 408.820, 465.0244, and 627.6499, F.S.; conforming cross-references and provisions to changes made by the act; providing intent of the act; declaring all persons or entities required to submit, receive, or publish data under the act to be acting pursuant to state requirements contained therein; exempting such persons or entities from state anti-trust laws; providing an appropriation and authorizing a position; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1241, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Plasencia, Campbell, Costello—

HB 1241—A bill to be entitled An act relating to the ordering of medication; amending s. 381.887, F.S.; providing that a pharmacist may dispense an emergency opioid antagonist pursuant to a non-patient-specific standing order for an autoinjection delivery system or intranasal application delivery system; amending ss. 458.347 and 459.022, F.S.; revising the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to order medication for administration to a specified patient; amending s. 465.003, F.S.; revising the term "prescription" to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.02, F.S.; revising the term "administer" to include the term "administration"; revising the term "prescription" to exclude an order for drugs or medicinal supplies dispensed for administration; amending s. 893.04, F.S.; conforming provisions to changes made by the act; amending s. 893.05, F.S.; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for a specified patient under certain circumstances; reenacting ss. 400.462(26) and 409.906(18), F.S., relating to the definition of the term "physician assistant" for purposes of the Home Health Services Act and physician assistant services under the Medicaid program, respectively, to incorporate the amendments made by the act to ss. 458.347 and 459.022, F.S., in references thereto; reenacting ss. 401.445(1) and 766.103(3), F.S., relating to emergency examination and treatment of incapacitated persons and the Florida Medical Consent Law, respectively, to incorporate the amendments made by the act to ss. 458.347, 459.022, and 464.012, F.S., in references thereto; reenacting ss. 409.9201(1)(a), 465.014(1), 465.1901, 499.003(43), and 831.30(1), F.S., relating to the definition of "prescription drug" for purposes of Medicaid fraud, the supervision of registered pharmacy technicians, applicability of provisions regulating the practice of orthotics or pedorthics to pharmacists, the definition of the term "prescription drug" for purposes of the Florida Drug and Cosmetic Act, and criminal penalties related to the fraudulent obtaining of medicinal drugs, respectively, to incorporate the amendment made by the act to s. 465.003, F.S., in references thereto; reenacting ss. 458.331(1)(pp), 459.015(1)(rr), 465.015(2)(c) and (3), 465.016(1)(s), 465.022(5)(j), and 465.023(1)(h), F.S., relating to

grounds for disciplinary action by the Board of Medicine or the Board of Osteopathic Medicine, unlawful acts and penalties related to the practice of pharmacy, grounds for denial of a pharmacy permit or disciplinary action against a pharmacy permittee, respectively, to incorporate the amendments made by the act to ss. 465.003 and 893.02, F.S., in references thereto; reenacting ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l), 499.0121(14), 768.36(1)(b), 810.02(3)(f), 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1), 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., relating to the Drug-Free Workplace Act, the compassionate use of low-THC cannabis, drug-free workplace program requirements, reporting of prescription drug distribution, the definition of the term "drug" for purposes of defenses from civil actions related to alcohol or drugs, burglary offenses, penalties for grand theft, the definition of the term "drug" for purposes of offenses related to open house parties, unlawful introduction of certain articles into correctional institutions, county detention facilities, or juvenile detention facilities, the definition of the term "controlled substance" for purposes of exceptional student instruction, and duties of school principals related to student discipline, respectively, to incorporate the amendment made by the act to s. 893.02, F.S., in references thereto; reenacting s. 893.0551(3)(d) and (e), F.S., relating to disclosure by the Department of Health of confidential information in prescription drug monitoring program records, to incorporate the amendments made by the act to ss. 893.04 and 893.05, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1245 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee and Representative(s) Peeters—

CS for HB 1245—A bill to be entitled An act relating to Medicaid provider overpayments; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to certify that a Medicaid provider is out of business and that overpayments made to a provider cannot be collected under state law; amending s. 409.9132, F.S.; revising the method for verifying the delivery of home health services under the home health agency monitoring pilot project; reenacting s. 409.8132(4), F.S., relating to the applicability of certain laws to the Medikids program, to incorporate the amendment made by the act to s. 409.908, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1269, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) Pigman, Campbell, Rogers—

CS for CS for HB 1269—A bill to be entitled An act relating to adult cardiovascular services; amending s. 408.0361, F.S.; expanding rule-making criteria for the Agency for Health Care Administration for licensure of hospitals performing percutaneous cardiac intervention procedures; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1335 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee and Representative(s) Magar—

CS for HB 1335—A bill to be entitled An act relating to long-term care managed care prioritization; amending s. 409.962, F.S.; providing definitions; amending s. 409.979, F.S.; requiring the Department Elderly Affairs to maintain a statewide wait list for enrollment for home and community-based services through the Medicaid long-term care managed care program; requiring the department to prioritize individuals for potential enrollment using a frailty-based screening tool that provides a priority score; providing for determinations regarding offers of enrollment; requiring screening and certain rescreening by aging resource center personnel of individuals requesting long-term care services from the program; requiring the department to adopt by rule a screening tool; requiring the department to make a specified methodology available on its website; requiring the department to notify applicants of placement on the wait list; requiring the department to document attempts to contact an individual to schedule a screening or rescreening; requiring the department to send a letter to an individual who it is unable to contact to schedule an initial screening or rescreening; requiring the department to conduct prerelease assessments upon notification by the agency of available capacity; authorizing certain individuals to enroll in the long-term care managed care program; authorizing the department to terminate an individual from the wait list under certain circumstances; providing for priority enrollment for home and community-based services for certain individuals; authorizing the department and the Agency for Health Care Administration to adopt rules; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7081 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Affairs Committee, Highway & Waterway Safety Subcommittee and Representative(s) Steube—

CS for HB 7081—A bill to be entitled An act relating to issuance of specialty license plates; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty plate; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty plate; providing applicability; amending s. 320.08062, F.S.; directing the Department of Highway Safety and Motor Vehicles to audit certain organizations that receive funds from the sale of specialty license plates; providing effective dates.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7087, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Select Committee on Affordable Healthcare Access and Representative(s) Sprowls, Ahern, Artiles, Jones, M.—

CS for CS for HB 7087—A bill to be entitled An act relating to telehealth; creating s. 456.47, F.S.; providing definitions; establishing certain practice standards for telehealth providers; providing for the maintenance and confidentiality of medical records; providing registration requirements for out-of-state telehealth providers; providing limitations and notification requirements for out-of-state telehealth providers; requiring the Department of Health to publish certain information on its website; authorizing a board or the department if there is no board, to revoke a telehealth provider's registration under certain circumstances; providing venue; providing exemptions to the registration requirement; providing rulemaking authority; amending s. 636.202, F.S.; revising the definition of the term "discount medical plan" to exclude certain products; requiring the Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation to collect certain information; creating the Telehealth Advisory Council within the agency for specified purposes; specifying council membership; providing for council membership requirements; requiring the council to review certain findings and make recommendations in a report to the Governor and the Legislature by a specified date; requiring the agency to report such information to the Governor and Legislature by a specified date; providing certain enforcement authority to each agency; providing for expiration of the reporting requirement; providing an appropriation and authorizing positions; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; 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 SB 238.

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/CS/SB 242.

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 340.

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 450.

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/CS/CS/SB 590.

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/CS/SB 636.

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 860.

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 1174.

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 7020.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

ENROLLING REPORTS

CS for CS for SB 202, CS for SB 350, SB 576, CS for SB 1042, and SB 7016 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 2, 2016.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 24 and March 1 were corrected and approved.

CO-INTRODUCERS

Senators Grimsley—CS for SB 1294; Latvala—CS for SB 1168.

Senator Flores was recorded as introducer of CS for SB 1294.

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:43 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 3 or upon call of the President.