Journal of the Senate

Number 20—Regular Session **Friday, March 4, 2016**

CONTENTS

CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—34:

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

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

PRAYER

The following prayer was offered by Reverend Candace McKibben, Director of Faith Outreach, Big Bend Hospice and Pastor of Tallahassee Fellowship Church, Tallahassee:

Holy one, quiet our minds and still our hearts as we pause in reverence before one another and before you at the beginning of this new day. Fill our hearts with gratitude for the gift of life and for the important work that lies before us in the hours ahead.

Grant to each of these senators the will and ability to be their best selves as they listen respectfully to each other for the strongest solutions to the concerns before them this day. Give them hearts to hear what is most needed, minds to discern what is right, and the courage to do what is best as they seek the highest good for the citizens of this great State.

May those who are weary and disheartened by the process remember why they first wanted to be a legislator, and feel again the passion to represent the will of those who sent them here as it serves the highest good. May those who are filled with energy and optimism be a source of inspiration, encouragement, and hope to others. May all find in this day the opportunity to broaden their perspective, think creatively, and decide wisely.

We pray for all Floridians and for our nation that we might care for each other with the sort of grace and love that promotes justice and inspires well-being for all.

We pause in reverence before one another and before a strength and power that is greater than our own as we begin our work this day, renewed in spirit and motivated by love. Amen.

PLEDGE

Senate Pages, John Spilker of Naples; Zachary Smith of Dade City; Elizabeth Watson of Plant City; and Rebekka Behr of West Palm Beach, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Legg—

By Senator Legg—

SR 1768—A resolution congratulating Suellen Smith on her recognition by the School Nutrition Association as a 2016 School Nutrition Hero.

WHEREAS, Suellen Smith began her career as a self-described "regular lunch lady" at Pasco High School, where she worked for 11 years before moving to Zephyrhills High School, and

WHEREAS, Suellen Smith has worked at Zephyrhills High School for 15 years, where she is the cafeteria manager, overseeing a facility that serves more than 300 breakfasts, 850 lunches, and about 100 à la carte items each day, and

WHEREAS, Suellen Smith has demonstrated time and again that she views her work as cafeteria manager as an opportunity to have a much broader impact on the lives of the students of Zephyrhills High School, and

WHEREAS, Suellen Smith has turned the Zephyrhills High School cafeteria into a community center for students in need, maintaining a clothing closet that offers formal attire that students can wear to prom, homecoming, and graduation, and

WHEREAS, Suellen Smith ensures that students who have been identified by teachers as being in need of food receive free snacks so that the students do not go hungry, and

WHEREAS, Suellen Smith mentors students, helping them fill out applications for scholarships and serving as an advisor to the student council; encourages students who face difficult circumstances; and recognizes students' accomplishments when they achieve academic, athletic, or personal goals, and

WHEREAS, in May 2015, Suellen Smith received the Community Humanitarian Award from the Florida School Nutrition Association, and

WHEREAS, on February 29, 2016, Suellen Smith will be recognized by the School Nutrition Association as one of only five 2016 School Nutrition Heroes nationwide, NOW, THEREFORE,

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

That Suellen Smith is congratulated on her recognition by the School Nutrition Association as a 2016 School Nutrition Hero.

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

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1776—A resolution expressing support for the timely and successful negotiation of a mutually beneficial agreement on transatlantic trade between the United States and the European Union, leading to the enactment of the Transatlantic Trade and Investment Partnership.

WHEREAS, the transatlantic economy is the largest in the world, encompassing nearly 50 percent of global gross domestic product (GDP), and the United States and the European Union have called for an agreement to remove constraints to economic growth between these two entities, resulting in discussion of the Transatlantic Trade and Investment Partnership (T-TIP), and

WHEREAS, growth of emerging marketplaces across the globe continues to lessen the share of global GDP attributable to the transatlantic economy, and

WHEREAS, the expansion of global trade, especially with the member nations of the European Union, is of vital importance to the growth of the economy of the United States, small business participation in the international marketplace, and job creation, and

WHEREAS, this state would benefit greatly from the ratification of a comprehensive transatlantic trade agreement, which would create employment opportunities for Floridians as a direct result of loosening current burdens on trade and free markets, and

WHEREAS, the successful implementation of T-TIP will increase exports to the European Union from this state, and

WHEREAS, the United States Constitution grants sole authority in regulating commerce with foreign nations to the United States Congress, and

WHEREAS, the successful negotiation of a mutually beneficial transatlantic trade agreement will require bipartisan cooperation in the United States Congress and between state, federal, and foreign governments, NOW, THEREFORE,

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

That timely and successful negotiation by the Executive Branch of a comprehensive and mutually beneficial transatlantic trade agreement between the United States and the European Union, leading to enactment of the Transatlantic Trade and Investment Partnership, is supported.

—was introduced, read, and adopted by publication.

At the request of Senator Altman—

By Senator Altman—

SR 1786—A resolution honoring the courage and bravery of the space shuttle Challenger crew on the 30th anniversary of the Challenger disaster.

WHEREAS, the space shuttle Challenger, the second shuttle put into service by NASA, was successfully launched and landed nine times between April 4, 1983, and October 30, 1985, and

WHEREAS, during Challenger's tenth liftoff from the Kennedy Space Center on January 28, 1986, one of its O-ring seals, which had become brittle in the cold temperatures, failed, causing its right-hand solid rocket booster to separate from its external fuel tank, resulting in the shuttle's disintegration only 73 seconds into its mission at 11:39 a.m., and

WHEREAS, the disaster killed the seven-person crew: Mission Commander Francis R. "Dick" Scobee, Pilot Michael J. Smith, Mission Specialist Judith A. Resnik, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Payload Specialist Gregory B. Jarvis, and Teacher-in-Space Payload Specialist Sharon Christa McAuliffe, and

WHEREAS, Christa McAuliffe, a teacher from Concord, New Hampshire, was scheduled to become the first teacher in space as part of the Teacher in Space Project to conduct experiments and teach lessons from the Challenger to encourage children to pursue careers in science and mathematics, and

WHEREAS, many lessons have been learned from the tragic loss of the Challenger and its crew, and those lessons have increased the dedication of the United States and NASA to make space exploration safer for everyone for the benefit of mankind, and

WHEREAS, January 28, 2016, was the 30th anniversary of the tragic accident of the space shuttle Challenger and the loss of its seven brave crew members, NOW, THEREFORE,

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

That the space shuttle Challenger's crew is honored for their courage and bravery on the 30th anniversary of the Challenger disaster.

—was introduced, read, and adopted by publication.

At the request of Senator Altman—

By Senator Altman—

SR 1788—A resolution recognizing and supporting the second Invictus Games for wounded, injured, and sick active duty military servicemembers and veterans, to be held May 8-12, 2016, in Orlando.

WHEREAS, the Invictus Games is the only international adaptive sporting event for injured active duty military servicemembers and veterans, in which the power of sports is used to inspire recovery, support rehabilitation, and generate wider understanding and respect for those who serve or who have served their country, and

WHEREAS, the inaugural Invictus Games took place in 2014 in London, England, and brought together more than 400 competitors from 13 nations to compete in sporting events, and

WHEREAS, Florida has the honor of hosting the second Invictus Games, which will be held at Disney's ESPN Wide World of Sports Complex in Orlando from May 8 to May 12, 2016, and

WHEREAS, the second Invictus Games will bring together more than 500 competitors from 15 nations to compete in 10 sporting events, and

WHEREAS, the nations represented are Afghanistan, Australia, Canada, Denmark, Estonia, France, Georgia, Germany, Iraq, Italy, Jordan, the Netherlands, New Zealand, the United Kingdom, and the United States, and

WHEREAS, Invictus Games participants have sacrificed their personal health and well-being, and many have suffered life-changing injuries, visible or otherwise, to defend the safety and security of their home nation, and

WHEREAS, the Invictus Games seeks to help the physical, psychological, and social healing of injured active duty military servicemembers and veterans through the holistic recovery and rehabilitation that occurs through sports, and

WHEREAS, the word "invictus" means "unconquered," and the Invictus Games reflects the unconquered spirit of wounded, ill, or injured active duty military servicemembers and veterans who have been tested and challenged, but not overcome, and

WHEREAS, Floridians view this inspiring event as an opportunity to celebrate and recognize the sacrifices made by active duty military servicemembers and veterans across the globe to safeguard the security of our nations and the values we hold dear, and

WHEREAS, there is no place more suitable to host the second Invictus Games than Florida, the most military-friendly and veteran-friendly state in the nation, NOW, THEREFORE,

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

That we recognize the second Invictus Games and the recuperation and rehabilitation that the Invictus Games brings to our nation's wounded, injured, and sick active duty military servicemembers and veterans and to those who serve or who have served in the armed services of our friends and allies around the globe.

—was introduced, read, and adopted by publication.

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

SPECIAL ORDER CALENDAR

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 physician 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.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Pending further consideration of **CS for SB 460**, pursuant to Rule 3.11(3), there being no objection, **CS for CS/CS/HB 307 & HB 1313** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Criminal and Civil Justice; Fiscal Policy; and Rules.

On motion by Senator Bradley—

CS for CS/CS/HB 307 & HB 1313—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 physician 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 de-

partment 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; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—a companion measure, was substituted for **CS for SB 460** and read the second time by title.

Senator Clemens moved the following amendments which failed:

Amendment 1 (335820) (with title amendment)—Delete lines 143-170 and insert:
not include the~~: possession, use, or administration by smoking. The term also does not include the~~

1. Transfer of low-THC cannabis *or medical cannabis* to a person other than the qualified patient for whom it was ordered or the qualified patient's legal representative on behalf of the qualified patient.

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

a. On any form of public transportation.

b. In any public place.

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

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

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

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

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

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

And the title is amended as follows:

Delete line 3 and insert: amending s. 381.986, F.S.; providing, revising, and deleting

The vote was:

Yeas—16

Abruzzo	Clemens	Gibson
Brandes	Evers	Joyner
Braynon	Garcia	Latvala
Margolis	Sachs	Soto
Montford	Smith	
Ring	Sobel	

Nays—19

Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Dean	Hukill	Stargel
Detert	Hutson	
Diaz de la Portilla	Legg	

Amendment 2 (873124)—Delete lines 177-179 and insert:
to treat *a qualified patient suffering from cancer, a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms, epilepsy, glaucoma, a positive status for human immunodeficiency virus or acquired immune deficiency syndrome, post-traumatic stress disorder, amyotrophic lateral sclerosis, Crohn's disease, Parkinson's disease, multiple sclerosis, or another disease, disorder, or condition of the same kind or class as or comparable to those enumerated; order low-THC cannabis*

The vote was:

Yeas—17

Abruzzo	Evers	Ring
Brandes	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Margolis	Soto
Diaz de la Portilla	Montford	

Nays—19

Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Dean	Hukill	Stargel
Detert	Hutson	
Gaetz	Legg	

THE PRESIDENT PRESIDING

Senator Evers moved the following amendments which failed:

Amendment 3 (840898)—Delete lines 184-255 and insert:
defined in s. 499.0295; order medical cannabis to treat a qualified patient suffering from post-traumatic stress disorder; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician ~~and all of the following conditions apply~~:

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

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

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

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

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

(e)~~(c)~~ ~~The physician~~ Registers as the orderer of low-THC cannabis *or medical cannabis* for the named patient on the compassionate use registry maintained by the department and updates the registry to re-

flect the contents of the order*, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the patient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change*. The physician shall deactivate the *registration of the patient and the patient's legal representative* ~~patient's registration~~ when treatment is discontinued*;*~~.~~

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

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

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

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

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

(3) PENALTIES.—

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

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

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

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

(c)~~(b)~~ *A* ~~Any~~ person who fraudulently represents that he or she has cancer*, post-traumatic stress disorder,* ~~or~~ a physical medical condition that chronically

The vote was:

Yeas—18

Abruzzo	Evers	Montford
Brandes	Garcia	Ring
Braynon	Gibson	Sachs
Bullard	Joyner	Smith
Clemens	Latvala	Sobel
Diaz de la Portilla	Margolis	Soto

Nays—18

Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Grimsley	Richter
Bradley	Hays	Simmons
Dean	Hukill	Simpson
Detert	Hutson	Stargel

Amendment 4 (688106)—Delete line 184 and insert:
defined in s. 499.0295 or a patient suffering from cancer, human immunodeficiency virus or acquired immune deficiency syndrome, epilepsy, amyotrophic lateral sclerosis, autism, multiple sclerosis, Crohn's disease, Parkinson's disease, post-traumatic stress disorder, paraplegia, or quadriplegia; or order a cannabis delivery device for

On motion by Senator Bradley, further consideration of **CS for CS/CS/HB 307 & HB 1313** was deferred.

SB 356—A bill to be entitled An act relating to mental or physical disabilities; providing a short title; amending s. 775.085, F.S.; deleting enhanced penalties for crimes evidencing prejudice based on mental or physical disability; deleting the definition of the term "mental or physical disability"; creating s. 775.0851, F.S.; defining the term "mental or physical disability"; creating enhanced penalties for crimes evidencing prejudice based on mental or physical disability; creating a cause of action for a person or organization that is threatened with certain violations; providing an essential element for such cause of action; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 356**, pursuant to Rule 3.11(3), there being no objection, **HB 387** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Hutson—

HB 387—A bill to be entitled An act relating to offenses evidencing prejudice; providing a short title; amending s. 775.085, F.S.; deleting provisions relating to reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; creating s. 775.0863, F.S.; providing for reclassification of offenses committed while evidencing prejudice based on a mental or physical disability of the victim; defining the term "mental or physical disability"; providing for a civil cause of action for violations; providing for recovery of treble damages, costs, and attorney fees; specifying an essential element of the offense; amending s. 921.0022, F.S.; revising references to offense reclassification provisions; providing an effective date.

—a companion measure, was substituted for **SB 356** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **HB 387** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

By direction of the President, the Senate resumed consideration of—

CS for CS/CS/HB 307 & HB 1313—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 physician 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; authorizing certain colleges and universities to conduct certain cannabis research; providing an effective date.

—which was previously considered this day.

Senator Sachs moved the following amendment which failed:

Amendment 5 (580980)—Delete lines 184-255 and insert:
defined in s. 499.0295; order medical cannabis to treat a qualified patient suffering from chronic, persistent, and debilitating pain; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician ~~and all of the following conditions apply~~:

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

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

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

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

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

(e)~~(c)~~ ~~The physician~~ Registers as the orderer of low-THC cannabis *or medical cannabis* for the named patient on the compassionate use registry maintained by the department and updates the registry to reflect the contents of the order*, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the patient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change*. The physician shall deactivate the *registration of the patient and the patient's legal representative* ~~patient's registration~~ when treatment is discontinued*;*~~.~~

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

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

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

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

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

(3) PENALTIES.—

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

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

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

(b) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders

medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295 or suffers from chronic, persistent, and debilitating pain.

(c)~~(b)~~ *A* ~~Any~~ person who fraudulently represents that he or she has cancer *or suffers from chronic, persistent, and debilitating pain,* ~~or~~ a physical medical condition that chronically

Senator Clemens moved the following amendments which failed:

Amendment 6 (318474) (with title amendment)—Delete lines 345-371 and insert:
issued for the cultivation of more than 400,000 plants, *and* be operated by a nurseryman as defined in s. 581.011 *or an individual engaged in a similar agricultural activity, including an individual that is both a recognized class member of Pigford v. Glickman, 185 F.R.D. 82 (D.D.C. 1999), or In Re Black Farmers Litig., 856 F. Supp. 2d 1 (D.D.C. 2011), and a member of the Black Farmers and Agriculturalists Association*~~, and have been operated as a registered nursery in this state for at least 30 continuous years~~.

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

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

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

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

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

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

(c) Upon the registration of 5,000 active qualified

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements of applicants for approval as a dispensing organization; revising

The vote was:

Yeas—17

Abruzzo	Evers	Ring
Brandes	Gibson	Sachs
Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Margolis	Soto
Dean	Montford	

Nays—20

Mr. President	Gaetz	Legg
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Detert	Hukill	Stargel
Diaz de la Portilla	Hutson	

Amendment 7 (832646) (with title amendment)—Delete lines 346-347 and insert:
operated by a nurseryman as defined in s. 581.011 *or an individual engaged in a similar agricultural activity*, and have been operated as a registered nursery in this state for at least *10* ~~30~~

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements for an applicant seeking approval as a dispensing organization; revising

Senator Sachs moved the following amendment which failed:

Amendment 8 (400454) (with title amendment)—Between lines 370 and 371 insert:

8. That military veterans will be given preference when the dispensing organization is hiring employees for its facilities.

And the title is amended as follows:

Delete line 25 and insert: online compassionate use registry; revising requirements for applicants seeking licensure as dispensing organizations; revising

The vote was:

Yeas—15

Abruzzo	Evers	Ring
Braynon	Joyner	Sachs
Bullard	Latvala	Smith
Clemens	Margolis	Sobel
Dean	Montford	Soto

Nays—21

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

Senator Evers moved the following amendment which failed:

Amendment 9 (379166) (with title amendment)—Delete lines 371-384 and insert:

(c) By July 1, 2016, the 5 dispensing organizations chosen for low-THC cannabis may seek authorization to produce medical cannabis, as authorized by this section, only after the Department of Health has received and approved additional information in a supplemental application process.

(d) By July 1, 2016, the Department of Health shall authorize an additional 15 dispensing organizations that meet the requirements of subparagraphs (b)2.-7. and demonstrate the technical and technological ability to cultivate and produce medical cannabis and low-THC cannabis. A new application process shall begin immediately upon this act becoming law. An applicant involved in an ongoing administrative licensure challenge is not eligible to apply.

And the title is amended as follows:

Delete lines 28-33 and insert: five dispensing organizations to produce low-THC cannabis and seek authorization to produce medical cannabis subject to certain requirements; requiring the department to authorize an additional 15 dispensing organizations that meet certain requirements; providing an application process for the additional dispensing organizations; providing that certain applicants are ineligible to apply for licensure;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 10 (925362)—Delete line 371 and insert:

(c) Upon the registration of 15,000 active qualified

Senator Evers moved the following amendment which failed:

Amendment 11 (159718) (with title amendment)—Delete lines 371-380 and insert:

(c) Upon the registration of 5,000 qualified patients in the compassionate use registry, approve 10 additional dispensing organizations that must meet the requirements of subparagraphs (b)2.-7. and demonstrate the technical and technological ability to cultivate and produce low-THC cannabis and medical cannabis.

And the title is amended as follows:

Delete lines 28-30 and insert: 10 additional dispensing organizations under specified circumstances;

Senator Soto moved the following amendment which failed:

Amendment 12 (346874) (with title amendment)—Delete lines 371-380 and insert:

(c) Contingent upon the passage of a constitutional amendment related to the compassionate use of medical cannabis at the general election held on November 8, 2016, the Department of Health shall approve 12 additional licenses for dispensing organizations. Six of the additional licenses shall be selected from previously qualified applicants without regard to the region they applied in previously. These six applicants must apply to the department for a license and provide documentation that they continue to meet the requirements of paragraph (b) by December 15, 2016. The additional six licenses shall be selected by the Department of Health from new applicants and must include at least one applicant that is both a recognized class member of Pigford v. Glickman, 185 F.R.D. 82 (D.D.C. 1999), or In Re Black Farmers Litig., 856 F. Supp. 2d 1 (D.D.C. 2011), and a member of the Black Farmers and Agriculturalists Association, each of which must meet the requirements of subparagraphs (b) 2.-7. and demonstrate the technical and technological ability to cultivate and produce low-THC cannabis.

And the title is amended as follows:

Delete lines 28-30 and insert: 12 dispensing organizations contingent upon the passage of a constitutional amendment; providing requirements for the 12 dispensing organizations;

Senator Clemens moved the following amendment which failed:

Amendment 13 (179432) (with title amendment)—Delete lines 381-384 and insert:

(d) Allow a dispensing organization during an emergency or a declared disaster to make a wholesale purchase of low-THC cannabis or medical cannabis from, or a distribution of low-THC cannabis or medical cannabis to, another dispensing organization for a period not to exceed 60 days after the occurrence of the emergency or declaration of the disaster.

And the title is amended as follows:

Delete line 33 and insert: or distributions to another dispensing organization under specified circumstances;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 14 (666318) (with title amendment)—Between lines 389 and 390 insert:

(f) Establish a curriculum for a low-THC cannabis or medical cannabis educational program specifically geared toward qualified patients and their caregivers which addresses appropriate safety procedures and knowledge of low-THC cannabis, medical cannabis, and cannabis delivery devices.

And the title is amended as follows:

Between lines 33 and 34 insert: requiring the department to establish a curriculum for an educational program for patients and caregivers;

Senator Soto moved the following amendment which failed:

Amendment 15 (661888) (with title amendment)—Between lines 389 and 390 insert:

(f) Prohibit a dispensing organization or any other entity from marketing low-THC cannabis or medical cannabis in a manner that is considered attractive to minors.

And the title is amended as follows:

Between lines 33 and 34 insert: requiring the department to prohibit a dispensing organization or other entities from marketing low-THC cannabis or medical cannabis in a manner attractive to minors;

Senator Thompson offered the following amendment which was moved by Senator Soto and failed:

Amendment 16 (599316) (with title amendment)—Delete line 398 and insert:

1. May use fertilizers and pesticides determined by the department, after

And the title is amended as follows:

Delete line 36 and insert: organizations to use certain fertilizers and pesticides after

Senator Clemens moved the following amendment which failed:

Amendment 17 (894340)—Delete lines 448-449 and insert:
medical cannabis or low-THC cannabis originates;

c. Disclosure of any fertilizer or pesticides used in conjunction with the dispensing organization's cultivation of the low-THC cannabis; and

d. The batch number and harvest number from which the

Senator Evers moved the following amendments which failed:

Amendment 18 (698002)—Between lines 535 and 536 insert:

11. Employ persons with a valid Criminal Justice Standards and Training Commission Certificate and require at least one such person to be on the premises of each facility at all times.

Amendment 19 (476666) (with title amendment)—Between lines 552 and 553 insert:

(f) A dispensing organization may not be located within 1,000 feet of any school, park, day care center, other facility where children commonly frequent, church, correctional facility, drug abuse treatment center, or licensed medical facility.

And the title is amended as follows:

Delete line 59 and insert: medical cannabis; prohibiting a dispensing organization from being located within a certain distance of specified places; authorizing the department to

Senator Sachs moved the following amendment which failed:

Amendment 20 (899780) (with title amendment)—Between lines 707 and 708 insert:

(10) VETERINARIAN ORDERING.—A licensed veterinarian may order medical cannabis to treat an animal.

And the title is amended as follows:

Delete line 81 and insert: certain circumstances; authorizing licensed veterinarians to order medical cannabis to treat an animal; amending s. 499.0295, F.S.;

Senator Evers moved the following amendment which failed:

Amendment 21 (417630) (with title amendment)—Delete lines 793-830.

And the title is amended as follows:

Delete lines 84-97 and insert: authorizing certain colleges and

Pursuant to Rule 4.19, **CS for CS/CS/HB 307 & HB 1313** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 760** was deferred.

CS for SB 1156—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; increasing minimum size requirements for the establishment of a community development district under certain circumstances; increasing maximum size requirements for the establishment of community development districts under certain circumstances; providing certain petition requirements if all of the land in the area for a proposed district is within the territorial jurisdiction of two or more counties; conforming a provision to changes made by the act; amending s. 190.012, F.S.; providing that a district is not prohibited from contracting with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising requirements related to the process of amending community development district boundaries; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing requirements of the merger agreement; providing for membership of the surviving merged district board; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1156**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 971** was withdrawn from the Committees on Community Affairs; Commerce and Tourism; and Rules.

On motion by Senator Hutson—

CS for HB 971—A bill to be entitled An act relating to community development districts; amending s. 190.005, F.S.; amending the acreage threshold for the establishment, by rule or ordinance, of a community development district; revising criteria for requiring a petition for a proposed district to be filed with the Florida Land and Water Adjudicatory Commission; amending s. 190.012, F.S.; authorizing a district to contract with a towing operator to remove vehicles or vessels from specified facilities or properties, subject to certain requirements; amending s. 190.046, F.S.; revising the criteria necessary for amending the boundaries of a district; authorizing up to a certain number of districts to merge into one surviving district, subject to certain requirements; providing for membership of the surviving merged district board; providing requirements of the merger agreement; providing for public hearings subject to certain requirements; prohibiting a petition to merge from being filed within a specified timeframe; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 1156** and read the second time by title.

SENATOR RICHTER PRESIDING

Pursuant to Rule 4.19, **CS for HB 971** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 7000—A bill to be entitled 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; providing an effective date.

—was read the second time by title.

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

Consideration of **SB 418** was deferred.

SB 394—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 394**, pursuant to Rule 3.11(3), there being no objection, **HB 303** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Hays—

HB 303—A bill to be entitled An act relating to unlicensed activity fees; amending s. 455.2281, F.S.; prohibiting the Department of Business and Professional Regulation from imposing a specified fee in certain circumstances; providing for applicability of the waiver; providing an effective date.

—a companion measure, was substituted for **SB 394** and read the second time by title.

Pursuant to Rule 4.19, **HB 303** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 756—A bill to be entitled An act relating to the Department of Transportation; amending s. 311.07, F.S.; increasing the minimum amount that must be made available annually from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; increasing the amount per year the department must include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term "port of entry"; amending s. 316.545, F.S.; providing a specified penalty for drivers of commercial motor vehicles who obtain temporary registration permits entering the state at, or operating on designated routes to, a port-of-entry location; 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 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 airspace 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 provided 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; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities under the National Environmental Policy Act with respect to highway projects within the state and certain related responsibilities relating to review or approval of a highway project; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under certain federal law; authorizing the department to adopt implementing rules; authorizing the department to adopt certain relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court consistent with certain federal law; amending s. 334.30, F.S.; conforming a cross-reference; requiring the department to consult with the Division of Bond Finance in connection with a proposal to finance or refinance a transportation facility; requiring the department to provide the division with information necessary to provide timely consultation and recommendations; authorizing the division to make an independent recommendation to the Executive Office of the Governor; creating s. 337.027, F.S.; authorizing the department to establish a program for highway projects that assist small businesses; providing a program purpose; defining the term "small business"; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing an option to issue certain bonds secured by toll revenues collected on the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; increasing the number of years before an inactive prepaid toll account is presumed unclaimed; creating s. 339.0809, F.S.; creating a nonprofit corporation to be known as the "Florida Department of Transportation Financing Corporation"; defining the term "corporation"; providing for membership of a governing board of directors; providing certain powers and duties; authorizing the corporation to enter into service contracts with the Department of Transportation subject to certain requirements; authorizing the corporation to issue and incur notes, bonds, certificates of indebtedness, or other obligations or evidences of indebtedness under certain circumstances; providing that the fulfillment of the purposes of the corporation promotes the health, safety, and general welfare of the people of the state and serves essential governmental functions and a paramount public purpose; providing certain exemptions from taxation and assessments; authorizing the corporation to validate certain obligations subject to certain requirements; providing applicability; prohibiting the benefits and earnings of the corporation from inuring to any private person; requiring title to all property owned by the corporation to revert to the state upon dissolution of the corporation; authorizing the corporation to contract with the State Board of Administration to perform certain services; authorizing the board to contract with others to provide such services and to recover certain costs; authorizing the department to enter into a service contract in conjunction with the issuance of debt obligations which provides for certain periodic payments; amending s. 343.922, F.S.; increasing the period of time in which a master plan must be updated; amending s. 348.0004, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 756**, pursuant to Rule 3.11(3), there being no objection, **HB 7027** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

HB 7027—A bill to be entitled An act relating to the Department of Transportation; amending ss. 311.07 and 311.09, F.S.; revising the minimum amount of funds that the department must request for the Florida Seaport Transportation and Economic Development Program; amending s. 316.003, F.S.; defining the term "port-of-entry" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.545, F.S.; providing fines for certain commercial motor vehicles that obtain a specified temporary registration permit; amending s. 334.044, F.S.; authorizing the department to assume certain responsibilities of the United States Department of Transportation with respect to highway projects within the state; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under specified federal law; authorizing the department to adopt rules and relevant federal environmental standards; providing a limited waiver of sovereign immunity to civil suit in federal court; amending s. 334.30, F.S.; revising requirements for the development and approval of a proposal to finance or refinance a transportation project; authorizing the Division of Bond Finance of the State Board of Administration to make certain recommendations to the Governor; creating s. 337.027, F.S., relating to highway project contracts; authorizing the department to establish a program that would assist small businesses; defining the term "small business"; authorizing the department to adopt rules; amending s. 338.165, F.S.; removing certain facilities from a list of facilities whose toll revenues may be used to secure bonds; amending s. 338.231, F.S., relating to the turnpike system; revising the length of time that a prepaid toll account must be inactive before reverting to unclaimed property; creating s. 339.0809, F.S.; establishing the Florida Department of Transportation Financing Corporation; providing for a board of directors; providing for membership and organization; providing powers and duties of the corporation; authorizing the corporation to borrow money; providing for effect of dissolution with respect to property owned by the corporation; amending s. 339.135, F.S.; revising requirements for amendments to the department's adopted work program to be submitted to the Legislative Budget Commission; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 756** and read the second time by title.

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

Senator Brandes moved the following amendments which were adopted:

Amendment 1 (361146) (with title amendment)—Between lines 443 and 444 insert:

Section 12. Paragraph (c) of subsection (7) of section 339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion*, improve safety,* and maximize the mobility of people and goods. *Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.*

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 13. Paragraph (c) is added to subsection (3) of section 339.64, Florida Statutes, and paragraph (a) of subsection (4) of that section is amended to read:

339.64 Strategic Intermodal System Plan.—

(3)

(c) The department shall coordinate with federal, regional, and local partners, as well as industry representatives, to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments, in Strategic Intermodal System facilities.

(4) The Strategic Intermodal System Plan shall include the following:

(a) A needs assessment *that must include, but is not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments*.

And the title is amended as follows:

Delete line 47 and insert: submitted to the Legislative Budget Commission; amending s. 339.175, F.S.; requiring certain long-range transportation plans to include assessment of capital investment and other measures necessary to make the most efficient use of existing transportation facilities to improve safety; requiring the assessments to include consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology; amending s. 339.64, F.S.; requiring the department to coordinate with certain partners and industry representatives to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology in Strategic Intermodal System facilities; requiring the Strategic Intermodal System Plan to include a needs assessment regarding such infrastructure and technological improvements;

Amendment 2 (665868) (with title amendment)—Delete lines 105-161 and insert:

Section 3. Subsections (94) and (95) are added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(94) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle's steering control and systems command in the control of the vehicle's driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.

(95) PORT OF ENTRY.—A designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within the state. The locations and the designated routes to such locations shall be determined by the Department of Transportation.

Section 4. *The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, Florida Statutes, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.*

(1) Upon conclusion of the study, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, may conduct a pilot project to test the use and safe operation of vehicles equipped with driver-assistive truck platooning technology.

(2) Notwithstanding ss. 316.0895 and 316.303, Florida Statutes, the Department of Transportation may conduct the pilot project in such a manner and at such locations as determined by the Department of Transportation based on the study.

(3) Before the start of the pilot project, manufacturers of driver–assistive truck platooning technology being tested in the pilot project must submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of $5 million.

(4) Upon conclusion of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit the results of the study and any findings or recommendations from the pilot project to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 5. Subsections (1) and (3) of section 316.303, Florida Statutes, are amended to read:

316.303 Television receivers.—

(1) No motor vehicle *may be* operated on the highways of this state *if the vehicle is actively displaying moving television broadcast or prerecorded video entertainment content that is* ~~shall be equipped with television-type receiving equipment so located that the viewer or screen is~~ visible from the driver's seat *while the vehicle is in motion, unless the vehicle is equipped with autonomous technology, as defined in s. 316.003(90), and is being operated in autonomous mode, as provided in s. 316.85(2)*.

(3) This section does not prohibit the use of an electronic display used in conjunction with a vehicle navigation system*; an electronic display used by an operator of a vehicle equipped with autonomous technology, as defined in s. 316.003; or an electronic display used by an operator of a vehicle equipped and operating with driver-assistive truck platooning technology, as defined in s. 316.003*.

Section 6. Paragraph (b) of subsection (2) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, as defined in s. 316.003(66), to determine if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, as defined in s. 316.003(66), is being operated over the highways of the state with an expired registration or with no registration from this or any other jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. *A driver of a commercial motor vehicle entering the state at a designated port-of-entry location, as defined in s. 316.003(94), or operating on designated routes to a port-of-entry location, who obtains a temporary registration permit shall be assessed a penalty limited to the difference between its gross weight and the declared gross vehicle weight at 5 cents per pound.* If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed $1,000. In the case of special mobile equipment as defined in s. 316.003(48), which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of $75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee authorized in s. 320.07 if such person obtains a valid registration certificate within 10 working days after such penalty was assessed.

Section 7. Subsection (1) of section 316.85, Florida Statutes, is amended to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode *on roads in this state if the vehicle is equipped with autonomous technology, as defined in s. 316.003*.

Section 8. Section 316.86, Florida Statutes, is amended to read:

316.86 ~~Operation of vehicles equipped with autonomous technology on roads for testing purposes; financial responsibility;~~ Exemption from liability for manufacturer when third party converts vehicle.—

~~(1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited educational institutions, for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Before the start of testing in this state, the entity performing the testing must submit to the department an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of $5 million.~~

~~(2)~~ The original manufacturer of a vehicle converted by a third party into an autonomous vehicle *is* ~~shall~~ not ~~be~~ liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to an alleged vehicle defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.

Section 9. Subsection (1) of section 319.145, Florida Statutes, is amended to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet *applicable* federal standards and regulations for *such* ~~a~~ motor vehicle. The vehicle *must* ~~shall~~:

(a) *Have a system to safely alert the operator if an autonomous technology failure is detected while the autonomous technology is engaged. When an alert is given, the system must:*

1. Require the operator to take control of the autonomous vehicle; or

2. If the operator does not, or is not able to, take control of the autonomous vehicle, be capable of bringing the vehicle to a complete stop ~~Have a means to engage and disengage the autonomous technology which is easily accessible to the operator~~.

(b) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.

~~(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.~~

(c)~~(d)~~ Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.

And the title is amended as follows:

Delete lines 6-11 and insert: Economic Development Program; amending s. 316.003, F.S.; defining the terms "driver-assistive truck platooning technology" and "port of entry"; directing the Department of Transportation to study the operation of driver-assistive truck platooning technology; authorizing the department to conduct a pilot project to test such operation; providing security requirements; requiring a report to the Governor and Legislature; 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 displaying moving television broadcast or pre-recorded video entertainment content in vehicles; amending s. 316.545, F.S.; providing a specified penalty for drivers of commercial motor vehicles who obtain temporary registration permits entering the state at, or operating on designated routes to, a port-of-entry location; amending s. 316.85, F.S.; revising the circumstances under which a licensed driver is authorized to operate an autonomous vehicle in autonomous mode; amending s. 316.86, F.S.; deleting a provision authorizing the operation of vehicles equipped with autonomous technology on roads in this state for testing purposes by certain persons or research organizations; deleting a requirement that a human operator be present in an autonomous vehicle for testing purposes; deleting certain financial responsibility requirements for entities performing such testing; amending s. 319.145, F.S.; revising provisions relating to required equipment and operation of autonomous vehicles; amending s. 334.044,

Amendment 3 (208434) (with title amendment)—Delete lines 417-443.

And the title is amended as follows:

Delete lines 44-47 and insert: respect to property owned by the corporation;

Amendment 4 (390846) (with title amendment)—Delete lines 240-259.

And the title is amended as follows:

Delete lines 34-37 and insert: secure bonds; creating s. 339.0809,

Amendment 5 (525064) (with title amendment)—Delete lines 227-239 and insert:

Section 8. Subsection (4) of section 338.165, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley *and*~~,~~ the Sunshine Skyway Bridge~~, the Beeline-East Expressway, the Navarre Bridge, and the Pinellas Bayway~~ to fund transportation projects located within the county or counties in which the project is located and contained in the adopted work program of the department.

(11) The department's Pinellas Bayway System may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. The transfer does not affect the rights of the parties, or their successors in interest, under the settlement agreement and final judgment in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co. v. State Road Department of the State of Florida, No. 67-1081 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway System to the turnpike system, the department shall also transfer to the Florida Turnpike Enterprise the funds deposited in the reserve account established by chapter 85-364, Laws of Florida, as amended by chapters 95-382 and 2014-223, Laws of Florida, which funds shall be used by the Florida Turnpike Enterprise solely to help fund the costs of repair or replacement of the transferred facilities.

Section 9. *Chapter 85-364, Laws of Florida, as amended by chapters 95-382 and section 48 of 2014-223, Laws of Florida, is repealed.*

And the title is amended as follows:

Delete line 34 and insert: secure bonds; authorizing the department's Pinellas Bayway System to be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law; providing applicability; repealing chapter 85-364, Laws of Florida, as amended, relating to the Pinellas Bayway; amending s. 338.231, F.S.; relating to

Pursuant to Rule 4.19, **HB 7027**, as amended, was placed on the calendar of Bills on Third Reading.

SB 418—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that authorizes its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from ch. 934, F.S., relating to security of communications and surveillance; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 418**, pursuant to Rule 3.11(3), there being no objection, **HB 93** was withdrawn from the Committees on Criminal Justice; Community Affairs; and Fiscal Policy.

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

HB 93—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from specified provisions relating to the interception of wire, electronic, and oral communications; providing an effective date.

—a companion measure, was substituted for **SB 418**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **HB 93** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1310—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands that are replanted in citrus; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; specifying that moneys collected must be deposited into the Plant Industry Trust Fund; amending s. 704.06, F.S.; revising the definition of the term "conservation easement"; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1310**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 749** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

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

CS for CS for HB 749—A bill to be entitled An act relating to agriculture; amending 193.461, F.S.; revising the period during which certain agricultural lands in eradication or quarantine programs continue to be classified as such; providing for the classification of such lands replanted in citrus; amending s. 320.51, F.S.; exempting certain farm vehicles from registration requirements under certain circumstances; creating s. 580.0365, F.S.; preempting regulatory authority over commercial feed and feedstuff to the Department of Agriculture and Consumer Services; amending s. 581.211, F.S.; providing penalties for certain handling of plant pests without a special permit from the Division of Plant Industry within the department; amending s. 704.06, F.S.; providing for conservation easement agreements to include provisions which allow agricultural activities under certain conditions; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1310** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 749** was placed on the calendar of Bills on Third Reading.

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.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1190** to **CS for CS for HB 1361**.

Pending further consideration of **CS for CS for SB 1190**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1361** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Fiscal Policy; and Rules.

On motion by Senator Diaz de la Portilla—

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; 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. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments' land planning or zoning boards are not required to file a statement of financial interest; 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 act; 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.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; 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; authorizing certain developments to be considered essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; 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.

—a companion measure, was substituted for **CS for CS for SB 1190**, as amended, and read the second time by title.

On motion by Senator Diaz de la Portilla, further consideration of **CS for CS for HB 1361** was deferred.

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.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1262**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1133** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Finance and Tax; and Appropriations.

On motion by Senator Simpson—

CS for CS for CS for HB 1133—A bill to be entitled An act relating to applicability of revenue laws to out-of-state businesses during disaster-response periods; amending s. 213.055, F.S.; providing definitions; providing exemptions from certain registration and licensing requirements and taxes for out-of-state businesses and employees that enter the state in response to a disaster or an emergency; specifying the applicability of certain transaction taxes and fees; specifying the obligations and privileges of an out-of-state business or employee after the disaster-response period; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1262** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1133** was placed on the calendar of Bills on Third Reading.

By direction of the President, the Senate resumed consideration of—

CS for CS for HB 1361—A bill to be entitled An act relating to growth management; amending s. 125.001, F.S.; authorizing county boards to meet and discuss matters of mutual interest with specified counties or municipalities upon due public notice; providing parameters for such meetings; amending s. 125.045, F.S.; authorizing the governing body of a county to employ tax increment financing for certain purposes in certain counties; specifying how the tax increment will be determined; 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. 163.3175, F.S.; providing that representatives of military installations who serve ex officio on certain local governments' land planning or zoning boards are not required to file a statement of financial interest; 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 act; 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.; providing that comprehensive plan amendments and land development regulations in the Apalachicola Bay Area of critical state concern will be reviewed and approved by the state land planning agency; 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; authorizing certain developments to be considered essentially built out when certain reporting requirements of a development order are not met; providing criteria under which one approved land use may be substituted for another approved land use in certain land development agreements under certain circumstances; providing that certain criteria constitute a substantial deviation and shall cause the development to be subject to further review through the notice of proposed change process; 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.

—which was previously considered this day.

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

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 1 (170350) (with title amendment)—Delete lines 87-155.

And the title is amended as follows:

Delete lines 6-14 and insert: providing parameters for such meetings;

Pursuant to Rule 4.19, **CS for CS for HB 1361**, as amended, was placed on the calendar of Bills on Third Reading.

SB 994—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Agency for Health Care Administration to provide a report to the Governor and the Legislature; specifying requirements for the report; providing for the use of the report's findings; requiring the agency to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 994** to **HB 819**.

Pending further consideration of **SB 994**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 819** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Negron—

HB 819—A bill to be entitled An act relating to the sunset review of Medicaid Dental Services; amending s. 409.973, F.S.; providing for the future removal of dental services as a minimum benefit of managed care plans; requiring the Office of Program Policy Analysis and Government Accountability to provide a report to the Governor and Legislature; specifying requirements for the report; providing for use of the report's findings; requiring the Agency for Health Care Administration to implement a statewide Medicaid prepaid dental health program upon the occurrence of certain conditions; specifying requirements for the program and the selection of providers; providing effective dates.

—a companion measure, was substituted for **SB 994**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **HB 819** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 970** was deferred.

CS for CS for SB 992—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the Department of Financial Services to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the Department of Financial Services for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; revising an exception to such standards; providing an alternative method of installing such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; specifying fees to be paid by the requestor to the department or Office of Insurance Regulation for certain service of process on authorized and unauthorized insurers; amending s. 626.854, F.S.; revising applicability of the definition of the term "public adjuster"; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; specifying the determination of a defendant's last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s. 626.9892, F.S.; providing that the department, rather than the Division of Insurance Fraud, investigates certain crimes; adding violations of specified statutes to the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term "combination fire department"; requiring the division to prioritize the annual award of grants to specified fire departments; providing eligibility requirements; requiring the State

Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability for the department's rulemaking authority; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 992**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 651** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Brandes—

CS for CS for CS for HB 651—A bill to be entitled An act relating to the Department of Financial Services; amending s. 48.151, F.S.; authorizing the department to create an Internet-based transmission system to accept service of process; amending s. 110.1315, F.S.; removing a requirement that the Executive Office of the Governor review and approve a certain alternative retirement income security program provided by the department; amending s. 112.215, F.S.; authorizing the Chief Financial Officer, with the approval of the State Board of Administration, to include specified employees other than state employees in a deferred compensation plan; conforming a provision to a change made by the act; amending s. 137.09, F.S.; removing a requirement that the department approve certain bonds of county officers; amending s. 215.97, F.S.; revising and providing definitions; increasing the amount of a certain audit threshold; revising applicability to remove for-profit organizations; exempting specified higher education entities from certain audit requirements; revising the requirements for state-funded contracts or agreements between a state awarding agency and a higher education entity; providing an exception; providing applicability; conforming provisions to changes made by the act; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide certain driver license images to the department for the purpose of investigating allegations of violations of the insurance code; amending s. 374.983, F.S.; naming the Board of Commissioners of the Florida Inland Navigation District, rather than the Chief Financial Officer, as the entity that receives and approves certain surety bonds of commissioners; amending s. 509.211, F.S.; revising certain standards for carbon monoxide detector devices in specified spaces or rooms of public lodging establishments; providing that the local fire official, or his or her designee, rather than the State Fire Marshal, may exempt a device from such standards; providing an alternative installation method for such devices; amending s. 624.307, F.S.; conforming provisions to changes made by the act; specifying requirements for the Chief Financial Officer in providing notice of electronic transmission of process documents; amending s. 624.423, F.S.; authorizing service of process by specified means; reenacting and amending s. 624.502, F.S.; providing that a party requesting service of process shall pay a specified fee to the department or Office of Insurance Regulation for such service; amending s. 626.854, F.S.; revising applicability of the definition of the term "public adjuster"; amending s. 626.907, F.S.; requiring a service of process fee for certain service of process made by the Chief Financial Officer; revising methods by which copies of the service of process may be provided to a defendant; specifying the determination of a defendant's last known principal place of business; amending s. 626.921, F.S.; revising membership requirements of the Florida Surplus Lines Service Office board of governors; amending s. 626.9892, F.S.; revising criteria for the Anti-Fraud Reward Program; amending s. 627.7074, F.S.; providing an additional ground for disqualifying a neutral evaluator for disputed sinkhole insurance claims; amending s. 633.102, F.S.; redefining the term "fire service provider"; creating s. 633.107, F.S.; authorizing the department to grant exemptions from disqualification for licensure or certification by the Division of State Fire Marshal under certain circumstances; specifying the information an applicant must provide; providing the manner in which the department must render its decision to grant or deny an exemption; providing procedures for an applicant to contest the decision; providing an exception from certain requirements; authorizing the division to adopt rules; creating s. 633.135, F.S.; establishing the Firefighter Assistance Program for certain purposes; requiring the division to administer the program and annually award grants to qualifying fire departments; defining the term "combination fire department"; providing eligibility requirements; requiring the State Fire Marshal to adopt rules and procedures; providing program requirements; amending s. 633.208, F.S.; revising applicability of the Life Safety Code to exclude one-family and two-family dwellings, rather than only such dwellings that are newly constructed; amending s. 633.408, F.S.; revising firefighter and volunteer firefighter certification requirements; specifying the duration of certain firefighter certifications; amending s. 633.412, F.S.; deleting a requirement that the division suspend or revoke all issued certificates if an individual's certificate is suspended or revoked; amending s. 633.414, F.S.; conforming provisions to changes made by the act; revising alternative requirements for renewing specified certifications; providing grounds for denial of, or disciplinary action against, certifications for a firefighter or volunteer firefighter; amending s. 633.426, F.S.; revising a definition; providing a date after which an individual is subject to revocation of certification under specified circumstances; amending s. 717.138, F.S.; providing applicability of the department's rulemaking authority relating to the disposition of unclaimed property; providing an appropriation and authorizing a position; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 992** and read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (411956) (with title amendment)—Between lines 182 and 183 insert:

Section 5. Paragraph (b) of subsection (6) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments.*—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage applies to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph continues as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the pay-

ment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless the Office of Insurance Regulation and the Florida Surplus Lines Service Office received a notice from the corporation and the fund, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. If an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. If a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium before remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, *2019* ~~2016~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, *2019* ~~2016~~.

And the title is amended as follows:

Between lines 16 and 17 insert: amending s. 215.555, F.S.; extending the repeal date of an exemption for medical malpractice insurance premiums from certain emergency assessments levied by the Office of Insurance Regulation for the Florida Hurricane Catastrophe Fund; revising applicability;

Senator Brandes moved the following amendments which were adopted:

Amendment 2 (481068) (with title amendment)—Between lines 476 and 477 insert:

Section 15. Subsection (1) of section 626.931, Florida Statutes, is amended to read:

626.931 Agent affidavit and insurer reporting requirements.—

(1) Each surplus lines agent *that has transacted business during a calendar quarter* shall on or before the 45th day following *the* ~~each~~ calendar quarter file with the Florida Surplus Lines Service Office an affidavit, on forms as prescribed and furnished by the Florida Surplus Lines Service Office, stating that all surplus lines insurance transacted by him or her during such calendar quarter has been submitted to the Florida Surplus Lines Service Office as required.

And the title is amended as follows:

Between lines 61 and 62 insert: 626.931, F.S.; limiting a requirement for the quarterly filing of a certain affidavit with the Florida Surplus Lines Service Office to specified surplus lines agents; amending s.

Amendment 3 (145740) (with title amendment)—Between lines 799 and 800 insert:

Section 26. Paragraph (d) of subsection (3) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(3)

(d)1. The following categories or kinds of insurance and types of commercial lines risks are not subject to paragraph (2)(a) or paragraph (2)(f):

a. Excess or umbrella.

b. Surety and fidelity.

c. Boiler and machinery and leakage and fire extinguishing equipment.

d. Errors and omissions.

e. Directors and officers, employment practices, fiduciary liability, and management liability.

f. Intellectual property and patent infringement liability.

g. Advertising injury and Internet liability insurance.

h. Property risks rated under a highly protected risks rating plan.

i. General liability.

j. Nonresidential property, except for collateral protection insurance as defined in s. 624.6085.

k. Nonresidential multiperil.

l. Excess property.

m. Burglary and theft.

n. Travel insurance, if issued as a master group policy with a situs in another state where each certificateholder pays less than $30 in premium for each covered trip and where the insurer has written less than $1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year.

o.~~n.~~ Medical malpractice for a facility that is not a hospital licensed under chapter 395, a nursing home licensed under part II of chapter 400, or an assisted living facility licensed under part I of chapter 429.

p.~~o.~~ Medical malpractice for a health care practitioner who is not a dentist licensed under chapter 466, a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.

q.~~p.~~ Any other commercial lines categories or kinds of insurance or types of commercial lines risks that the office determines should not be subject to paragraph (2)(a) or paragraph (2)(f) because of the existence of a competitive market for such insurance or similarity of such insurance to other categories or kinds of insurance not subject to paragraph (2)(a) or paragraph (2)(f), or to improve the general operational efficiency of the office.

2. Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on insurance and risks described in subparagraph 1. which are written in this state.

3. An insurer shall notify the office of any changes to rates for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the insurer, the type or kind of insurance subject to rate change, and the average statewide percentage change in rates. Actuarial data with regard to rates for such risks must be maintained by the insurer for 2 years after the effective date of changes to those rates and are 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 paragraphs (2)(b), (c), and (d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. A rating organization shall notify the office of any changes to loss cost for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the rating organization, the type or kind of insurance subject to a loss cost change, loss costs during the immediately preceding year for the type or kind of insurance subject to the loss cost change, and the average statewide percentage change in loss cost. Actuarial data with regard to changes to loss cost for risks not subject to paragraph (2)(a) or paragraph (2)(f) must be maintained by the rating organization for 2 years after the effective date of the change and are subject to examination by the office. The office may require the rating organization 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 paragraphs (2)(b)-(d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

Section 27. Subsection (1) of section 627.0645, Florida Statutes, is amended to read:

627.0645 Annual filings.—

(1) Each rating organization filing rates for, and each insurer writing, any line of property or casualty insurance to which this part applies, except:

(a) Workers' compensation and employer's liability insurance; ~~or~~

(b) Insurance as defined in ss. 624.604 and 624.605, limited to coverage of commercial risks other than commercial residential multiperil*; or*~~,~~

(c) Travel insurance, if issued as a master group policy with a situs in another state where each certificateholder pays less than $30 in premium for each covered trip and where the insurer has written less than $1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year,

shall make an annual base rate filing for each such line with the office no later than 12 months after its previous base rate filing, demonstrating that its rates are not inadequate.

And the title is amended as follows:

Delete line 106 and insert: property; amending s. 627.062, F.S.; adding specified travel insurance to a list of insurance and risks to which certain rate filing requirements do not apply; amending s. 627.0645, F.S.; adding specified travel insurance to a list of insurance exempted from a certain annual base rate filing requirement; providing an appropriation and authorizing a

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

Senator Brandes moved the following amendment which was adopted:

Amendment 4 (690366) (with title amendment)—Before line 111 insert:

Section 1. Present subsections (5) and (6) of section 112.3143, Florida Statutes, are renumbered as subsections (6) and (7), respectively, and a new subsection (5) is added to that section, to read:

112.3143 Voting conflicts.—

(5)(a) If a public officer of an agency is an attorney or is employed or holds a contractual relationship with a professional association, he or she may not vote or otherwise participate in any matter in which an officer, a director, a manager, or an employee of the public officer's law firm or professional association appears before the agency in a representative capacity or as an interested party. The public officer shall, before the vote is taken, publicly state to the assembly the reason for his or her abstention. The public officer may not discuss the matter with any other public officer or employee of the agency or any person who has or holds employment or a contractual relationship with the law firm or professional association.

(b) As used in this subsection, the term "participate" has the same meaning as defined in paragraph (4)(c).

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to public agencies; amending s. 112.3143, F.S.; prohibiting certain public officers from voting on or otherwise participating in a matter related to a law firm or professional association in which the public officer has an interest; requiring the public officer to make a public statement regarding a vote abstention; defining the term "participate"; amending s. 48.151, F.S.; authorizing the

Pursuant to Rule 4.19, **CS for CS for CS for HB 651**, as amended, was placed on the calendar of Bills on Third Reading.

SB 850—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain

purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of "investigative agency" for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; amending s. 16.53, F.S., and reenacting subsection (4) and paragraph (5)(a), relating to the Legal Affairs Revolving Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., a reference thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 850**, pursuant to Rule 3.11(3), there being no objection, **HB 549** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bradley—

HB 549—A bill to be entitled An act relating to offenses concerning racketeering and illegal debts; reordering and amending s. 895.02, F.S.; specifying the earliest date that incidents constituting a pattern of racketeering activity may have occurred; conforming a cross-reference; amending s. 895.05, F.S.; authorizing an investigative agency to institute a civil proceeding for forfeiture in a circuit court in certain circumstances; adding diminution in value as a ground for an action under certain circumstances; removing certain grounds for an action; authorizing a court to order the forfeiture of other property of the defendant up to the value of unavailable property in certain circumstances; authorizing the Department of Legal Affairs to bring an action for certain violations to obtain specified relief, fees, and costs for certain purposes; providing for civil penalties for natural persons and other persons who commit certain violations; providing for deposit of moneys received for certain violations; authorizing a party to a specific civil action to petition the court for entry of a consent decree or for approval of a settlement agreement; providing requirements for such decrees or agreements; amending s. 895.06, F.S.; deleting the definition of "investigative agency" for purposes of provisions relating to civil investigative subpoenas; providing that a subpoena must be confidential for a specified time; restricting to whom the subpoenaed person or entity may disclose the existence of the subpoena; requiring certain information be included in the subpoena; authorizing the investigative agency to apply for an order extending the amount of time the subpoena remains confidential rather than having it extended by the court for a specified period; providing that the investigative agency has the authority to stipulate to protective orders with respect to documents and information submitted in response to a subpoena; amending s. 895.09, F.S.; conforming a cross-reference; providing for distribution of forfeiture proceeds to victims; amending ss. 16.56 and 905.34, F.S.; conforming cross-references; reenacting and amending s. 16.53, F.S., relating to the Department of Legal Affairs Trust Fund, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; conforming a cross-reference; reenacting ss. 27.345(1) and 92.142(3), F.S., relating to the State Attorney RICO Trust Fund and witness pay, respectively, to incorporate the amendment made by the act to s. 895.05, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **SB 850** and read the second time by title.

Pursuant to Rule 4.19, **HB 549** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 574—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 574**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 299** was withdrawn from the Committees on Transportation; Ethics and Elections; and Rules.

On motion by Senator Flores—

CS for HB 299—A bill to be entitled An act relating to expressway authorities; amending s. 348.0003, F.S.; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 574** and read the second time by title.

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

Senator Flores moved the following amendment which was adopted:

Amendment 1 (142638) (with title amendment)—Delete lines 48-71 and insert:
the Governor. *A member of the authority serving as of July 1, 2016, may serve the remainder of his or her term. However, upon the conclusion of the term or upon vacancy, such expired term or vacancy may not be filled except if such appointment meets the requirements of this section. When the term of a member expires or a vacancy occurs, the member shall not be replaced by the appointing entity until the governing body of the authority is composed of five voting members appointed by the governing body of the county and three voting members appointed by the Governor, which three members shall not include the district secretary serving as an ex officio member. Except as provided in subsection (5),* the qualifications, terms of office, and obligations and rights of members of the authority shall be determined by resolution or ordinance of the governing body of the county in a manner that is consistent with subsections (3) and (4).

(5) In a county as defined in s. 125.011(1):

(a)*1.* A lobbyist, as defined in s. 112.3215, may not be appointed or serve as a member of *the governing body of* an authority.

2. A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any client for compensation before the authority.

3. A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any person or entity that is doing business, or in the previous 4 years has done business, with the authority.

(l) A finding of a violation of this subsection or chapter 112, or failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements, results in immediate termination from the governing body of the authority.

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

And the title is amended as follows:

Delete line 3 and insert: 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership

Pursuant to Rule 4.19, **CS for HB 299**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1166—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term "eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition in which a student who was recruited by specified adults participated; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1166**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7029** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

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

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are

eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

—a companion measure, was substituted for **CS for SB 1166** and read the second time by title.

Senator Gaetz moved the following amendment:

Amendment 1 (274472) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsection (27) of section 1001.42, Florida Statutes, is redesignated as subsection (28), and a new subsection (27) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(27) VISITATION OF SCHOOLS.—Visit the schools, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.

Section 2. Section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System Program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College system institutions.

(1) EXCELLENCE STANDARDS.—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

Section 3. Paragraphs (a) and (b) of subsection (6), subsection (16), paragraph (a) of subsection (17), and paragraph (a) of subsection (22) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(6) EDUCATIONAL CHOICE.—

(a) *Public educational school choices.*—Parents of public school students may seek *any* ~~whatever~~ public *educational* school choice options that are applicable and available to students *throughout the state* ~~in their school districts~~. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), *CAPE digital tools, CAPE industry certifications, collegiate high school programs,* Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also

include the public *educational* ~~school~~ choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

(b) *Private educational ~~school~~ choices.*—Parents of public school students may seek private *educational* ~~school~~ choice options under certain programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with s. 1002.39.

2. Under the Florida Tax Credit Scholarship Program, the parent of a student who qualifies for free or reduced-price school lunch or who is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01 may seek a scholarship from an eligible nonprofit scholarship-funding organization in accordance with s. 1002.395.

3. Under the Florida Personal Learning Scholarship Accounts Program, the parent of a student with a qualifying disability may apply for a personal learning scholarship to be used for individual educational needs in accordance with s. 1002.385.

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS*; FISCAL TRANSPARENCY*.—Parents of public school students *have the right* ~~are entitled~~ to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. *The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.*

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(a) *Eligibility.*—Eligibility requirements for all students participating in high school athletic competition must allow a student to be *immediately* eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred ~~with approval of the district school board~~, in accordance with ~~the provisions of~~ s. 1006.20(2)(a).

(22) TRANSPORTATION.—

(a) *Transportation to school.*—Public school students shall be provided transportation to school, in accordance with ~~the provisions of~~ s. 1006.21(3)(a). *Public school students may be provided transportation to school in accordance with the controlled open enrollment provisions of s. 1002.31(2).*

Section 4. Section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(1) As used in this section, "controlled open enrollment" means a public education delivery system that allows school districts to make student school assignments using parents' indicated preferential *educational* ~~school~~ choice as a significant factor.

(2)*(a) Beginning by the 2017-2018 school year, as part of a school district's or charter school's controlled open enrollment process, and in addition to the existing public school choice programs provided in s. 1002.20(6)(a),* each district school board *or charter school shall allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. The school district or charter school shall accept the student, pursuant to that school district's or charter school's controlled open enrollment process, and report the student for purposes of the school district's or charter school's funding pursuant to the Florida Education Finance Program. A school district or charter school may provide transportation to students described under this section.*

(b) Each school district and charter school capacity determinations for its schools must be current and must be identified on the school district and charter school's websites. In determining the capacity of each district school, the district school board shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35. Each charter school governing board shall determine capacity based upon its charter school contract.

(c) Each district school board and charter school governing board must provide preferential treatment in its controlled open enrollment process to all of the following:

1. Dependent children of active duty military personnel whose move resulted from military orders.

2. Children who have been relocated due to a foster care placement in a different school zone.

3. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Students residing in the school district.

(d) As part of its controlled open enrollment process, a charter school must provide preferential treatment in its controlled open enrollment participation process to the enrollment limitations pursuant to s. 1002.33(10)(e)1., 2., 5., 6., and 7, and may provide preferential treatment for the enrollment preferences pursuant to s. 1002.33(10)(d)4.b., if such special purposes are identified in the charter agreement. Each charter school shall annually post on its website the application process required to participate in controlled open enrollment, consistent with this section and s. 1002.33.

(e) Students residing in the district, including charter school students, may not be displaced by a student from another district seeking enrollment under the controlled open enrollment process.

(f) For purposes of continuity of educational choice, a student who transfers pursuant to this section may remain at the school chosen by the parent until the student completes the highest grade level at the school ~~may offer controlled open enrollment within the public schools which is in addition to the existing choice programs such as virtual instruction programs, magnet schools, alternative schools, special programs, advanced placement, and dual enrollment~~.

(3) Each district school board ~~offering controlled open enrollment~~ shall adopt by rule and post on its website *the process required to participate in controlled open enrollment. The process* ~~a controlled open enrollment plan which~~ must:

(a) Adhere to federal desegregation requirements.

(b) *Allow* ~~Include an application process required to participate in controlled open enrollment that allows~~ parents to declare school preferences, including placement of siblings within the same school.

(c) Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.

(d) Afford parents of students in multiple session schools preferred access to controlled open enrollment.

(e) Maintain socioeconomic, demographic, and racial balance.

(f) Address the availability of transportation.

(g) Maintain existing academic eligibility criteria for public school choice programs pursuant to s. 1002.20(6)(a).

(h) Identify schools that have not reached capacity, as determined by the school district.

(i) Ensure that each district school board adopts a policy to provide preferential treatment pursuant to paragraph (2)(c).

(4) In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students *exercising public school choice, by type* ~~attending the various types of public schools of choice in the district~~, *in accordance with* ~~including schools such as virtual instruction programs, magnet schools, and public charter schools, according to~~ rules adopted by the State Board of Education.

(5) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03 is the average number of students at the school level.

(6)(a) A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.

2. Children who have been relocated due to a foster care placement in a different school zone.

3. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Authorized for good cause in district or charter school policy.

Section 5. Subsection (1), paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (6), paragraphs (a) and (d) of subsection (7), paragraphs (g), (n), and (p) of subsection (9), paragraph (d) of subsection (10), paragraphs (b) and (e) of subsection (17), paragraph (a) of subsection (18), and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended, and a new paragraph (g) is added to subsection (17) of that section, to read:

1002.33 Charter schools.—

(1) AUTHORIZATION.—Charter schools shall be part of the state's program of public education. All charter schools in Florida are public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online instruction to eligible students, pursuant to s. 1002.455, in kindergarten through grade 12. *An existing* ~~A~~ charter school *that is seeking to become a virtual charter school* must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(2) GUIDING PRINCIPLES; PURPOSE.—

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.

2. Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.

3. Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year's worth of learning for every year spent in the charter school. *For a student who exhibits a substantial deficiency in reading, as determined by the charter school, the school shall notify the parent of the deficiency, the intensive interventions and supports used, and the student's progress in accordance with s. 1008.25(5).*

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity *seeking* ~~wishing~~ to open a charter school shall prepare and submit an application on a model application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny *an application* ~~a charter~~ if the school does not propose a reading curriculum that is *evidence-based and includes explicit, systematic, and multisensory reading instructional strategies; however, a sponsor may not require the charter school to implement the reading plan adopted by the school district pursuant to s. 1011.62(9)* ~~consistent with effective teaching strategies that are grounded in scientifically based reading research~~.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.

7.~~6.~~ Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8.~~7.~~ For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(b) A sponsor shall receive and review all applications for a charter school using *the* ~~an~~ evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of $500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application. *Except as provided for a draft application,* a sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if

such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the ~~charter~~ application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education *and, if an appeal is filed, must provide a copy of the appeal to the sponsor* pursuant to *paragraph (c)* ~~sub-subparagraph (e)3.b~~.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of *an* ~~a charter~~ application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of *an* ~~a charter~~ application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this subparagraph for good cause.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and *evidence-based* ~~grounded in scientifically based reading research~~.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs.

Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. *Admission or dismissal must not be based on a student's academic performance.*

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(d)~~1.~~ *A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o)* ~~Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.~~

~~2. Each charter school's governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

a. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

b. At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion

in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. A charter school shall*, upon approval of the charter contract,* provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board. A high-performing charter school pursuant to s. 1002.331 may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. *The sponsor shall review each monthly or quarterly financial statement to identify the existence of any conditions identified in s. 1002.345(1)(a).*

4. A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of "D," two consecutive grades of "D" followed by a grade of "F," or two nonconsecutive grades of "F" within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of "D," a grade of "F" following two consecutive grades of "D," or a second nonconsecutive grade of "F" within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of "D" or "F" that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

4. *A charter school's charter contract is automatically terminated if the school earns two consecutive grades of "F" after all school grade appeals are final* ~~The sponsor shall terminate a charter if the charter school earns two consecutive grades of "F"~~ unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of "F" in the year before the charter school opened and the charter school earns at least a grade of "D" in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department's official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school's governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except subsubparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(p)*1.* Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The

sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under s. 120.54(5).

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident *or employee* of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) *or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school*.

5. Students who have successfully completed a voluntary prekindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school's governing board during the previous year.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation*, the research-based reading allocation,* and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.

(e) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. *Payments of funds under paragraph (b) shall be made monthly or twice a month, beginning with the start of the district school board's fiscal year. Each payment shall be one-twelfth, or one twenty-fourth, as applicable, of the total state and local funds described in paragraph (b) and adjusted as set forth therein. For the first 2 years of a charter school's operation, if a minimum of 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month,* the district school board *shall* ~~may~~ distribute funds to *the* ~~a charter~~ school for *the* ~~up to 3~~ months *of July through October* based on the projected full-time equivalent student membership of the charter school *as submitted in the approved application. If less than 75 percent of the projected enrollment is entered into the sponsor's student information system by the first day of the current month, the sponsor shall base payments on the actual number of student enrollment entered into the sponsor's student information system*. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The *payments* ~~payment~~ shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds *or the date the payment is due pursuant to this subsection*. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued. *The district school board may not delay payment to a charter school of any portion of the funds provided in paragraph (b) based on the timing of receipt of local funds by the district school board.*

(g) To be eligible for public education capital outlay (PECO) funds, a charter school must be located in the State of Florida.

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~ A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and *site planning* processes imposed upon public schools that are not charter schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. *If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.*

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and

that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s. 1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2).

3. For high-performing charter schools, as defined in *s. 1002.331* ~~ch. 2011-232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(2).

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 6. Paragraph (a) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. *The calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(4)* ~~For a student in grades 9 through 12, a "full-time equivalent student" is one student who has successfully completed six full-credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student.~~

~~2. For a student in kindergarten through grade 8, a "full-time equivalent student" is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.~~

2.~~3.~~ For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.~~

~~For purposes of this paragraph, the calculation of "full-time equivalent student" shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).~~

Section 7. Subsection (4) is added to section 1002.391, Florida Statutes, to read:

1002.391 Auditory-oral education programs.—

(4) Beginning with the 2017-2018 school year, a school district shall add four special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.

Section 8. Paragraphs (c) and (d) of subsection (1), paragraph (e) of subsection (7), and paragraphs (c) and (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b).

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph *(7)(e)* ~~(7)(f)~~.

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.

2. Contract with an approved provider under subsection (2).

3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph *(7)(e)* ~~(7)(f)~~.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

~~(e) Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(8) ASSESSMENT AND ACCOUNTABILITY.—

(c) An approved provider that receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of *"Unsatisfactory"* ~~"Declining"~~ under s. 1008.341 must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) An approved provider's contract must be terminated if the provider receives a school grade of "D" or "F" under s. 1008.34 or a school improvement rating of *"Unsatisfactory"* ~~"Declining"~~ under s. 1008.341 for 2 years during any consecutive 4-year period or has violated any qualification requirement pursuant to subsection (2). A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 9. Section 1003.3101, Florida Statutes, is created to read:

1003.3101 Additional educational choice options.—Each school district board shall establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. This section does not give a parent the right to choose a specific classroom teacher. A school must approve or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Section 10. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *courses required for high school graduation through passage of an end–of-course assessment* ~~Algebra I, Algebra II, geometry, United States history, or biology if the student passes the~~ ~~statewide, standardized assessment~~ administered under s. 1008.22*, an Advanced Placement Examination, or a College Level Examination Program (CLEP)*. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding *end-of-course assessment, Advanced Placement Examination, or CLEP* ~~statewide, standardized assessment~~. The school district shall permit a *public school or home education* student who is not enrolled in the course, or who has not completed the course, to take the assessment *or examination* during the regular administration of the assessment *or examination*.

Section 11. Effective June 29, 2016, section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education ~~Pilot~~ Program.—

(1) The Adults with Disabilities Workforce Education ~~Pilot~~ Program is established in the Department of Education ~~through June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive "supported employment services," which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term "student with a disability" includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the ~~pilot~~ program may continue to participate in the program until the student graduates from high school or reaches the age of 40 years, whichever occurs first.

(3) Supported employment services may be provided at more than one site.

(4) The provider of supported employment services must be a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code which serves Hardee County, DeSoto County, Manatee County, or Sarasota County and must contract with a private school in this state which meets the requirements in subsection (5).

(5) A private school that participates in the ~~pilot~~ program may be sectarian or nonsectarian and must:

(a) Be academically accountable for meeting the educational needs of the student by annually providing to the provider of supported employment services a written explanation of the student's progress.

(b) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(c) Meet state and local health and safety laws and codes.

(d) Provide to the provider of supported employment services all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

The inability of a private school to meet the requirements of this subsection constitutes a basis for the ineligibility of the private school to participate in the ~~pilot~~ program.

(6)(a) If the student chooses to participate in the ~~pilot~~ program and is accepted by the provider of supported employment services, the student must notify the Department of Education of his or her acceptance into the program 60 days before the first scholarship payment and before participating in the ~~pilot~~ program in order to be eligible for the scholarship.

(b) Upon receipt of a scholarship warrant, the student or parent to whom the warrant is made must restrictively endorse the warrant to the provider of supported employment services for deposit into the account of the provider. The student or parent may not designate any entity or individual associated with the participating provider of supported employment services as the student's or parent's attorney in fact to endorse a scholarship warrant. A participant who fails to comply with this paragraph forfeits the scholarship.

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. ~~During the pilot program,~~ The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

(8) Upon notification by the Department of Education that it has received the required documentation, the Chief Financial Officer shall make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1 of each academic year in which the scholarship is in force. The initial payment shall be made after the Department of Education verifies that the student was accepted into the ~~pilot~~ program, and subsequent payments shall be made upon verification of continued participation in the ~~pilot~~ program. Payment must be by individual warrant made payable to the student or parent and mailed by the Department of Education to the provider of supported employment services, and the student or parent shall restrictively endorse the warrant to the provider of supported employment services for deposit into the account of that provider.

(9) Subsequent to each scholarship payment, the Department of Education shall request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.

Section 12. Subsection (3) and paragraph (a) of subsection (8) of section 1006.15, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)(a) *As used in this section and s. 1006.20, the term "eligible to participate" includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities.* To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to~~ attend ~~pursuant to district or interdistrict controlled open enrollment provisions~~, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to~~ attend, ~~pursuant to district or interdistrict controlled open enrollment provisions,~~ in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could ~~choose to~~ attend, ~~pursuant to district or interdistrict controlled open enrollment policies,~~ if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate. A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

a. Dependent children of active duty military personnel whose move resulted from military orders.

b. Children who have been relocated due to a foster care placement in a different school zone.

c. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

d. Authorized for good cause in district or charter school policy.

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA ~~and does not offer an interscholastic or intrascholastic athletic program~~.

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.

2. Children who have been relocated due to a foster care placement in a different school zone.

3. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

4. Authorized for good cause in district or charter school policy.

Section 13. Section 1006.195, Florida Statutes, is created to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(3)(h).

3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

(c) The provisions of this subsection apply to interscholastic and intrascholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.

(b) The FHSAA must adopt, and prominently publish, the text of this section on its website and in its bylaws, rules, procedures, training and education materials, and all other governing authority documents by August 1, 2016.

Section 14. Subsection (1) and paragraphs (a), (b), (c), and (g) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. *The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association.* The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be *immediately* eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be *immediately* eligible in the school to which the student has transferred ~~during the school year if the transfer is made by a deadline established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport. These transfers shall be allowed pursuant to the district school board policies in the case of transfer to a public school or pursuant to the private school policies in the case of transfer to a private school~~. The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students.

(b) The FHSAA shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

1. If it is determined that a school has recruited a student in violation of FHSAA bylaws, the FHSAA may require the school to participate in a higher classification for the sport in which the recruited student competes for a minimum of one classification cycle, in addition to *the penalties in subparagraphs 2. and 3., and* any other appropriate fine *or* ~~and~~ sanction imposed on the school, its coaches, or adult representatives who violate recruiting rules.

2. Any recruitment by a school district employee or contractor in violation of FHSAA bylaws results in escalating punishments as follows:

a. For a first offense, a $5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

b. For a second offense, suspension without pay for 12 months from coaching, directing, or advertising an extracurricular activity and a $5,000 forfeiture of pay for the school district employee or contractor who committed the violation.

c. For a third offense, a $5,000 forfeiture of pay for the school district employee or contractor who committed the violation. If the individual who committed the violation holds an educator certificate, the FHSAA shall also refer the violation to the department for review pursuant to s. 1012.796 to determine whether probable cause exists, and, if there is a finding of probable cause, the commissioner shall file a formal complaint against the individual. If the complaint is upheld, the individual's educator certificate shall be revoked for 3 years, in addition to any penalties available under s. 1012.796. Additionally, the department shall revoke any adjunct teaching certificates issued pursuant to s. 1012.57 and all permissions under ss. 1012.39 and 1012.43, and the educator is ineligible for such certificates or permissions for a period of time equal to the period of revocation of his or her state-issued certificate.

3. Notwithstanding any other provision of law, a school, team, or activity shall forfeit all competitions, including honors resulting from such competitions, in which a student who participated in any fashion was recruited in a manner prohibited pursuant to state law or the FHSAA bylaws.

4. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit ~~or any promise of benefit~~ if such benefit is not generally available to the school's students

or family members or is based in any way on athletic interest, potential, or performance.

5. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity, as determined by a district school board pursuant to s. 1006.195(1)(a)3., may not be affected by any alleged recruiting violation until final disposition of the allegation.

(c) The FHSAA shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form shall incorporate the recommendations of the American Heart Association for participation cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. *A student is not* ~~No student shall be~~ eligible to participate*, as provided in s. 1006.15(3),* in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

(g) The FHSAA shall adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. Such bylaws shall provide that:

1. Ineligibility must be established by *a preponderance of the* ~~clear and convincing~~ evidence;

2. Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs;

3. An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility; and

4. A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

Section 15. Section 1009.893, Florida Statutes, is amended to read:

1009.893 *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive~~ Program.—

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

(a) "Department" means the Department of Education.

(b) "*Scholarship* ~~Incentive~~ program" means the *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive~~ Program.

(2) The *Benacquisto Scholarship* ~~Florida National Merit Scholar Incentive~~ Program is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(3) The department shall administer the *scholarship* ~~incentive~~ program according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the *scholarship* ~~incentive~~ program and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria.

(4) In order to be eligible for an award under the *scholarship* ~~incentive~~ program, a student must:

(a) Be a state resident as determined in s. 1009.40 and rules of the State Board of Education;

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

(c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

(d) Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida public postsecondary educational institution shall receive *a scholarship* ~~an incentive~~ award equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive *a scholarship* ~~an incentive~~ award equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must earn all credits for which he or she was enrolled and maintain a 3.0 or higher grade point average.

(b) A student may receive the *scholarship* ~~incentive~~ award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(7) The department shall annually issue awards from the *scholarship* ~~incentive~~ program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the *scholarship* ~~incentive~~ program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.

(8) Funds from any award within the *scholarship* ~~incentive~~ program may not be used to pay for remedial coursework or developmental education.

(9) A student may use an award for a summer term if funds are available and appropriated by the Legislature.

(10) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the *scholarship* ~~incentive~~ program within the student financial assistance database as specified in s. 1009.94.

(11) Section 1009.40(4) does not apply to awards issued under this section.

(12) A student who receives an award under the scholarship program shall be known as a Benacquisto Scholar.

(13) All eligible Florida public or independent postsecondary educational institutions are encouraged to become, and all eligible state universities shall become, college sponsors of the National Merit Scholarship Program.

(14)~~(12)~~ The State Board of Education shall adopt rules necessary to administer this section.

Section 16. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A "full-time student" is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; *or*

~~2. Instruction in a double-session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; or~~

2.~~3.~~ Instruction comprising the appropriate number of net hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.

(b) A "part-time student" is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. *A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).*

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. ~~Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year~~. ~~Beginning in the 2016-2017 fiscal year, the FTE for the course shall be assessment-based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment~~

~~shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

a. Juvenile justice education programs.

b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum *term as provided in s. 1011.60(2)* ~~school day~~.

Section 17. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of subsection (1), paragraph (a) of subsection (4), and present subsection (13) of that section are amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) *Funding model for exceptional student education programs.*—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated *initially* ~~annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be *supplemental* ~~in addition~~ to the funds appropriated *for the basic funding level* ~~on the basis of FTE student membership in the Florida Education Finance Program~~, and the amount allocated for each school district shall ~~not~~ be recalculated *once* during the year*, based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount*. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.*—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student *may* ~~shall~~ not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year ~~for courses that were not provided through dual enrollment~~. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. *However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the*

bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus ~~in the amount~~ of $25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus ~~in the amount~~ of $50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2~~, 0.3, 0.5, and 1.0~~.

c. A bonus of $75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of $100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph ~~may not exceed $2,000 in any given school year and~~ is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days *before* ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph *(15)(b)* ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.

2. The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real

property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(15)* ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(15)* ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 18. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.71, Florida Statutes, made by chapter 2015-222, Laws of Florida, subsection (1) of that section is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by *s. 1011.62(15)* ~~s. 1011.62~~(14) shall levy on the taxable value for school purposes of the district, exclusive of millage voted under ~~the provisions of~~ s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 19. Subsection (2) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(2) NOTIFICATION REQUIREMENTS.—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment*, and each school district shall report out-of-field teachers on the district's website within 30 days before the beginning of each semester. A parent whose student is assigned an out-of-field teacher may request that his or her child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. The school district must approve or deny the parent's request and transfer the student to a different classroom teacher within a reasonable period of time, not to exceed 2 weeks, if an in-field teacher for that course or grade level is employed by the school and the transfer does not violate maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the student handbook or a similar publication. This subsection does not provide a parent the right to choose a specific teacher.*

Section 20. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(b)1. Each school district must and a *private school or state-supported* ~~state-supported~~ public school*, including a charter school,* ~~or a private school~~ may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's *or state-supported public school's* evaluation system *established* ~~approved~~ under s. 1012.34*, as applicable*.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 21. Section 1012.583, Florida Statutes, is created to read:

1012.583 Continuing education and inservice training for youth suicide awareness and prevention.—

(1) Beginning with the 2016-2017 school year, the Department of Education shall incorporate 2 hours of training in youth suicide awareness and prevention into existing requirements for continuing education or inservice training for instructional personnel in elementary school, middle school, and high school.

(2) The department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials. The materials:

(a) Must include training on how to identify appropriate mental health services and how to refer youth and their families to those services.

(b) May include materials currently being used by a school district if such materials meet any criteria established by the department.

(c) May include programs that instructional personnel can complete through a self-review of approved youth suicide awareness and prevention materials.

(3) The training required by this section must be included in the existing continuing education or inservice training requirements for instructional personnel and may not add to the total hours currently required by the department.

(4) A person has no cause of action for any loss or damage caused by an act or omission resulting from the implementation of this section or resulting from any training required by this section unless the loss or damage was caused by willful or wanton misconduct. This section does not create any new duty of care or basis of liability.

(5) The State Board of Education may adopt rules to implement this section.

Section 22. Paragraph (o) is added to subsection (1) of section 1012.795, Florida Statutes, and subsection (5) of that section is amended, to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to the provisions

of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or may impose any other penalty provided by law, if the person:

(o) Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).

(5) Each district school superintendent and the governing authority of each university lab school, state-supported school, ~~or~~ private school*, and the FHSAA* shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s. 1012.39:

(a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;

(b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or

(c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

Section 23. Subsections (3) and (7) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation *and of all referrals by the Florida High School Athletic Association (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795*. The department general counsel or members of that staff shall review the investigation *or the referral* and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into if there is probable cause to believe that a felony or an act of moral turpitude, as defined by rule of the State Board of Education, has occurred*, or for referrals by the FHSAA*. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(a) Denial of an application for a teaching certificate or for an administrative or supervisory endorsement on a teaching certificate. The denial may provide that the applicant may not reapply for certification, and that the department may refuse to consider that applicant's application, for a specified period of time or permanently.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed $2,000 for each count or separate offense.

(d) Placement of the teacher, administrator, or supervisor on probation for a period of time and subject to such conditions as the commission may specify, including requiring the certified teacher, administrator, or supervisor to complete additional appropriate college courses or work with another certified educator, with the administrative costs of monitoring the probation assessed to the educator placed on probation. An educator who has been placed on probation shall, at a minimum:

1. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

2. Have his or her immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

3. Pay to the commission within the first 6 months of each probation year the administrative costs of monitoring probation assessed to the educator.

4. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

5. Satisfactorily perform his or her assigned duties in a competent, professional manner.

6. Bear all costs of complying with the terms of a final order entered by the commission.

(e) Restriction of the authorized scope of practice of the teacher, administrator, or supervisor.

(f) Reprimand of the teacher, administrator, or supervisor in writing, with a copy to be placed in the certification file of such person.

(g) Imposition of an administrative sanction, upon a person whose teaching certificate has expired, for an act or acts committed while that person possessed a teaching certificate or an expired certificate subject to late renewal, which sanction bars that person from applying for a new certificate for a period of 10 years or less, or permanently.

(h) Refer the teacher, administrator, or supervisor to the recovery network program provided in s. 1012.798 under such terms and conditions as the commission may specify.

The penalties imposed under this subsection are in addition to, and not in lieu of, the penalties required for a third recruiting offense pursuant to s. 1006.20(2)(b).

Section 24. Except as otherwise expressly provided in this act and except for this section, which shall take effect June 29, 2016, 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 education; amending s. 1001.42, F.S.; revising the duties of a district school board; creating s. 1001.67, F.S.; establishing a collaboration between the state board and the Legislature to designate certain Florida College System institutions as distinguished colleges; specifying standards for the designation; requiring the state board to award the designation to certain Florida College System institutions; providing that the designated institutions are eligible for funding as specified in the General Appropriations Act; amending s. 1002.20, F.S.; revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; authorizing parents of public school students to seek private educational choice options through the Florida Personal Learning Scholarship Accounts Program under certain circumstances; revising student eligibility requirements for participating in high school athletic competitions; authorizing public schools to provide transportation to students participating in open enrollment; amending s. 1002.31, F.S.; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the school district to report the student for purposes of the school district's funding; authorizing a school district to provide transportation to such students; requiring that each district school board adopt and publish on its website a controlled open enrollment process; specifying criteria for the process; prohibiting a school district from delaying or preventing a student who participates in controlled open enrollment from being immediately eligible to participate in certain activities; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the re-

search-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.391, F.S.; requiring a school district to add a specified number of points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program; amending s. 1002.45, F.S.; conforming cross-references; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; creating s. 1003.3101, F.S.; requiring each school district board to establish a classroom teacher transfer process for parents, to approve or deny a transfer request within a certain timeframe, to notify a parent of a denial, and to post an explanation of the transfer process in the student handbook or a similar publication; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1004.935, F.S.; deleting the scheduled termination of the Adults with Disabilities Workforce Education Pilot Program; changing the name of the program to the "Adults with Disabilities Workforce Education Program"; amending s. 1006.15, F.S.; defining the term "eligible to participate"; conforming provisions to changes made by the act; prohibiting a school district from delaying or preventing a student who participates in open controlled enrollment from being immediately eligible to participate in certain activities; authorizing a transfer student to immediately participate in interscholastic or intrascholastic activities under certain circumstances; prohibiting a school district or the Florida High School Athletic Association (FHSAA) from declaring a transfer student ineligible under certain circumstances; creating s. 1006.195, F.S.; requiring district school boards to establish in codes of student conduct eligibility standards and disciplinary actions relating to students participating in interscholastic and intrascholastic extracurricular activities; providing guidelines and applicability; requiring the FHSAA to comply with certain requirements by a specified date; amending s. 1006.20, F.S.; requiring the FHSAA to allow a private school to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging a private school from maintaining membership in the FHSAA and another athletic association; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; specifying penalties for recruiting violations; requiring a school to forfeit a competition, including resulting honors, in which a student who was recruited in a prohibitive manner; revising circumstances under which a student may be declared ineligible; requiring student ineligibility to be established by a preponderance of the evidence; amending s. 1009.893, F.S.; changing the name of the "Florida National Merit Scholar Incentive Program" to the "Benacquisto Scholarship Program"; providing that a student who receives a scholarship award under the program will be referred to as a Benacquisto Scholar; encouraging all eligible Florida public or independent postsecondary educational institutions, and requiring all eligible state universities, to become college sponsors of the National Merit Scholarship Program; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; revising the calculation for certain supplemental funds for exceptional student education programs; requiring the funds to be prorated under certain circumstances; revising the funding of full-time equivalent values for students who earn CAPE industry certifications through dual enrollment; deleting a provision prohibiting a teacher's bonus from exceeding a specified amount; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1011.71, F.S.; conforming a cross-reference; amending s. 1012.42, F.S.; authorizing a parent of a child whose teacher is teaching outside the teacher's field to request that the child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled within a specified timeframe; specifying that a transfer does not provide a parent the right to choose a specific teacher; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; creating s. 1012.583, F.S.; requiring the Department of Education to incorporate training in youth suicide awareness and prevention into certain instructional personnel continuing education or inservice training requirements; requiring the department, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved materials for the training; specifying requirements for training materials; requiring the training to be included in the existing continuing education or inservice training requirements; providing that no cause of action results from the implementation of this act; providing for rulemaking; amending ss. 1012.795 and 1012.796, F.S.; conforming provisions to changes made by the act; providing effective dates.

Senator Brandes moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1A (728756) (with title amendment)—Delete lines 2571-2573 and insert:

Section 24. Upon becoming a law, subsection (8) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(8) Notwithstanding any other provision of law, a retired member may interrupt retirement and be reemployed in any public school *as instructional personnel under a 1-year probationary contract as defined in s. 1012.335(1). If the retiree successfully completes the probationary contract, the district school board may reemploy the retiree under an annual contract as defined in s. 1012.335(1). The retiree is not eligible for a professional service contract* ~~A member reemployed by the same district from which he or she retired may be employed on a probationary contractual basis as provided in subsection (1)~~.

Section 25. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete line 2767 and insert: by the act; amending s. 1012.33, F.S.; revising provisions relating to reemployment of retirees as instructional personnel on a contract basis; providing that retirees are not eligible for a professional service contract; providing effective dates.

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

Senator Gaetz moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1B (569004) (with title amendment)—Delete lines 1010-1044 and insert:
s. 1013.62(3) ~~s. 1013.62(2)~~.

3. For high-performing charter schools, as defined in *s. 1002.331* ~~ch. 2011-232~~, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in *s. 1013.62(3)* ~~s. 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 6. Section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.

(3)(a) Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to administer this section.

Section 7. Section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates*;* ~~,~~ retention rates*;* ~~,~~ postgraduation education rates*;* ~~,~~ degree production*;* ~~,~~ affordability*;* ~~,~~ postgraduation employment and salaries, *including wage thresholds that reflect the added value of a baccalaureate degree;* access*;* ~~,~~ and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based *funding model* ~~metrics~~ shall consist of the state's *investment in* ~~appropriation for~~ performance funding~~, including increases in base funding~~ plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System~~,~~ in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based *funding model* ~~metrics~~.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment* performance funding *eligibility* threshold shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state

university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~ determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

(6) *The Board of Governors shall adopt regulations to administer* this section ~~expires July 1, 2016~~.

Section 8. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) ONLINE COURSE REQUIREMENT.—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills *the* ~~this~~ requirement *in this subsection*. *The* ~~This~~ requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets *the* ~~this~~ requirement.

(b) A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirement in this subsection:

1. Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.

2. Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.

For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. This *subsection* ~~requirement~~ does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 9. Effective July 1, 2016, and upon the expiration of the amendment to section 1011.62, Florida Statutes, made by chapter 2015-222, Laws of Florida, paragraph (a) of subsection (4) of that section is amended, present subsections (13), (14), and (15) of that section are redesignated as subsections (14), (15), and (16), respectively, a new subsection (13) is added to that section, and present subsection (14) of that section is amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.—*

1.a. Not later than 2 working days *before* ~~prior to~~ July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph *(15)(b)* ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.

2. The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(15)* ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(15)* ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 10. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools *as specified in this section*.

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 3 or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have financial stability for future operation as a charter school.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

~~(b) The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student, up to the lesser of the actual number of capital outlay full-time equivalent students in the current year, or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

~~(c) A charter school's allocation may not exceed one fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

(b)~~(d)~~ A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools. A charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;

2. Owned by an organization, qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or state university; or

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For purposes of this paragraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that individually or through one or more entities that share common ownership or control that directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, that directly or indirectly

manages, administers, controls, or oversees the operation of any of the foregoing.

(d) The funding allocation for eligible charter schools shall be calculated as follows:

1. Eligible charter schools shall be grouped into categories based on their student populations according to the following criteria:

a. Seventy-five percent or greater who are eligible for free or reduced-price school lunch.

b. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.

2. If an eligible charter school does not meet the criteria for either category under subparagraph 1., its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both sub-subparagraphs 1.a. and 1.b. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.

3. The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to determine each charter school's capital outlay allocation.

~~(c) Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school is determined by multiplying the school's projected student enrollment by one-fifteenth of the cost per student station specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, a charter school or charter lab school may not receive state charter school capital outlay funds greater than the one-fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(c) and (h) exceeds the one-fifteenth cost per student station formula.~~

(2)(a)~~(f)~~ *The department shall calculate the eligible charter school funding allocations.* Funds shall be *allocated using* ~~distributed on the basis of the capital outlay~~ full-time equivalent membership *from* ~~by grade level, which is calculated by averaging the results of~~ the second and third enrollment surveys *and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.*

(b) The department ~~of Education~~ shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's *recalculated allocation* ~~actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools~~.

(3)~~(2)~~ A charter school's governing body may use charter school capital outlay funds for the following purposes:

(a) Purchase of real property.

(b) Construction of school facilities.

(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.

(d) Purchase of vehicles to transport students to and from the charter school.

(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.

(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.

(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

(4)~~(3)~~ *If* ~~When~~ a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(e) and (f). In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.

(5)~~(4)~~ The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.

(6)~~(5)~~ The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section. ~~A dedicated funding source, if identified in writing by the Commissioner of Education and submitted along with the annual charter school legislative budget request, may be considered an additional source of funding.~~

~~(6) Unless authorized otherwise by the Legislature, allocation and proration of charter school capital outlay funds shall be made to eligible charter schools by the Commissioner of Education in an amount and in a manner authorized by subsection (1).~~

Section 11. Paragraphs (a) and (b) of subsection (2) and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes

from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. *A* ~~No~~ district *may not* ~~shall~~ receive funding for more than one approved project in any 3-year period *or while any portion of the district's participation requirement is outstanding*. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. *Before* ~~Prior to~~ developing *construction* plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the *chair of the* committee to include two representatives of the department and two staff *members* from school districts not eligible to participate in the program. *A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.* Within *90* ~~60~~ days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the *demographic, revenue, and education estimating conferences established in s. 216.136* ~~department~~; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or *survey amendment cooperatively prepared* ~~surveys~~ by the district *and the department, and approved by the department* under the rules of the State Board of Education. *If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.*

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) *except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district's control as determined by the Special Facility Construction Committee*.

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. *For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year,* the district shall, at the time of the request and for a continuing period *necessary to meet the district's participation requirement* ~~of 3 years~~, levy the maximum millage against *its* ~~their~~ nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). *Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6).* Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of *1 mill* ~~1.5 mills~~ per year to the project *until the district's* ~~to satisfy the annual~~ participation requirement *relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied* ~~in the Special Facility Construction Account~~.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its ~~3-year~~ commitment *to satisfy its participation requirement, which is equivalent to* ~~of~~ all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2)*, in the year of the initial appropriation and for the 2 years immediately following the initial appropriation*.

12. Final phase III plans must be certified by the *district school* board as complete and in compliance with the building and life safety codes *before June 1 of the year the application is made* ~~prior to August 1~~.

(b) The Special Facility Construction Committee shall be composed of the following: two representatives of the Department of Education, a representative from the Governor's office, a representative selected annually by the district school boards, and a representative selected annually by the superintendents. *A representative of the department shall chair the committee.*

(6)

(b)1. A district school board *may* ~~must~~ not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

a. $17,952 for an elementary school,

b. $19,386 for a middle school, or

c. $25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.

3. The Office of Program Policy Analysis and Government Accountability (OPPAGA), in consultation with the department, shall:

a. Conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. OPPAGA must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

b. Conduct a study of the State Requirements for Education Facilities (SREF)to identify current requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

4. Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index.

5.~~2.~~ A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction initiated by a district school board *on or after July 1, 2017, may* ~~after June 30, 1997, must~~ not exceed the cost per student station as provided in paragraph (b). *A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances outside the control of the district, the sanctions shall not apply. The sanctions are as follows:*

1. The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

a. Each oversight committee shall be composed of the following:

(I) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.

(II) One appointee of the office of the state attorney with jurisdiction over the district.

(III) One appointee of the Chief Financial Officer who is a licensed certified public accountant.

b. An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.

(d) The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall *provide these reports to the Auditor General for verification purposes* ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts~~.

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(e) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

And the title is amended as follows:

Delete line 2658 and insert: exemption from certain administrative fees; conforming cross-references; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing for reporting and rulemaking; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; deleting an expiration; amending s. 1003.4282, F.S.; revising the online course requirement; authorizing a district school board or a charter school governing board to offer certain additional options to meet the requirement; amending s. 1011.62, F.S.; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; amending s. 1013.62, F.S.; deleting provisions relating to priorities for charter school capital outlay funding; deleting provisions relating to a charter school's allocation; providing that a charter school is not eligible for funding unless it meets certain requirements; defining the term "affiliated party of the charter school"; revising the funding allocation calculation; requiring the Department of Education to calculate and periodically recalculate, as necessary, the eligible charter school funding allocations; deleting provisions relating to certain duties of the Commissioner of Education; amending s. 1013.64, F.S.; providing that a school district may not receive funds from the Special Facility Construction Account under certain circumstances; revising the criteria for a request for funding; authorizing the request for a preapplication review to take place at any time; providing exceptions; revising the timeframe for completion of the review; providing that certain capital outlay full-time equivalent student enrollment estimates be determined by specified estimating conferences; requiring surveys to be cooperatively prepared by certain entities and approved by the Department of Education; prohibiting certain consultants from specified employment and compensation; providing an exception to prohibiting the cost per student station from exceeding a certain amount; requiring a school district to levy the maximum millage against certain property value under certain circumstances; reducing the required millage to be budgeted for a project; requiring certain plans to be finalized by a specified date; requiring a representative of the department to chair the

Special Facility Construction Committee; requiring school districts to maintain accurate documentation related to specified costs; requiring the Auditor General to review such documentation; providing that the department makes final determinations on compliance; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study, in consultation with the department, on cost per student station amounts and on the State Requirements for Education Facilities; requiring reports to the Governor and the Legislature by a specified date; prohibiting a district school board from using funds for specified purposes for certain projects; providing sanctions for school districts that exceed certain costs; providing for the creation of a district capital outlay oversight committee; providing for membership of the oversight committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending

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

Senator Hays moved the following amendment to **Amendment 1 (274472)**:

Amendment 1C (570124) (with title amendment)—Between lines 1206 and 1207 insert:

Section 11. Subsection (6) is added to section 1003.455, Florida Statutes, to read:

1003.455 Physical education; assessment.—

(6) In addition to the requirements in subsection (3), each classroom teacher is required to allow their students at least 15 minutes of unstructured free-play recess in the morning and 15 minutes of unstructured free-play recess in the afternoon per day.

And the title is amended as follows:

Delete line 2680 and insert: credit; amending s. 1003.455, F.S.; requiring each classroom teacher to allow students in certain grades a specified number of minutes of unstructured free-play recess per day; amending s. 1004.935, F.S.; deleting the

POINT OF ORDER

Senator Legg raised a point of order that pursuant to Rule 7.1(4)(c), Senator Hays' amendment, **Amendment 1C (570124)**, contained language of a bill not reported favorably by all committees of reference and was therefore out of order.

The President referred the point of order and the amendment to Senator Simmons, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation by Senator Simmons, Chair of the Committee on Rules, **Amendment 1C (570124)** was determined to be substantially the same as **SB 1002**, now in the Committee on Education Pre-K – 12. The President ruled the point well taken and the amendment to the amendment out of order.

MOTION

Senator Hays moved that Rule 7.1(4)(c) be waived to allow the consideration of **Amendment 1C (570124)**. The motion failed to receive the required two-thirds vote.

The vote was:

Yeas—14

Altman	Evers	Sachs
Brandes	Flores	Smith
Dean	Gibson	Sobel
Detert	Hays	Soto
Diaz de la Portilla	Ring	

Nays—24

Mr. President	Gaetz	Legg
Abruzzo	Galvano	Margolis
Bean	Garcia	Montford
Benacquisto	Grimsley	Negron
Bradley	Hukill	Richter
Braynon	Hutson	Simmons
Bullard	Joyner	Simpson
Clemens	Latvala	Stargel

Vote after roll call:

Nay to Yea—Bullard

THE PRESIDENT PRESIDING

On motion by Senator Gaetz, further consideration of **CS for CS for HB 7029** with pending **Amendment 1 (274472)**, as amended, was deferred.

SPECIAL RECOGNITION OF SENATOR SOBEL

SENATOR JOYNER PRESIDING

The President introduced Senator Sobel's district staff, Matthew Alford, Eric Reinarman, and Jeffrey Scala. A video tribute was played honoring Senator Sobel. Several Senators were recognized for farewell comments. Senator Sobel was recognized for farewell remarks.

Senator Galvano presented Senator Sobel with a plaque honoring her years of service to the Senate.

THE PRESIDENT PRESIDING

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

BILLS ON THIRD READING

Consideration of **SB 908**, **CS for HB 793**, **HB 967**, **CS for CS for SB 668**, and **CS for SB 960** was deferred.

SB 7028—A bill to be entitled An act relating to the State Board of Administration; creating s. 215.4702, F.S.; defining terms; encouraging the State Board of Administration to determine which publicly traded companies in which the Florida Retirement System Trust Fund is invested operate in Northern Ireland; encouraging the state board to take certain action upon making a determination; authorizing the state board to rely on public information in making a determination; providing that the state board is not liable or subject to a cause of action under the act; amending s. 215.473, F.S.; redefining the term "public fund"; defining the term "board"; requiring the board, rather than the public fund, to maintain a list of certain scrutinized companies rather than assembling the list by a certain time; clarifying provisions; deleting a condition that may no longer be used by the board in scrutinizing companies, relating to a specified declaration; requiring the board to monitor certain events and make specified reports at certain meetings of trustees; conforming provisions to changes made by the act; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Ring, **SB 7028**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

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

Gaetz	Joyner	Sachs
Galvano	Latvala	Simmons
Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Richter	Soto
Hutson	Ring	Stargel

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert, Garcia

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for CS for SB 1442** was deferred.

CS for CS for HB 413—A bill to be entitled An act relating to title insurance; amending s. 627.778, F.S.; revising certain limitations on assumption of risk by title insurers; authorizing a title insurer to obtain reinsurance from an eligible reinsurer; revising applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 413** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

HB 799—A bill to be entitled An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **HB 799** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

SB 996—A bill to be entitled An act relating to civil remedies for terrorism; creating s. 772.13, F.S.; creating a cause of action for acts relating to terrorism; specifying a measure of damages; prohibiting claims by specified individuals; providing for attorney fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 996** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1378—A bill to be entitled An act relating to drug safety; providing a short title; amending s. 893.055, F.S.; requiring pharmacies to offer for sale prescription lock boxes; requiring pharmacies to display a certain sign; defining the term "prescription lock box"; authorizing the Department of Health to develop and distribute a pamphlet containing certain information; providing for the distribution of the pamphlet by pharmacists in certain circumstances; prohibiting a pharmacy from charging a fee for the pamphlet; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for SB 1378** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bradley	Bullard
Altman	Brandes	Clemens
Bean	Braynon	Dean

Diaz de la Portilla	Hukill	Ring
Evers	Hutson	Sachs
Flores	Joyner	Simmons
Gaetz	Latvala	Simpson
Galvano	Legg	Smith
Garcia	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	

Nays—None

Vote after roll call:

Yea—Abruzzo, Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for HB 1347—A bill to be entitled An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term "substantially similar"; deleting the term "potential for abuse"; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for possession of a certain amount of specified controlled substances; deleting certain exclusions to the definition of the term "cannabis"; creating a criminal penalty for possession of specified controlled substances; correcting a cross-reference; amending s. 893.135, F.S.; revising a dosage unit to include a gelatin capsule for the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance; amending s. 893.138, F.S.; authorizing a place or premises that has been used on two or more occasions for specified violations within a certain time period to be declared a public nuisance; amending s. 893.145, F.S.; revising the definition of the term "drug paraphernalia"; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; adding an adult delivering controlled substances to a minor, using or hiring a minor to sell controlled substances, or using a minor to avoid detection or apprehension to level 3 of the offense severity ranking chart of the Criminal Punishment Code; making technical changes; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3), 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a), 465.0276(1)(b), 499.0121(14) and (15)(a), 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a), 817.563(1), 831.31, 893.0301, 893.035(7)(a), 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b), (c), and (d), and 944.474(2), F.S., to incorporate the amendment made to s. 893.03, F.S., in references thereto; reenacting s. 893.149(4), F.S., to incorporate the amendment made to s. 893.033, F.S., in a reference thereto; reenacting ss. 397.451(4)(b), 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3), 812.014(2), 831.311(1), 893.1351(1), 893.138(3), 893.15, 903.133, and 921.187(1)(l), F.S., to incorporate the amendment made to s. 893.13, F.S., in references thereto; reenacting ss. 893.12(2)(a) and 893.147(6)(a), F.S., to incorporate the amendment made to s. 893.145, F.S., in references thereto; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., to incorporate the amendment made to s. 895.02, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 1347** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **HB 1205** was deferred.

CS for CS for SB 776—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term "utility"; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 776**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1025** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

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

CS for CS for HB 1025—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term "utility"; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 776**, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1025** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

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

Hays	Margolis	Simmons
Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Legg	Sachs	Stargel

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

Vote preference:

March 8, 2016: Yea—Lee

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.

—as amended March 3, was read the third time by title.

RECONSIDERATION OF BILL

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

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.

—as amended March 3, was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF AMENDMENT

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 5 (881510)** was adopted on March 3. **Amendment 5 (881510)** was withdrawn.

On motion by Senator Richter, by two-thirds vote, **CS for CS for HB 941**, as amended, was read the third time by title, passed, and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Benacquisto

CS for SB 670—A bill to be entitled An act relating to child protection teams; amending s. 768.28, F.S.; revising the definition of the term "officer, employee, or agent," as it applies to immunity from personal liability in certain actions, to include licensed physicians who are medical directors for or members of a child protection team, in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 670** was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Detert	Montford
Abruzzo	Evers	Negron
Altman	Gaetz	Richter
Bean	Galvano	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Smith
Brandes	Hutson	Sobel
Clemens	Legg	Stargel
Dean	Margolis	

Nays—11

Braynon	Gibson	Ring
Bullard	Grimsley	Sachs
Diaz de la Portilla	Joyner	Soto
Flores	Latvala	

Vote after roll call:

Yea—Garcia

Yea to Nay—Abruzzo

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; making technical changes; 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.

—as amended March 3, was read the third time by title.

Pending further consideration of **CS for SB 1662**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1333** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for HB 1333—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.

—a companion measure, was substituted for **CS for SB 1662**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for HB 1333** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Ring	Simpson	Stargel
Sachs	Smith	
Simmons	Soto	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

May 6, 2016: Yea—Sobel

CS for SB 1664—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing exceptions to the prohibition, subject to certain requirements; defining the term "agricultural pole barn"; providing an effective date.

—as amended March 3, was read the third time by title.

Pending further consideration of **CS for SB 1664**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 773** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

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

CS for HB 773—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing specified exceptions; defining the term "agricultural pole barn" for purposes of the exceptions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1664**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Stargel, by two-thirds vote, **CS for HB 773** was read the third time by title, passed by the required constitutional two-thirds vote of the membership, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Garcia

Vote preference:

March 8, 2016: Yea—Lee

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.

—as amended March 3, was read the third time by title.

On motion by Senator Detert, **CS for CS for HB 599**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

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 read the third time by title.

On motion by Senator Bean, **CS for CS for CS for HB 1125** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1152—A bill to be entitled An act relating to classified advertisement websites; creating s. 501.180, F.S.; defining the term "safe-haven facility"; authorizing local governmental bodies to designate a specified number of safe-haven facilities in each county based upon population size; authorizing a local governmental body to approve the use of local government buildings to serve as safe-haven facilities; limiting the liability of any local governmental entity that provides a safe-haven facility; limiting actions against the state or local government related to transactions taking place at a safe-haven facility; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1152** 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	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—1

Brandes

Vote preference:

March 8, 2016: Yea—Lee

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; providing 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; amending s. 932.704, F.S.; providing requirements for a filing fee and a bond to be paid to the clerk of court; requiring that the bond be made payable to the claimant under certain circumstances unless otherwise expressly agreed to in writing; 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 seizing 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 noncompliance 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.

—as amended March 3, was read the third time by title.

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

Amendment 1 (323744)—Delete line 77 and insert:
diligent search, or the person in possession of the property denies ownership and the owner of the property cannot be identified by means that are available to the employee or agent of the seizing agency at the time of the seizure;

On motion by Senator Brandes, **CS for CS for SB 1044**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1298—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing for construction; amending s. 501.992, F.S; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand

letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; revising provisions authorizing the bringing of actions and specified remedies under the Patent Troll Prevention Act; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1298**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1181** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Rules.

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

CS for CS for HB 1181—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; authorizing the award of actual damages; revising provisions authorizing the award of punitive damages; providing an effective date.

—a companion measure, was substituted for **CS for SB 1298**, and by two-thirds vote, read the second time by title.

On motion by Senator Brandes, by two-thirds vote, **CS for CS for HB 1181** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

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.

—as amended March 3, was read the third time by title.

On motion by Senator Garcia, **CS for CS for CS for HB 221**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for SB 1170** was deferred.

CS for SB 1418—A bill to be entitled An act relating to supplemental academic instruction; amending s. 1011.62, F.S.; deleting the fiscal year for the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; conforming provisions relating to the research-based reading instruction allocation to changes made by the act; deleting obsolete provisions; providing effective dates.

—as amended March 3, was read the third time by title.

On motion by Senator Simmons, **CS for SB 1418**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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

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

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the responsibility for the health care costs for the mental health treatment of the child shall be governed by the marital settlement agreement or court order; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 794** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

CS for CS for SB 936—A bill to be entitled An act relating to persons with disabilities; providing a short title; 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; 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 effective dates.

—as amended March 3, was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 936**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—2

Bradley	Gibson

Vote after roll call:

Yea—Benacquisto, Brandes

Vote preference:

March 8, 2016: Yea—Lee

April 4, 2016: Yea—Sobel

HB 7013—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 379.2223, F.S.; revising penalties for violations of commission rules or regulations relating to control and management of state game lands; amending s. 379.2257, F.S.; revising penalties for violations of wildlife management area rules and regulations on United States Forest Service lands; amending s. 379.2425, F.S.; authorizing spearfishing in specified areas by commission rule or order; providing a penalty for violations of commission rules or orders relating to spearfishing; amending s. 379.2431, F.S.; prohibiting certain possession of any marine turtle species or hatchling or parts thereof; providing penalties; amending s. 379.29, F.S.; revising penalties for violations relating to the contamination of fresh waters; amending s. 379.295, F.S.; providing a penalty for violations relating to the use of explosives and other substances or force in fresh waters; amending s. 379.33, F.S.; deleting base penalty provisions for violation of or failure to comply with any commission rule; amending s. 379.3502, F.S.; deleting violation provisions for altering or changing, in any manner, a license or permit; providing a penalty for violations relating to loaning or transferring a license or permit to another person or using a borrowed or transferred license or permit; amending s. 379.3503, F.S.; revising penalties for violations of swearing or affirming to a false statement on a license or permit application; amending s. 379.3504, F.S.; revising penalties for violations relating to entering false information on a license or permit; amending s. 379.3511, F.S.; revising penalties relating to the sale of specified licenses and permits by appointed subagents; amending s. 379.354, F.S.; providing a penalty for violations relating to possession of recreational hunting, fishing, and trapping licenses, permits, and authorization numbers; amending s. 379.357, F.S.; revising penalties for violations relating to the purchase of a tarpon tag and the sale of tarpon; amending s. 379.359, F.S.; authorizing, rather than requiring, the commission to retain a portion of voluntary contributions to Southeastern Guide Dogs, Inc.; amending s. 379.363, F.S.; providing a penalty for violations relating to freshwater fish dealers' licenses; amending s. 379.364, F.S.; providing a penalty for violations relating to fur and hide dealers' licenses; amending s. 379.365, F.S.; deleting penalty provisions for violations of stone crab regulations by persons other than commercial harvesters; amending s. 379.3751, F.S.; providing a penalty for violations relating to trapping licenses for taking and possessing alligators; amending s. 379.3752, F.S.; providing a penalty for violations relating to the tagging of alligators and hides; amending s. 379.401, F.S.; providing penalties for violations relating to filing reports and documents by persons who hold alligator licenses and permits; reducing the penalties for failure to return CITES tags issued under the Statewide Alligator Harvest Program and the Stateside Nuisance Alligator Program; providing an alternative penalty for specified violations relating to recreational fishing, hunting, and trapping licenses; increasing the civil penalty amount for Level One

repeat violations; providing that the unlawful use of any trap is a Level Two violation; providing that violations relating to record requirements for alligators is a Level Two violation; providing that violations relating to the return of CITES tags issued in a program other than the Statewide Alligator Harvest Program or the Statewide Nuisance Alligator Program is a Level Two violation; deleting penalty provisions for the sale, purchase, harvest, or attempted harvest of any saltwater product with intent to sell; providing additional criminal penalties for Level Four violations; providing additional penalties for the illegal taking of fish and wildlife while trespassing; repealing s. 379.403, F.S., relating to the illegal killing, taking, possessing, or selling of wildlife or game; amending s. 379.409, F.S.; revising penalties for the illegal killing, possessing, or capturing of alligators or other crocodilia or their eggs; amending s. 379.411, F.S.; revising penalties for the intentional killing or wounding of any species designated as endangered, threatened, or of special concern; amending s. 379.4115, F.S.; revising penalties for violations relating to killing a Florida or wild panther; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **HB 7013** 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
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Benacquisto

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 1256—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term "technical violation"; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender's participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1256**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1149** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for HB 1149—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term "technical violation"; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender's participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1256**, and by two-thirds vote, read the second time by title.

On motion by Senator Brandes, by two-thirds vote, **CS for HB 1149** 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	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Detert

Vote preference:

March 8, 2016: Yea—Lee

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 read the third time by title.

On motion by Senator Grimsley, **CS for HB 1245** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bradley	Clemens
Abruzzo	Brandes	Dean
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers

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

Nays—None

Vote after roll call:

Yea—Benacquisto, Detert

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 read the third time by title.

On motion by Senator Grimsley, **HB 1063** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 633—A bill to be entitled An act relating to public food service establishments; amending s. 509.013, F.S.; revising the definition of the term "public food service establishment" to exclude certain events; amending s. 509.032, F.S.; clarifying that a food service license is not required to be obtained if an event is excluded under the definition of the term "public food service establishment"; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **HB 633** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 124—A bill to be entitled An act relating to public-private partnerships; transferring, renumbering, and amending s. 287.05712, F.S.; revising definitions; deleting provisions creating the Public-Private Partnership Guidelines Task Force; requiring a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs; specifying payment methods; requiring a professional review and evaluation of design and construction to be completed for certain unsolicited proposals; specifying requirements; authorizing a responsible public entity to alter the statutory timeframe for accepting proposals for a qualifying project under certain circumstances; requiring a design criteria package to be submitted to a responsible public entity if such entity solicits specific proposals; deleting a provision that requires approval of the local governing body before a school board enters into a comprehensive agreement; revising the conditions necessary for a responsible public entity to approve a comprehensive agreement; deleting provisions relating to notice to affected local jurisdictions; providing that fees imposed by a private entity must be applied as set forth in the comprehensive agreement; authorizing a negotiated portion of revenues from fee-generating uses to be returned to the responsible public entity; restricting provisions in financing agreements that could result in a responsible public entity's losing ownership of real or tangible personal property; deleting a provision that required a responsible public entity to comply with specific financial obligations; providing duties of the Department of Management Services relating to comprehensive agreements; revising provisions relating to construction of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 124** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for SB 126—A bill to be entitled An act relating to public records and public meetings; transferring, renumbering, and amending s. 287.05712, F.S., relating to public-private partnerships for public facilities and infrastructure; providing a definition; providing an exemption from public records requirements for a specified period for unsolicited proposals received by a responsible public entity; providing an exemption from public meeting requirements for any portion of a meeting of a responsible public entity during which exempt proposals are discussed; requiring that a recording be made of the closed meeting; providing an exemption from public records requirements for a specified period for the recording of, and any records generated during, a closed meeting; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 126** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Sachs
Brandes	Gibson	Simmons
Braynon	Hays	Simpson
Dean	Hukill	Smith
Detert	Hutson	Soto
Diaz de la Portilla	Latvala	Stargel

Nays—4

Bradley	Bullard	Clemens
Joyner		

Vote after roll call:

Yea—Legg

Yea to Nay—Gibson

Vote preference:

March 7, 2016: Yea—Grimsley

March 8, 2016: Yea—Lee

May 6, 2016: Nay—Sobel

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.

—as amended March 3, was read the third time by title.

On motion by Senator Grimsley, **HB 1241**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 298—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; revising exceptions to a prohibition on the installation of tracking devices or tracking applications to specify that the exception applies only to private investigators under certain circumstances; deleting a provision concerning persons engaged in private investigation; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary

action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 298**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 151** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Rules.

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

CS for HB 151—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; authorizing certain persons, business entities, and private investigators to install tracking devices or tracking applications under certain circumstances; deleting a provision concerning persons engaging private investigators; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 298**, and by two-thirds vote, read the second time by title.

On motion by Senator Evers, by two-thirds vote, **CS for HB 151** was read the third time by title.

On motion by Senator Evers, further consideration of **CS for HB 151** was deferred.

CS for SB 440—A bill to be entitled An act relating to care for retired law enforcement dogs; creating s. 943.69, F.S.; providing a short title; defining terms; providing legislative findings; creating the Care for Retired Law Enforcement Dogs Program within the Department of Law Enforcement; requiring the department to contract with a corporation not for profit to administer and manage the program; providing requirements for the corporation not for profit; providing requirements for the disbursement of funds for the veterinary care of eligible retired law enforcement dogs; placing an annual cap on the amount of funds available for the care of an eligible retired law enforcement dog; prohibiting a former handler or adopter from receiving reimbursement if funds are depleted for the year for which such reimbursement is sought; providing for administrative fees; requiring the department to adopt rules; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for SB 440** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 4009—A bill to be entitled An act relating to slungshot; amending s. 790.09, F.S.; deleting provisions prohibiting the manufacture or sale of any instrument or weapon usually known as slungshot; amending s. 790.001, F.S.; revising the definition of the term "concealed weapon" to delete the inclusion of a slungshot; amending s. 790.18, F.S.; deleting a provision prohibiting a dealer in arms from selling or transferring a slungshot to a minor; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **HB 4009** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

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. 782.04, F.S.; including human trafficking as an underlying felony offense to support a felony murder conviction; amending s. 787.06, F.S.; 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; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Flores, **CS for SB 1294**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for CS for SB 562—A bill to be entitled An act relating to consumer debt collection; amending s. 559.72, F.S.; specifying methods by which a debtor, represented by an attorney, may notify a creditor of such representation; specifying methods by which an attorney representing a debtor may notify a creditor of such representation; requiring a creditor to identify the manner by which a debtor may communicate notice of representation; providing that a creditor must cease direct communication with the debtor under certain circumstances; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Stargel, **CS for CS for CS for SB 562**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Evers	Latvala
Altman	Gaetz	Legg
Bean	Galvano	Negron
Benacquisto	Grimsley	Richter
Bradley	Hays	Simmons
Brandes	Hukill	Simpson
Detert	Hutson	Stargel

Nays—17

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

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 third time by title.

An amendment was considered and adopted to conform **CS for SB 960** to **CS for CS for HB 231**.

Pending further consideration of **CS for SB 960**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 231** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Rules.

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

CS for CS for HB 231—A bill to be entitled An act relating to motor vehicle manufacturer licenses; 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"; 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.

—a companion measure, was substituted for **CS for SB 960**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 231** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1422—A bill to be entitled An act relating to insurer regulatory reporting; creating s. 628.8015, F.S.; defining terms; requiring an insurer to maintain a risk management framework; requiring certain insurers and insurance groups to conduct an own-risk and solvency assessment; providing requirements for the preparation and submission of an own-risk and solvency assessment summary report; providing exemptions and waivers; requiring certain insurers and members of an insurance group to prepare and submit a corporate governance annual disclosure; requiring the initial corporate governance annual disclosure to be submitted to the Office of Insurance Regulation by a specified date; authorizing the office to require an insurer or insurance group to provide a corporate governance annual disclosure before such date under certain circumstances; specifying requirements for preparing and annually filing the corporate governance annual disclosure; specifying privilege requirements and prohibitions for certain filings and related documents; authorizing the office to retain third-party consultants for certain purposes; providing certain requirements for the National Association of Insurance Commissioners or third-party consultants in an agreement; authorizing the Financial Services Commission to adopt rules; amending s. 628.803, F.S.; revising provisions relating to penalties to conform to the act; providing for contingent repeal of the act; providing a contingent effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1422**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

HB 1205—A bill to be entitled An act relating to fumigation; amending s. 482.051, F.S.; revising general fumigation notification requirements; authorizing the Department of Agriculture and Consumer Services to adopt safety procedures for the clearance of residential structures before reoccupation after fumigation; amending s. 487.051, F.S.; authorizing the department to establish certain conditions for the registration or continued registration of fumigants; providing an effective date.

—as amended March 3, was read the third time by title.

On motion by Senator Benacquisto, **HB 1205**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

CS for CS for SB 1170—A bill to be entitled An act relating to health plan regulatory administration; amending s. 112.08, F.S.; authorizing local governmental units to contract for certain group insurance with a corporation not for profit whose membership consists of specified local governmental units; adding such a corporation not for profit as an alternative entity that a local governmental unit must contract with to administer certain insurance plans; amending s. 408.909, F.S.; redefining the terms "health care coverage" and "health flex plan coverage"; amending s. 409.817, F.S.; deleting a provision authorizing group insurance plans to impose a certain preexisting condition exclusion; amending s. 624.123, F.S.; conforming a cross-reference; amending s. 626.88, F.S.; revising the definition of the term "administrator"; amending s. 627.402, F.S.; redefining the term "nongrandfathered health plan"; amending s. 627.411, F.S.; deleting a provision relating to a minimum loss ratio standard for specified health insurance coverage; deleting provisions specifying certain incurred claims; amending s. 627.6011, F.S., conforming a cross-reference; amending s. 627.602, F.S.; conforming a cross-reference; amending s. 627.642, F.S.; revising the policies to which certain outline of coverage requirements apply; amending s. 627.6425, F.S.; redefining the term "individual health insurance"; revising applicability; amending s. 627.6487, F.S.; redefining terms; repealing s. 627.64871, F.S., relating to certification of coverage; amending s. 627.6512, F.S.; revising a provision specifying that certain sections of the Florida Insurance Code do not apply to a group health insurance policy as that policy relates to specified benefits, under certain circumstances; amending s. 627.6513, F.S.; excluding applicability as to certain types of benefits or coverages; amending s. 627.6561, F.S.; conforming a cross-reference; revising conditions under which an insurer may impose a preexisting condition exclusion; deleting the definition of the term "creditable coverage"; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 627.6562, F.S.; redefining the term "creditable coverage"; providing exceptions and applicability; amending s. 627.65626, F.S.; conforming a cross-reference; amending s. 627.6699, F.S.; redefining terms; deleting a provision that requires a certain health benefit plan to comply with specified preexisting condition provisions; amending s. 627.6741, F.S.; conforming cross-references; conforming a provision to changes made by the act; amending s. 641.31, F.S.; deleting a provision specifying that a law restricting or limiting deductibles, coinsurance, copayments, or annual or lifetime maximum payments may not apply to a certain health maintenance organization contract; conforming a cross-reference; amending s. 641.31071, F.S.; conforming a cross-reference; deleting the definition of the term "creditable coverage"; removing certain requirements relating to creditable coverage to conform to changes made by the act; amending s. 641.31074; requiring a health maintenance organization that issues a health insurance contract, rather than a group health insurance contract, to renew or continue in force such coverage at the contract holder's option; revising conditions under which a health maintenance organization may discontinue offering a particular contract form; adding to the conditions under which a health maintenance organization may, at the time of coverage renewal, modify coverage for a product offered; amending s. 641.312, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for CS for SB 1170** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for SB 970** was deferred.

On motion by Senator Evers—

SB 7022—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 406.136, F.S., which provides an exemption from public records requirements for a photograph or video or audio recording held by an agency that depicts or records the killing of a person; narrowing the exemption to depictions or recordings of the killing of a law enforcement officer who was acting in accordance with his or her official duties; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7022** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for SB 7050—A bill to be entitled An act relating to information technology security; amending s. 20.61, F.S.; revising the membership of the Technology Advisory Council to include a cybersecurity expert; amending s. 282.318, F.S.; revising the duties of the Agency for State Technology; providing that risk assessments and security audits may be completed by a private vendor; providing for the establishment of computer security incident response teams within state agencies; providing for the establishment of an information technology security incident reporting process; providing for information technology security and cybersecurity awareness training; revising duties of state agency heads; establishing computer security incident response team responsibilities; establishing notification procedures and reporting timelines for an information technology security incident or breach; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 7050** was placed on the calendar of Bills on Third Reading.

CS for SB 1260—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring or mooring of vessels in specified anchoring limitation areas; providing exceptions; providing for the removal and impoundment of vessels under certain circumstances; providing penalties; amending s. 327.70, F.S.; providing for violations to be enforced by the issuance of a uniform boating citation; amending s. 327.73, F.S.; providing penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1260**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1051** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

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

CS for CS for HB 1051—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring of vessels in specified anchoring limitation areas; providing exceptions; providing applicability; authorizing specified law enforcement officers and agencies to remove and impound vessels or cause vessels to be removed or impounded under certain conditions; providing indemnification for such law enforcement officers and agencies in certain circumstances; providing requirements for contractors performing such removal or impoundment services; providing that certain vessel operators are required to pay removal and storage fees and are subject to specified penalties; providing for expiration; amending s. 327.70, F.S.; providing for issuance of uniform boating citations; amending s. 327.73, F.S.; providing penalties relating to the anchoring of vessels in anchoring limitation areas; providing an effective date.

—a companion measure, was substituted for **CS for SB 1260**, and by two-thirds vote, read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1051** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 822—A bill to be entitled An act relating to firesafety; amending s. 633.202, F.S.; defining terms; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that such classifications are subject to annual inspection; specifying applicable fire prevention standards for each class; requiring that the State Fire Marshal adopt rules; providing requirements for revising certain dimensions of a tent that is exempt from the code; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 822**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 431** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Stargel—

CS for CS for HB 431—A bill to be entitled An act relating to fire safety; amending s. 633.202, F.S.; providing definitions; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; providing criteria for such classifications; providing that certain structures are subject to annual inspection; specifying applicable fire prevention standards; requiring the State Fire Marshal to adopt rules; revising certain dimensions of a tent that is exempt from the code; requiring that the State Fire Marshal adopt rules; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 822** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 431** was placed on the calendar of Bills on Third Reading.

SB 858—A bill to be entitled An act relating to clinical social worker, marriage and family therapist, and mental health counselor interns;

amending s. 491.0045, F.S.; revising clinical social worker, marriage and family therapist, and mental health counselor intern registration requirements; revising requirements for supervision of registered interns; deleting specified education and experience requirements; establishing validity periods and providing for expiration of intern registrations; establishing requirements for a subsequent intern registration and for an applicant who has held a provisional license; 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, or 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; reenacting s. 491.012(1)(i),(j), and (k), F.S., relating to penalties, to incorporate the amendment made to s. 491.0045, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 858**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 373** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

On motion by Senator Legg—

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.

—a companion measure, was substituted for **SB 858** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 373** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1164—A bill to be entitled An act relating to firesafety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1164**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 965** was withdrawn from the Committees on Banking and Insurance; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Legg—

CS for CS for HB 965—A bill to be entitled An act relating to firesafety; amending s. 429.41, F.S.; requiring the State Fire Marshal to establish uniform firesafety standards for assisted living facilities; revising provisions relating to the minimum standards that must be adopted by the Department of Elderly Affairs for firesafety in assisted living facilities; clarifying the fees a utility may charge for the installation and maintenance of an automatic fire sprinkler system; providing an exemption from uniform firesafety code requirements for certain assisted living facilities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1164** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 965** was placed on the calendar of Bills on Third Reading.

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

—was read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (616816) (with title amendment)—Between lines 102 and 103 insert:

Section 2. *Chapter 2010-217, Laws of Florida, may be cited as "Taylor's Law for Teen Dating Violence Awareness and Prevention."*

And the title is amended as follows:

Delete line 13 and insert: instruction; providing a short title for chapter 2010-217, Laws of Florida, relating to requirements for health education curricula and district school board policies on teen dating violence and abuse; providing an effective date.

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

Senator Clemens moved the following amendment:

Amendment 2 (232458) (with directory and title amendments)—Between lines 19 and 20 insert:

(3) For purposes of this section:

(a) "Bullying" includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve:

1. Teasing;

2. Social exclusion;

3. Threat;

4. Intimidation;

5. Stalking;

6. Physical violence;

7. Theft;

8. Sexual, *sexual-orientation,* religious, or racial harassment;

9. Public or private humiliation; or

10. Destruction of property.

And the directory clause is amended as follows:

Delete lines 17-18 and insert:

Section 1. Paragraph (a) of subsection (3) and subsection (4) of section 1006.147, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 3 and insert: schools; amending s. 1006.147, F.S.; revising the definition of the term "bullying"; requiring school

On motion by Senator Ring, further consideration of **CS for SB 268**, as amended, with pending **Amendment 2 (232458)** was deferred.

Consideration of **CS for SB 1722** and **CS for SM 1710** was deferred.

SM 600—A memorial to the Congress of the United States, urging Congress to annually recognize January 1 as "Haitian Independence Day," May 18 as "Haitian Flag Day," and the month of May as "Haitian Heritage Month."

—was read the second time by title. On motion by Senator Bullard, **SM 600** was adopted and certified to the House.

By direction of the President, the Senate resumed consideration of—

CS for SB 268—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policy at specified intervals; requiring each school principal to implement the bullying and harassment policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring the policy to include a procedure for receiving reports of alleged acts of bullying and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (232458)** by Senator Clemens was withdrawn.

Pursuant to Rule 4.19, **CS for SB 268**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 750—A bill to be entitled An act relating to the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from certain illegal noncitizen or ineligible noncitizen family members in determining the family's eligibility for temporary cash assistance; revising the eligibility requirements for earned-income disregards for certain persons; revising the age of a child whose earned income is disregarded; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 750**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 563** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

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 noncitizen 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.

—a companion measure, was substituted for **CS for CS for SB 750** and read the second time by title.

Senator Hutson moved the following amendment which was adopted:

Amendment 1 (707276) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective October 1, 2016, paragraph (d) of subsection (3), and subsection (11) of section 414.095, Florida Statutes, are amended to read:

414.095 Determining eligibility for temporary cash assistance.—

(3) ELIGIBILITY FOR NONCITIZENS.—A "qualified noncitizen" is an individual who is admitted to the United States as a refugee under s. 207 of the Immigration and Nationality Act or who is granted asylum under s. 208 of the Immigration and Nationality Act; a noncitizen whose deportation is withheld under s. 243(h) or s. 241(b)(3) of the Immigration and Nationality Act; a noncitizen who is paroled into the United States under s. 212(d)(5) of the Immigration and Nationality Act, for at least 1 year; a noncitizen who is granted conditional entry pursuant to s. 203(a)(7) of the Immigration and Nationality Act as in effect prior to April 1, 1980; a Cuban or Haitian entrant; or a noncitizen who has been admitted as a permanent resident. In addition, a "qualified noncitizen" includes an individual who, or an individual whose child or parent, has been battered or subject to extreme cruelty in the United States by a spouse, a parent, or other household member under certain circumstances, and has applied for or received protection under the federal Violence Against Women Act of 1994, Pub. L. No. 103-322, if the need for benefits is related to the abuse and the batterer no longer lives in the household. A "nonqualified noncitizen" is a nonimmigrant noncitizen, including a tourist, business visitor, foreign student, exchange visitor, temporary worker, or diplomat. In addition, a "nonqualified noncitizen" includes an individual paroled into the United States for less than 1 year. A qualified noncitizen who is otherwise eligible may receive temporary cash assistance to the extent permitted by federal law. The income or resources of a sponsor and the sponsor's spouse shall be included in determining eligibility to the maximum extent permitted by federal law.

(d) The income of an illegal noncitizen or ineligible noncitizen who is a mandatory member of a family~~, less a pro rata share for the illegal noncitizen or ineligible noncitizen,~~ counts *in full* in determining a family's eligibility to participate in the program.

(11) DISREGARDS.—

(a) As an incentive to employment, the first $200 plus one-half of the remainder of earned income shall be disregarded. In order to be eligible for earned income to be disregarded, the individual must be:

1. A current participant in the program; ~~or~~

2. Eligible for participation in the program without the earnings disregard*; or*

3. The ineligible noncitizen parent of a child who is a recipient or who would be eligible without the disregarded earned income.

(b) A child's earned income shall be disregarded if the child is a family member, attends high school or the equivalent, and is *less than* 19 years of age ~~or younger~~.

Section 2. For the purpose of incorporating the amendment made by this act to section 414.095, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 414.045, Florida Statutes, is reenacted to read:

414.045 Cash assistance program.—Cash assistance families include any families receiving cash assistance payments from the state program for temporary assistance for needy families as defined in federal law, whether such funds are from federal funds, state funds, or commingled federal and state funds. Cash assistance families may also

include families receiving cash assistance through a program defined as a separate state program.

(1) For reporting purposes, families receiving cash assistance shall be grouped into the following categories. The department may develop additional groupings in order to comply with federal reporting requirements, to comply with the data-reporting needs of the board of directors of CareerSource Florida, Inc., or to better inform the public of program progress.

(b) Child-only cases.—Child-only cases include cases that do not have an adult or teen head of household as defined in federal law. Such cases include:

1. Children in the care of caretaker relatives, if the caretaker relatives choose to have their needs excluded in the calculation of the amount of cash assistance.

2. Families in the Relative Caregiver Program as provided in s. 39.5085.

3. Families in which the only parent in a single-parent family or both parents in a two-parent family receive supplemental security income (SSI) benefits under Title XVI of the Social Security Act, as amended. To the extent permitted by federal law, individuals receiving SSI shall be excluded as household members in determining the amount of cash assistance, and such cases shall not be considered families containing an adult. Parents or caretaker relatives who are excluded from the cash assistance group due to receipt of SSI may choose to participate in work activities. An individual whose ability to participate in work activities is limited who volunteers to participate in work activities shall be assigned to work activities consistent with such limitations. An individual who volunteers to participate in a work activity may receive child care or support services consistent with such participation.

4. Families in which the only parent in a single-parent family or both parents in a two-parent family are not eligible for cash assistance due to immigration status or other limitation of federal law. To the extent required by federal law, such cases shall not be considered families containing an adult.

5. To the extent permitted by federal law and subject to appropriations, special needs children who have been adopted pursuant to s. 409.166 and whose adopting family qualifies as a needy family under the state program for temporary assistance for needy families. Notwithstanding any provision to the contrary in s. 414.075, s. 414.085, or s. 414.095, a family shall be considered a needy family if:

a. The family is determined by the department to have an income below 200 percent of the federal poverty level;

b. The family meets the requirements of s. 414.095(2) and (3) related to residence, citizenship, or eligible noncitizen status; and

c. The family provides any information that may be necessary to meet federal reporting requirements specified under Part A of Title IV of the Social Security Act.

Families described in subparagraph 1., subparagraph 2., or subparagraph 3. may receive child care assistance or other supports or services so that the children may continue to be cared for in their own homes or in the homes of relatives. Such assistance or services may be funded from the temporary assistance for needy families block grant to the extent permitted under federal law and to the extent funds have been provided in the General Appropriations Act.

Section 3. Except as otherwise expressly provided in this act, 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 the temporary cash assistance program; amending s. 414.095, F.S.; revising the consideration of income from certain illegal noncitizen or ineligible noncitizen family members in determining the family's eligibility for temporary cash assistance; revising the eligibility requirements for earned-income disregards for certain persons; revising the age of a child whose earned income is disregarded; reenacting s. 414.045(1)(b), F.S., relating to the cash assistance program, to incorporate the amendment made to s. 414.095, F.S., in a reference thereto; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 563**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 800** was deferred.

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1106** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1118** was deferred.

On motion by Senator Latvala—

CS for SB 1322—A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; 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 Latvala moved the following amendment:

Amendment 1 (232004) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 985.686, Florida Statutes, is amended, paragraph (c) is added to subsection (2) of that section, present subsections (9) and (11) of that section are redesignated as sub-

sections (8) and (10), respectively, and subsections (3) through (7) and present subsections (8) and (10) of that section are amended, to read:

985.686 Shared county and state responsibility for juvenile detention.—

(1)*(a)* It is the policy of this state that the state and the counties have a joint obligation, as provided in this section, to contribute to the financial support of the detention care provided for juveniles.

(b) The Legislature finds that various Florida counties and the department have engaged in a multitude of legal proceedings regarding detention cost share for juveniles. Such litigation has largely focused on how the department calculates the detention costs that counties are responsible for paying, leading to the overbilling of counties for a period of years. Additionally, such litigation is a financial burden on the taxpayers of Florida.

(c) It is the intent of the Legislature that all counties in this state which are not fiscally constrained counties and which have related pending administrative or judicial claims or challenges file a notice of voluntary dismissal with prejudice to dismiss all actions pending on or before February 1, 2016, against the state or any state agency related to juvenile detention cost share. Additionally, all such counties shall execute a release and waiver of any existing or future claims and actions arising from detention cost share prior to the 2016-2017 fiscal year. The department may not seek reimbursement for underpayments of cost share prior to the 2016-2017 fiscal year from counties that comply with this subsection.

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

(c) "Total shared detention costs" means the amount of funds expended by the department for the costs of detention care for the prior fiscal year, and includes the most recent actual certify forward amounts, less any funds it expends on detention care for juveniles residing in fiscally constrained counties or out of state.

(3)*(a) For the 2016-2017 state fiscal year each county that is not a fiscally constrained county that has taken the action fulfilling the intent of this legislation as described in (1)(c), shall pay to the department its annual percentage share of $42.5 million. By June 1, 2016, the department shall calculate and provide to each such county its annual percentage share by dividing the total number of detention days for juveniles residing in that county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. Beginning July 1, 2016, each county shall pay to the department its annual percentage share of $42.5 million, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care. This paragraph expires June 30, 2017.*

(b) For the 2017-2018 state fiscal year, and each fiscal year thereafter, each county that is not a fiscally constrained county that has taken the action fulfilling the intent of this legislation as described in paragraph (1)(c), shall pay its annual percentage share of 50 percent of the total shared detention costs for the prior fiscal year. By July 15, 2017, and each year thereafter, the department shall calculate and provide to each such county its annual percentage share by dividing the total number of detention days for juveniles residing in the county for the most recently completed 12-month period by the total number of detention days for juveniles in all counties that are not fiscally constrained counties during the same period. The annual percentage share of each county that is not a fiscally constrained county must be multiplied by 50 percent of the total shared detention costs to determine that county's share of detention costs. Beginning August 1 of each year, each county shall pay to the department its share of detention costs, which shall be paid in 12 equal payments due on the first day of each month. The state shall pay the remaining actual costs of detention care. ~~Each county shall pay the costs of providing detention care, exclusive of the costs of any preadjudicatory nonmedical educational or therapeutic services and $2.5 million provided for additional medical and mental health care at the detention centers, for juveniles for the period of time prior to final court disposition. The department shall develop an accounts payable system to allocate costs that are payable by the counties.~~

(4) ~~Notwithstanding subsection (3),~~ The state shall pay all costs of detention care for juveniles *residing in* ~~for which~~ a fiscally constrained county *and for juveniles residing out-of-state* ~~would otherwise be billed~~. *The state shall pay all costs of detention care for juveniles housed in state detention centers from counties that provide their own detention care for juveniles.*

~~(a) By October 1, 2004, the department shall develop a methodology for determining the amount of each fiscally constrained county's costs of detention care for juveniles, for the period of time prior to final court disposition, which must be paid by the state. At a minimum, this methodology must consider the difference between the amount appropriated to the department for offsetting the costs associated with the assignment of juvenile pretrial detention expenses to the fiscally constrained county and the total estimated costs to the fiscally constrained county, for the fiscal year, of detention care for juveniles for the period of time prior to final court disposition.~~

~~(b) Subject to legislative appropriation and based on the methodology developed under paragraph (a), the department shall provide funding to offset the costs to fiscally constrained counties of detention care for juveniles for the period of time prior to final court disposition. If county matching funds are required by the department to eliminate the difference calculated under paragraph (a) or the difference between the actual costs of the fiscally constrained counties and the amount appropriated in small county grants for use in mitigating such costs, that match amount must be allocated proportionately among all fiscally constrained counties.~~

(5) Each *county that is not a fiscally constrained* county shall incorporate into its annual county budget sufficient funds to pay its *annual percentage share of the total shared detention* costs *required under subsection (3)* ~~of detention care for juveniles who reside in that county for the period of time prior to final court disposition. This amount shall be based upon the prior use of secure detention for juveniles who are residents of that county, as calculated by the department. Each county shall pay the estimated costs at the beginning of each month. Any difference between the estimated costs and actual costs shall be reconciled at the end of the state fiscal year~~.

(6) *Funds paid by the counties to the department pursuant to this section must be deposited* ~~Each county shall pay to the department for deposit~~ into the Shared County/State Juvenile Detention Trust Fund ~~its share of the county's total costs for juvenile detention, based upon calculations published by the department with input from the counties~~.

(7) The department ~~of Juvenile Justice~~ shall determine each quarter whether the counties ~~of this state~~ are remitting *funds as required* ~~to the department their share of the costs of detention as required~~ by this section.

~~(8) The Department of Revenue and the counties shall provide technical assistance as necessary to the Department of Juvenile Justice in order to develop the most cost-effective means of collection.~~

(9)~~(10)~~ This section does not apply to *a* ~~any~~ county that provides detention care for ~~preadjudicated~~ juveniles or that contracts with another county to provide detention care for ~~preadjudicated~~ juveniles.

Section 2. Subsection (2) of section 985.6015, Florida Statutes, is amended to read:

985.6015 Shared County/State Juvenile Detention Trust Fund.—

(2) The fund is established for use as a depository for funds to be used for the costs of ~~predisposition~~ juvenile detention. Moneys credited to the trust fund shall consist of funds from the counties' share of the costs for ~~predisposition~~ juvenile detention.

Section 3. Paragraph (a) of subsection (11) of section 985.688, Florida Statutes, is amended to read:

985.688 Administering county and municipal delinquency programs and facilities.—

(11)(a) Notwithstanding the provisions of this section, a county is in compliance with this section if:

1. The county provides the full cost for ~~preadjudication~~ detention for juveniles;

2. The county authorizes the county sheriff, any other county jail operator, or a contracted provider located inside or outside the county to provide ~~preadjudication~~ detention care for juveniles;

3. The county sheriff or other county jail operator is accredited by the Florida Corrections Accreditation Commission or American Correctional Association; and

4. The facility is inspected annually and meets the Florida Model Jail Standards.

Section 4. *The sum of $7.3 million in recurring General Revenue funds is appropriated to the Department of Juvenile Justice for the purpose of implementing s. 985.66, Florida Statutes, as amended by this act. For the 2016-2017 fiscal year, an additional sum of $3.5 million in nonrecurring General Revenue funds is appropriated to the department for the same purpose.*

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile detention costs; amending s. 985.686, F.S.; providing legislative findings and intent; defining a term; revising the annual contributions by certain counties for the costs of detention care for juveniles; revising the methodology by which the Department of Juvenile Justice determines the percentage share for each county; requiring the state to pay all costs of detention care for juveniles residing out of state and for juveniles residing in state detention centers in counties that provide their own detention care for juveniles; deleting a requirement that the Department of Revenue and the counties provide certain technical assistance to the Department of Juvenile Justice; revising the applicability of specified provisions; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

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

Senator Latvala moved the following amendment which was adopted:

Amendment 1A (810626) (with title amendment)—Delete lines 172-179 and insert:

Section 4. *Effective July 1, 2016, for the 2016-2017 fiscal year, the sum of $7.3 million in recurring funds and the sum of $3.5 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Juvenile Justice for the purpose of implementing the amendments to s. 985.686, Florida Statutes, made by this act. These funds supplement the funds appropriated to the department in the 2016-2017 General Appropriations Act to pay the state's costs for juvenile detention.*

Section 5. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete lines 202-203 and insert: changes made by the act; providing appropriations; providing effective dates.

Amendment 1 (232004), as amended, was adopted.

Pursuant to Rule 4.19, **CS for SB 1322**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1394** was deferred.

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

BILLS ON THIRD READING, continued

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; 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.

—as amended March 2, was read the third time by title.

On motion by Senator Lee, **SB 908**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote preference:

March 7, 2016: Yea—Grimsley

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 profes-

sional 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.

—was read the third time by title.

On motion by Senator Lee, **CS for HB 793** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Mr. President

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.; 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 third time by title.

On motion by Senator Lee, **HB 967** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SENATOR RICHTER PRESIDING

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.

—was read the third time by title.

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

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

Amendment 1 (224698) (with title amendment)—Between lines 637 and 638 insert:

Section 4. *The amendments by this act to s. 61.13, Florida Statutes, apply only to proceedings in which the initial petition for dissolution of marriage or initial petition to establish a parenting plan or time-sharing schedule is filed on or after October 1, 2016.*

And the title is amended as follows:

Delete line 37 and insert: circumstances; providing for prospective application of provisions of the act which relate to parenting plans and time-sharing; amending s. 61.14, F.S.; prohibiting a

THE PRESIDENT PRESIDING

On motion by Senator Stargel, **CS for CS for SB 668**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Evers	Lee
Altman	Gaetz	Margolis
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Simmons
Brandes	Hays	Simpson
Dean	Hutson	Sobel
Diaz de la Portilla	Latvala	Stargel

Nays—14

Abruzzo	Flores	Ring
Braynon	Hukill	Sachs
Bullard	Joyner	Smith
Clemens	Legg	Soto
Detert	Montford	

Vote after roll call:

Yea to Nay—Sobel

Nay to Yea—Detert

Vote preference:

March 7, 2016: Yea—Grimsley

SPECIAL ORDER CALENDAR, continued

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

CS for CS for HB 7029—A bill to be entitled An act relating to school choice; amending s. 1002.33, F.S.; making technical changes relating to requirements for the creation of a virtual charter school; conforming cross-references; specifying that a sponsor may not require a charter school to adopt the sponsor's reading plan and that charter schools are eligible for the research-based reading allocation if certain criteria are met; revising required contents of charter school applications; conforming provisions regarding the appeal process for denial of a high-performing charter school application; requiring an applicant to provide the sponsor with a copy of an appeal to an application denial; authorizing a charter school to defer the opening of its operations for up to a specified time; requiring the charter school to provide written notice to certain entities by a specified date; revising provisions relating to long-term charters and charter terminations; specifying notice requirements for voluntary closure of a charter school; deleting a requirement that students in a blended learning course receive certain instruction in a classroom setting; providing that a student may not be dismissed from a charter school based on his or her academic performance; requiring a charter school applicant to provide monthly financial statements before opening; requiring a sponsor to review each financial statement of a charter school to identify the existence of certain conditions; providing for the automatic termination of a charter contract if certain conditions are met; requiring a sponsor to notify certain parties when a charter contract is terminated for specific reasons; authorizing governing board members to hold a certain number of public meetings and participate in such meetings in person or through communications media technology; revising charter school student eligibility requirements; revising requirements for payments to charter schools; providing eligibility requirements for receipt of public education capital outlay (PECO) funds; allowing for the use of certain surpluses and assets by specific entities for certain educational purposes; providing for an injunction under certain circumstances; establishing the administrative fee that a sponsor may withhold for charter schools operating in a critical need area; providing an exemption from certain administrative fees; amending s. 1002.331, F.S.; providing an exemption from the replication limitations for a high-performing charter school; conforming a cross-reference; deleting obsolete provisions; providing deadlines for a high-performing charter contract renewal; providing for an appeal to an administrative law judge under certain circumstances; creating s. 1002.333, F.S.; providing definitions; establishing a High Impact Charter Network status for charter school operators serving educationally disadvantaged students; defining eligibility criteria; authorizing charter operators holding the High Impact Charter Network status to submit applications for charter schools in certain areas; exempting certain charter schools from specified fees; requiring the department to give priority to certain charter schools applying for specified grants; prohibiting the use of certain school grades when determining areas of critical need; providing for rulemaking; amending s. 1002.37, F.S.; revising the calculation of "full-time equivalent student"; conforming a cross-reference; amending s. 1002.45, F.S.; conforming a cross-reference; deleting a provision related to educational funding for students enrolled in certain virtual education courses; revising conditions for termination of a virtual instruction provider's contract; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; amending s. 1003.4295, F.S.; revising the purpose of the Credit Acceleration Program; requiring students to earn passing scores on specified assessments and examinations to earn course credit; amending s. 1003.498, F.S.; deleting a requirement that students in a blended learning course must receive certain instruction in a classroom setting; conforming a cross-reference; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent student"; amending s. 1011.62, F.S.; conforming a cross-reference; amending s. 1012.56, F.S.; authorizing a charter school to develop and operate a professional development certification and education competency program; amending s. 1013.62, F.S.; revising eligibility requirements for charter school capital outlay funding; revising charter school funding allocations; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 1 (274472)** by Senator Gaetz, as amended.

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

Senator Legg moved the following amendments to **Amendment 1 (274472)** which were adopted:

Amendment 1D (763426) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. *Notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years, the office shall not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year, shall remain on probation until the provider or school meets the minimum rate adopted by the office. This section expires July 1, 2017.*

And the title is amended as follows:

Delete line 2767 and insert: by the act; prohibiting the office from adopting a kindergarten readiness rate for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years; providing that any private prekindergarten provider or public school that was on probation for the 2013-2014 program year remains on probation until meeting the minimum kindergarten readiness rate adopted by the office; providing for future expiration; providing effective dates.

Amendment 1E (334880) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. Paragraph (a) of subsection (1) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools.

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 3 or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have *an annual audit that does not reveal any of the* financial *emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available* ~~stability for future operation as a charter school~~.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

And the title is amended as follows:

Delete line 2767 and insert: by the act; amending s. 1013.62, F.S.; revising requirements for a charter school to be eligible for funding appropriated for charter school capital outlay purposes; providing effective dates.

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

Senator Flores moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1F (479366) (with title amendment)—Between lines 2570 and 2571 insert:

Section 24. Section 1013.385, Florida Statutes, is created to read:

1013.385 School district construction flexibility.—

(1) A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements provided in this section. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

And the title is amended as follows:

Delete line 2767 and insert: by the act; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances; providing effective dates.

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

Senator Brandes moved the following amendment to **Amendment 1 (274472)** which was adopted:

Amendment 1G (788462) (with directory and title amendments)—Between lines 127 and 128 insert:

(25) FISCAL TRANSPARENCY.—A parent has the right to know the average amount of money estimated to be expended from all local, state, and federal sources for the education of his or her child, including operating and capital outlay expenses. By December 31 of each year, the department shall publish on its website from each school district's annual financial report, expenditures on a per FTE basis for general, special revenue, debt service, and capital project funds and a total of such expenditures. Fiduciary, enterprise, and internal service funds may not be included. By December 31 of each year, each school district shall publish the school district's funding information in the same format on its website. With the exception of expenditures from debt service and capital project funds, the same information regarding the specific school shall be made available to students on each school's website, provided to parents in the school financial report, and published in the student handbook or a similar publication.

And the directory clause is amended as follows:

Delete line 57 and insert: amended, and subsection (25) is added to that section, to read:

And the title is amended as follows:

Delete line 2602 and insert: enrollment; providing the right of a parent to know an estimated amount of money expended for the education of his or her child; requiring the Department of Education to annually publish certain financial information on its website by a

specified date; requiring each school district to publish certain financial information on its website by a specified date; requiring certain financial information to be published on each school's website, provided in the school financial report, and authorizing the information to be published in the student handbook or a similar publication; amending s. 1002.31, F.S.; requiring each

Amendment 1 (274472), as amended, was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 7029**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 970—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; creating s. 717.1235, F.S.; requiring unclaimed funds reported in the name of specified campaigns for public office to be deposited with the Chief Financial Officer to the credit of the State School Trust Fund; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring certain persons claiming entitlement to unclaimed property to file certified copies of specified pleadings with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising applicability; deleting a provision that allows specified wording on a certain power of attorney; providing requirements for a certain authorization or agreement to recover unclaimed property; requiring the department to deny a claim under certain circumstances; amending s. 717.1351, F.S.; revising requirements and conditions for contracts to acquire ownership of or entitlement to property; deleting a provision that allows specified wording on a purchase agreement; providing requirements for a certain authorization or agreement to purchase unclaimed property; requiring the department to deny a claim under certain circumstances; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing legislative intent; amending s. 717.1400, F.S.; removing authorization for certain private investigators, public accountants, and attorneys to obtain social security numbers; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 970** to **CS for CS for CS for HB 783**.

Pending further consideration of **CS for SB 970**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 783** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Appropriations.

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

CS for CS for CS for HB 783—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; amending s. 717.117, F.S.; providing an exception to unclaimed property reporting requirements; creating s. 717.1235, F.S.; requiring certain unclaimed funds to be deposited with the Chief Financial Officer for certain purposes; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring a copy of certain pleadings to be filed with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising requirements for a power of attorney used in the recovery of unclaimed property; revising applicability; requiring separate acknowledgement of a certain disclosure; deleting a provision that allows deletion of certain wording from a power of attorney; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; amending s. 717.1351, F.S.; revising requirements for contracts to acquire ownership of or entitlement to unclaimed property; requiring separate acknowledgement of a certain disclosure; providing that certain claims are void; deleting a provision that allows deletion of certain wording from a purchase agreement; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing a statement of public policy; amending s. 717.1400, F.S.; removing authority of certain private investigators, accountants, and attorneys to obtain social security numbers; providing an effective date.

—a companion measure, was substituted for **CS for SB 970**, as amended, and by two-thirds vote, read the second time by title.

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

On motion by Senator Smith, by unanimous consent—

SB 288—A bill to be entitled An act relating to state designations; providing an honorary designation of a certain state park in a specified county; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

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

Pursuant to Rule 4.19, **SB 288** was placed on the calendar of Bills on Third Reading.

On motion by 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 requirements 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.

—was read the second time by title.

Senator Brandes moved the following amendment:

Amendment 1 (836088) (with title amendment)—Between lines 468 and 469 insert:

Section 7. Paragraph (b) of subsection (3) of section 319.30, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(3)

(b) The owner, including persons who are self-insured, of a motor vehicle or mobile home that is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company that pays money as compensation for the total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, make the required notification to the National Motor Vehicle Title Information System, and, within 72 hours after receiving such certificate of title, forward such title to the department for processing. The owner or insurance company, as applicable, may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title or certificate of destruction from the department. *Effective July 1, 2023:*

1. Thirty days after payment of a claim for compensation pursuant to this paragraph, the insurance company may receive a salvage certificate of title or certificate of destruction from the department if it is unable to obtain a properly assigned certificate of title from the owner or lienholder of the motor vehicle or mobile home, if the motor vehicle or mobile home does not carry an electronic lien on the title and the insurance company:

a. Has obtained the release of all liens on the motor vehicle or mobile home;

b. Has provided proof of payment of the total loss claim; and

c. Has provided an affidavit on letterhead signed by an authorized agent of the insurance company stating the attempts which have been made to obtain the title from the owner or lienholder and further stating that all attempts are to no avail. The affidavit must include a request that the salvage certificate of title or certificate of destruction be issued in the insurance company's name due to payment of a total loss claim to the owner or lienholder. The attempts to contact the owner may be by written request delivered in person, by e-mail, or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

2. If the owner or lienholder is notified of the request for title at its last known e-mail address and the insurance company does not receive a response, return receipt, or delivery confirmation from that e-mail address, the insurance company shall send the request for title by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

3. If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.

4. The request to the owner or lienholder for the certificate of title must include a complete description of the motor vehicle or mobile home and the statement that a total loss claim has been paid on the motor vehicle or mobile home.

(c) When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the mobile home are equal to 80 percent or more of the current retail cost of the mobile home, as established in any official used mobile home guide, the department shall declare the mobile home unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the mobile home. For a late model vehicle with a current retail cost of at least $7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used car guide or valuation service, if the owner or insurance company determines that the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 90 percent or more of the current retail cost of the vehicle, as established in any official used motor vehicle guide or valuation service, the department shall declare the vehicle unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle is required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title. The department may not issue a certificate of title for that vehicle. This subsection is not applicable if a mobile home is worth less than $1,500 retail just prior to sustaining the damage that resulted in the total loss in any official used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. If a motor vehicle has a current retail cost of less than $7,500 just prior to sustaining the damage that resulted in the total loss, as established in any official used motor vehicle guide or valuation service, or if the vehicle is not a late model vehicle, the owner or insurance company that pays money as compensation for the total loss of the motor vehicle shall obtain a certificate of destruction, if the motor vehicle is damaged, wrecked, or burned to the extent that the only residual value of the motor vehicle is as a source of parts or scrap

metal, or if the motor vehicle comes into this state under a title or other ownership document that indicates that the motor vehicle is not repairable, is junked, or is for parts or dismantling only. A person who knowingly violates this paragraph or falsifies documentation to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Between lines 40 and 41 insert: 319.30, F.S.; authorizing insurance companies to receive a salvage certificate of title or certificate of destruction from the department after a specified number of days after payment of a claim as of a specified date, subject to certain requirements; requiring insurance companies seeking such title or certificate of destruction to follow a specified procedure; providing requirements for the request; amending s.

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

Senator Brandes moved the following amendments to **Amendment 1 (836088)** which were adopted:

Amendment 1A (274096)—Delete line 39 and insert:
insurance company or an authorized agent of the insurance company stating the attempts

Amendment 1B (591696)—Delete lines 46-60 and insert:
owner may be by written request delivered in person or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address.

2. If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title.

3. The request to the owner or lienholder for the

Amendment 1 (836088), as amended, was adopted.

Senator Brandes moved the following amendments which were adopted:

Amendment 2 (419478) (with title amendment)—Between lines 579 and 580 insert:

Section 12. Section 320.08062, Florida Statutes, is amended to read:

320.08062 Audits ~~and attestations~~ required; annual use fees of specialty license plates.—

(1)(a) All organizations that receive annual use fee proceeds from the department are responsible for ensuring that proceeds are used in accordance with ss. 320.08056 and 320.08058.

(b) Any organization not subject to audit pursuant to s. 215.97 shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058. The attestation shall be made annually in a form and format determined by the department. *In addition, the department shall audit any such organization every 2 years to ensure proceeds have been used in compliance with ss. 320.08056 and 320.08058.*

(c) Any organization subject to audit pursuant to s. 215.97 shall submit an audit report in accordance with rules promulgated by the Auditor General. The annual attestation shall be submitted to the department for review within 9 months after the end of the organization's fiscal year.

(2)(a) Within 120 days after receiving an organization's audit or attestation, the department shall determine which recipients of revenues from specialty license plate annual use fees have not complied with subsection (1). In determining compliance, the department may commission an independent actuarial consultant, or an independent certified public accountant, who has expertise in nonprofit and charitable organizations.

(b) The department must discontinue the distribution of revenues to any organization failing to submit the required documentation as required in subsection (1), but may resume distribution of the revenues upon receipt of the required information.

(c) If the department or its designee determines that an organization has not complied or has failed to use the revenues in accordance with ss. 320.08056 and 320.08058, the department must discontinue the distribution of the revenues to the organization. The department shall notify the organization of its findings and direct the organization to make the changes necessary in order to comply with this chapter. If the officers of the organization sign an affidavit under penalties of perjury stating that they acknowledge the findings of the department and attest that they have taken corrective action and that the organization will submit to a followup review by the department, the department may resume the distribution of revenues.

(d) If an organization fails to comply with the department's recommendations and corrective actions as outlined in paragraph (c), the revenue distributions shall be discontinued until completion of the next regular session of the Legislature. The department shall notify the President of the Senate and the Speaker of the House of Representatives by the first day of the next regular session of any organization whose revenues have been withheld as a result of this paragraph. If the Legislature does not provide direction to the organization and the department regarding the status of the undistributed revenues, the department shall deauthorize the plate and the undistributed revenues shall be immediately deposited into the Highway Safety Operating Trust Fund.

(3) The department or its designee has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.

And the title is amended as follows:

Between lines 56 and 57 insert: amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates;

Amendment 3 (807296) (with title amendment)—Between lines 579 and 580 insert:

Section 12. Section 320.0843, Florida Statutes, is amended to read:

320.0843 License plates for persons with disabilities eligible for permanent disabled parking permits.—

(1) Any owner or lessee of a motor vehicle who resides in this state and qualifies for a disabled parking permit under s. 320.0848(2), upon application to the department and payment of the license tax for a motor vehicle registered under s. 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a), or (9)(c) or (d), shall be issued a license plate as provided by s. 320.06 which, in lieu of the serial number prescribed by s. 320.06, shall be stamped with the international wheelchair user symbol after the serial number of the license plate. The license plate entitles the person to all privileges afforded by a parking permit issued under s. 320.0848. When more than one registrant is listed on the registration issued under this section, the eligible applicant shall be noted on the registration certificate.

(2) An owner or lessee of a motor vehicle who resides in this state and qualifies for a license plate under s. 320.0842 and a Purple Heart license plate under s. 320.089, upon application to the department, shall be issued a license plate stamped with the term "Combat-wounded Veteran" followed by the serial number of the license plate and the international symbol of accessibility. The license plate entitles the person to all privileges afforded by a license plate issued under s. 320.0842. When more than one registrant is listed on the registration issued under this section, the eligible applicant shall be noted on the registration certificate.

(3)~~(2)~~ All applications for such license plates must be made to the department.

And the title is amended as follows:

Between lines 56 and 57 insert: amending s. 320.0843, F.S.; providing for a license plate that combines the Purple Heart license plate with the license plate for persons with disabilities; providing for issu-

ance of such plate to qualified persons; requiring certain wording and symbols on the plate;

Amendment 4 (825716)—Delete line 779 and insert:

(a) Any materials subject to applicant's or licensee's intellectual property rights, including

Pursuant to Rule 4.19, **CS for CS for SB 1394**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Monday, March 7, 2016.

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 Friday, March 4, 2016: SB 356, CS for CS for SB 760, CS for SB 1156, CS for CS for SB 7000, SB 418, SB 394, CS for CS for SB 756, CS for CS for SB 1310, CS for CS for SB 1190, CS for CS for CS for SB 1262, SB 994, CS for SB 970, CS for CS for SB 992, SB 850, CS for CS for SB 574, CS for SB 1166, SB 7022, CS for SB 7050, CS for CS for SB 1050, CS for SB 1260, CS for CS for SB 822, SB 858, CS for CS for SB 1164, CS for SB 268, CS for SB 1722, CS for SM 1710, SM 600.

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

The Committee on Appropriations recommends the following pass: HB 7099 with 1 amendment

The bill was placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for SJR 170; CS for CS for SB 172; CS for SB 868; SB 1290; SB 7054

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; and Finance and Tax; and Senators Brandes and Hutson—

CS for CS for SJR 170—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 34 of Article XII of the State Constitution to authorize the Legislature, by general law, to exempt the assessed value of a solar or renewable energy source device from the tangible personal property tax, to authorize the Legislature, by general law, to prohibit the consideration of the installation of such device in determining the assessed value of residential and nonresidential real property for the purpose of ad valorem taxation, and to provide effective and expiration dates.

By the Committees on Appropriations; Finance and Tax; and Community Affairs; and Senators Brandes and Hutson—

CS for CS for CS for SB 172—A bill to be entitled An act relating to a special election; providing for a special election to be held August 30, 2016, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an exemption from the tangible personal property tax for solar or renewable energy source devices, a limitation on the assessed value of real property used for nonresidential purposes for the installation of such devices, and an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing a contingent effective date.

By the Committees on Appropriations; and Finance and Tax; and Senator Smith—

CS for CS for SB 868—A bill to be entitled An act relating to community redevelopment; amending s. 163.387, F.S.; specifying uses of redevelopment trust fund moneys for certain community redevelopment agencies that support youth centers; defining the terms "youth center" and "year-round"; amending s. 220.03, F.S.; providing definitions related to community contribution tax credits that may apply to business firms against certain income tax liabilities; amending s. 212.08, F.S.; providing definitions related to community contribution tax credits that may apply against sales and use tax liabilities; amending s. 624.5105, F.S.; providing definitions related to community contribution tax credits that may apply against certain premium tax liabilities; providing an effective date.

By the Committee on Appropriations; and Senator Simpson—

CS for SB 1290—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions; providing that title to certain acquired lands are vested in the board; providing for the administration of such lands; authorizing the board to adopt specified rules; revising requirements for the appraisal of lands proposed for acquisition; requiring an agency proposing an acquisition to pay the associated costs; deleting provisions directing the board to approve qualified fee appraisal organizations; requiring fee appraisers to submit certain affidavits to an agency before contracting with a participant in a multiparty agreement; prohibiting fee appraisers from negotiating with property owners; revising the minimum survey standards incorporated by reference for conducting certified surveys; authorizing the disclosure of confidential appraisal reports under certain conditions; providing for public agencies and nonprofit organizations to enter into written agreements with the Department of Environmental Protection, rather than the Division of State Lands, to purchase and hold property for subsequent resale to the board, rather than the division; revising the definition of the term "nonprofit organization"; directing the board to adopt by rule the method for determining the value of parcels sought to be acquired by state agencies; providing requirements for such acquisitions; expanding the scope of real estate acquisition services for which the board and state agencies may contract; authorizing the Department of Environmental Protection to use outside counsel to review any agreements or documents or to perform acquisition closings under certain conditions; requiring state agencies to furnish the Department of Environmental Protection rather than the Division of State Lands with specified acquisition documents; providing that the purchase price of certain parcels is not subject to an increase or a decrease as a result of certain circumstances; authorizing the board of trustees to direct the Department of Environmental Protection to exercise eminent domain for the acquisition of certain conservation parcels under certain circumstances; authorizing the department to exercise condemnation authority directly or by contracting with the Department of Transportation or a water management district to provide such service; authorizing the board of trustees to direct the Department of Environmental Protection to purchase lands on an immediate basis using specified funds; authorizing

the board of trustees to waive or modify all procedures required for such land acquisition; providing that title to certain lands held jointly by the board of trustees and a water management district meet the standards necessary for ownership by the board; creating s. 253.0251, F.S.; providing for the use of alternatives to fee simple acquisition for land purchases by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and water management districts; amending s. 253.03, F.S.; deleting provisions directing the board of trustees to adopt by rule an annual administrative fee for certain leases and similar instruments; revising the criteria by which specified structures have the right to continue submerged land leases; directing the board of trustees to adopt by rule an annual administrative fee for certain leases and instruments; authorizing nonwater-dependent uses for submerged lands; amending s. 253.031, F.S.; providing for the Department of Environmental Protection to maintain documents concerning all state lands; deleting an obsolete provision; amending s. 253.034, F.S.; authorizing the department to submit certain state-owned lands to the Acquisition and Restoration Council or board of trustees for review and consideration; requiring that all nonconservation land use plans are managed to provide the greatest benefit to the state; deleting provisions requiring an analysis of natural or cultural resources as part of a nonconservation land use plan; specifying that certain management and short-term and long-term goals for the conservation of plant and animal species apply to conservation lands; providing conditions under which the Secretary of Environmental Protection, the Commissioner of Agriculture, or the executive director of the Fish and Wildlife Conservation Commission or their designees are required to submit land management plans to the board of trustees; requiring that updated land management plans identify conservation lands that are no longer needed for conservation purposes; deleting provisions directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; deleting provisions requiring that buildings and parcels of land be offered for lease to state agencies, state universities, and Florida College System institutions before being offered for lease or sale to a local or federal unit of government or a private party; amending s. 253.0341, F.S.; deleting provisions authorizing counties and local governments to submit requests for the surplus of state-owned lands and requiring that such requests be expedited; directing the board of trustees to make certain determinations regarding the surplus and disposition of state lands; providing that lands acquired before a certain date using specified proceeds are deemed to have been acquired for conservation purposes; providing that certain lands used by the Department of Corrections, the Department of Management Services, and the Department of Transportation may not be designated as lands acquired for conservation purposes; requiring updated land management plans to identify conservation and nonconservation lands that are no longer used for the purposes for which they were originally leased and that could be disposed of; deleting an obsolete provision; requiring that facilities and nonconservation parcels of land be offered for lease to state agencies before being offered for lease to a local or federal unit of government, state university, Florida College System institution, or private party; providing for the valuation and disposition of surplus lands; providing for the deposit of proceeds from the sale of such lands; authorizing the board of trustees to adopt rules; requiring surplus lands conveyed to a local government for affordable housing to be disposed of by the local government; amending s. 253.111, F.S.; deleting provisions requiring the board of trustees to afford an opportunity to local governments to purchase certain state-owned lands; revising provisions relating to the rights of riparian owners to secure certain state-owned lands; amending s. 253.42, F.S.; authorizing individuals or entities to submit requests to the Division of State Lands to exchange state-owned land for privately held land; requiring the state to retain permanent conservation easements over the state-owned land and all or a portion of the privately held land; requiring the division, under certain circumstances, to submit requests to the Acquisition and Restoration Council for review and recommendation and to the board of trustees with recommendations from the division and the council; providing applicability; directing the board of trustees to consider a request if certain conditions are met; providing special consideration for certain requests; providing that such lands are subject to inspection; amending s. 253.782, F.S.; deleting a provision directing the Department of Environmental Protection to retain ownership of and maintain lands or interests in land owned by the board of trustees; amending s. 253.7821, F.S.; assigning the Cross Florida Greenways State Recreation and Conservation Area to the Department of Environmental Protection rather than the Office of Greenways Management within the Office of the Secretary; creating s. 253.87, F.S.; directing the Department of Environmental Protection to include certain county, municipal, state, and federal lands in the Florida State-Owned Lands and Records Information System (FL-SOLARIS) database and to update the database at specified intervals; requiring counties, municipalities, and financially disadvantaged small communities to submit a list of certain lands to the department by a specified date and at specified intervals; directing the department to conduct a study and submit a report to the Governor and the Legislature on the technical and economic feasibility of including certain lands in the database or a similar public lands inventory; amending s. 259.01, F.S.; renaming the "Land Conservation Act of 1972" as the "Land Conservation Program"; repealing s. 259.02, F.S., relating to issuance of state bonds for certain land projects; amending s. 259.032, F.S.; conforming cross-references; revising provisions relating to the management of conservation and recreation lands to conform with changes made by the act; revising duties of the Acquisition and Restoration Council; amending s. 259.035, F.S.; requiring recipients of funds from the Land Acquisition Trust Fund to annually report certain performance measures to the Department of Environmental Protection rather than the Division of State Lands; amending s. 259.036, F.S.; revising the composition of the regional land management review team; providing for the Department of Environmental Protection rather than the Division of State Lands to act as the review team coordinator; revising requirements for conservation and recreation land management reviews and plans; amending s. 259.037, F.S.; removing the director of the Office of Greenways and Trails from the Land Management Uniform Accounting Council; repealing s. 259.041(1)-(6) and (8)-(19), F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.047, F.S.; revising provisions relating to the acquisition of land on which an agricultural lease exists to conform with changes made by the act; amending s. 259.101, F.S.; conforming cross-references; revising provisions relating to alternate use of lands acquired under the Florida Preservation 2000 Act to conform with changes made by the act; deleting provisions for alternatives to fee simple acquisition of such lands to conform with changes made by the act; amending s. 259.105, F.S.; deleting provisions requiring the advancement of certain goals and objectives of imperiled species management on state lands to conform with changes made by the act; conforming cross-references; revising provisions directing the Acquisition and Restoration Council to give increased priority to certain projects when developing proposed rules relating to Florida Forever funding and additions to the Conservation and Recreation Lands list; deleting provisions requiring that such rules be submitted to the Legislature for review; amending s. 259.1052, F.S.; deleting provisions authorizing the Department of Environmental Protection to distribute revenues from the Florida Forever Trust Fund for the acquisition of a portion of Babcock Crescent B Ranch; creating s. 570.715, F.S., and transferring, renumbering, and amending s. 259.04(7), F.S.; providing procedures for the acquisition of conservation easements by the Department of Agriculture and Consumer Services; amending s. 373.089, F.S.; extending the timeframe within which a certified appraisal may be obtained for parcels of land to be sold as surplus; providing an additional exception to the requirement that the governing board first offer title to certain lands; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to be sold directly to the highest bidder; amending ss. 73.015, 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317, 373.139, 375.031, 375.041, 380.05, 380.055, 380.508, 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.; conforming cross-references; providing an appropriation and authorizing positions; providing an effective date.

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

CS for SB 7054—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.063, F.S.; revising definitions; 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 the agency to allow an individual to receive specified services if the individual's parent or legal guardian is an active duty military servicemember, under certain circumstances; requiring the agency to send an annual letter requesting updated information to clients, their guardians, or their 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.; revising the allocations methodology that the agency is required to use to develop each client's iBudget; 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. 393.0663, F.S.; providing legislative findings; establishing The Arc Dental Program in the Agency for Persons with Disabilities; authorizing the agency to enter into a memorandum of agreement with and assist The Arc of Florida; providing requirements for the memorandum of agreement; requiring the agency to submit an annual report to the Governor and the Legislature; providing that implementation of the program is contingent upon an appropriation; creating s. 393.0679, F.S.; requiring the Agency for Persons with Disabilities to conduct a certain utilization review; requiring specified 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 committed to residential services; requiring the agency to employ or 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; defining a term; repealing s. 24 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.067(15), F.S., and the scheduled reversion of the text of that section; repealing s. 26 of chapter 2015-222, Laws of Florida, relating to the abrogation of the scheduled expiration of an amendment to s. 393.18, F.S., and the scheduled reversion of the text of that section; reenacting s. 393.067(15), F.S., relating to contracts between the agency and licensed facilities; reenacting and amending s. 393.18, F.S.; revising the purposes of comprehensive transitional education programs; requiring the supervisor of the clinical director of such programs to meet specified requirements; requiring such programs to include specified components; revising the organization and operation of the components; requiring components of a program to be located within the same agency region; providing for the integration of educational components of the program, including individual education plans, with the local school district of school-aged residents; requiring licensees that have entered into settlement agreements with the agency to comply with the agreement or face disciplinary action; authorizing the agency to approve the proposed admission or readmission of an individual to a program for a specified period of time; providing for an extended stay under certain circumstances; amending s. 393.501, F.S.; conforming provisions to changes made by the act; amending ss. 383.141 and 1002.385, F.S.; conforming cross references; providing effective dates.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 93 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Jones, S., Williams, A., Baxley, Berman, Campbell, Clarke-Reed, Cortes, J., DuBose, Fullwood, Harrell, Jones, M., Lee, Murphy, Narain, Pafford, Pilon, Powell, Torres, Van Zant, Watson, B., Watson, C.—

HB 93—A bill to be entitled An act relating to law enforcement officer body cameras; creating s. 943.1718, F.S.; providing definitions; requiring a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras; requiring such policies and procedures to include specified information; requiring such a law enforcement agency to ensure that specified personnel are trained in the law enforcement agency's policies and procedures; requiring that data recorded by body cameras be retained in accordance with specified requirements; requiring a periodic review of agency body camera practices to ensure conformity with the agency's policies and procedures; exempting the recordings from specified provisions relating to the interception of wire, electronic, and oral communications; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 151 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Cortes, B.—

CS for HB 151—A bill to be entitled An act relating to installation of tracking devices or tracking applications; amending s. 934.425, F.S.; authorizing certain persons, business entities, and private investigators to install tracking devices or tracking applications under certain circumstances; deleting a provision concerning persons engaging private investigators; reenacting s. 493.6118(1)(y), F.S., relating to grounds for disciplinary action, to incorporate the amendment made to s. 934.425, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil 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 231, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Business & Professions Subcommittee and Representative(s) Trujillo, Artiles—

CS for CS for HB 231—A bill to be entitled An act relating to motor vehicle manufacturer licenses; 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"; 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 referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 371 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Williams, A., Albritton, Costello, Drake, Dudley, Fullwood, Jacobs, Jones, M., Murphy, Pilon, Rouson, Stevenson—

CS for CS for HB 371—A bill to be entitled An act relating to the Florida Council on Poverty; establishing the council within the Department of Economic Opportunity; specifying the membership of the council; providing for organization of the council; authorizing reimbursement for per diem and travel expenses; prescribing the scope of the council's activities; requiring the council to annually submit a report to the Governor and Legislature; requiring the council's abolition by a specific date; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 419 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burgess—

HB 419—A bill to be entitled An act relating to the Highlands Road and Bridge District, Pasco County; abolishing the district; repealing chapters 8803 (1921), 9568 (1923), 9570 (1923), 13248 (1927), 13249 (1927), and 26125 (1949), Laws of Florida; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 481 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Porter—

HB 481—A bill to be entitled An act relating to the Columbia County Law Library; repealing chapter 61-2045, Laws of Florida; abolishing the library; transferring assets and liabilities; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 519 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Perry—

HB 519—A bill to be entitled An act relating to the Gilchrist County Development Authority; repealing chapters 97-373, 81-382, and 59-1308, Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has adopted CS/HM 601, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local & Federal Affairs Committee and Representative(s) Cortes, B., Campbell, Cortes, J., DuBose, Peters, Plasencia, Pritchett, Rodríguez, J., Torres—

CS for HM 601—A memorial to the Congress of the United States, urging Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico.

—was referred to the Committees on Commerce and Tourism; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 649 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Pigman—

CS for HB 649—A bill to be entitled An act relating to the Eagle Bay Sub-Drainage District, Okeechobee County; repealing chapters 12010 (1927), 19556 (1939), and 21916 (1943), Laws of Florida; abolishing the district; transferring assets and liabilities of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 659, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Santiago—

CS for CS for HB 659—A bill to be entitled An act relating to automobile insurance; amending s. 627.0651, F.S.; providing an exception to a provision that deems use of a single zip code as a rating territory for insurance rates to be unfairly discriminatory; requiring the Office of Insurance Regulation to ensure that rates or rate changes contained in certain rate filings are not excessive, inadequate, or unfairly discriminatory; 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 nonpayment 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 additional forms of premium payment for motor vehicle insurance contracts; authorizing insurers to charge an insufficient funds fee of up to a specified amount; amending s. 627.744, F.S.; requiring the Division of Insurance Fraud of the Department of Financial Services to provide a report on the required preinsurance inspection of private passenger motor vehicles; specifying data to be included in the report; authorizing the Legislature to use specified data in determining the future public necessity for specified provisions; 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; specifying additional entities that may receive reimbursement under the Florida Motor Vehicle No-Fault Law regardless of whether they meet a specified licensure requirement; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 773 by the required constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee and Representative(s) Albritton, Kerner, Watson, C.—

CS for HB 773—A bill to be entitled An act relating to special assessments on agricultural lands; amending ss. 125.01 and 170.01, F.S.; prohibiting counties and municipalities from levying special assessments on certain agricultural lands for the provision of fire protection services; providing specified exceptions; defining the term "agricultural pole barn" for purposes of the exceptions; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 783 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Trumbull—

CS for CS for CS for HB 783—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; amending s. 717.117, F.S.; providing an exception to unclaimed property reporting requirements; creating s. 717.1235, F.S.; requiring certain unclaimed funds to be deposited with the Chief Financial Officer for certain purposes; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring a copy of certain pleadings to be filed with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising requirements for a power of attorney used in the recovery of unclaimed property; revising applicability; requiring separate acknowledgement of a certain disclosure; deleting a provision that allows deletion of certain wording from a power of attorney; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; amending s. 717.1351, F.S.; revising requirements for contracts to acquire ownership of or entitlement to unclaimed property; requiring separate acknowledgement of a certain disclosure; providing that certain claims are void; deleting a provision that allows deletion of certain wording from a purchase agreement; prohibiting a fee for the recovery of unclaimed property from exceeding a specified amount; providing an exception; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing a statement of public policy; amending s. 717.1400, F.S.; removing authority of certain private investigators, accountants, and attorneys to obtain social security numbers; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 785 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee, Local Government Affairs Subcommittee and Representative(s) Lee—

CS for CS for HB 785—A bill to be entitled An act relating to the St. Lucie County Fire District, St. Lucie County; amending chapter 2004-407, Laws of Florida; revising requirements for the district's board of commissioners to borrow money; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 845 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Trumbull—

HB 845—A bill to be entitled An act relating to the Bay County Bridge Authority, Bay County; repealing chapter 84-391, Laws of Florida; abolishing the authority; transferring assets and liabilities of the authority to the Board of County Commissioners of Bay County; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 847 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Burgess—

HB 847—A bill to be entitled An act relating to Pasco County; repealing chapter 99-166, Laws of Florida, relating to sewage treatment facility discharges into coastal waters within the county or waters tributary thereto; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 871 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Clarke-Reed—

HB 871—A bill to be entitled An act relating to Broward County; amending chapter 86-364, Laws of Florida, as amended; repealing a civil penalty for an operator of a vessel exceeding the speed limit in specified waterways; providing applicability; repealing requirements for the erection of waterway speed limit signs; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 891 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Drake—

HB 891—A bill to be entitled An act relating to the Northwest Florida Community Hospital Board of Trustees, Washington County; repealing chapter 88-532, Laws of Florida; abolishing the board; transferring assets and liabilities of the board; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 895 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Boyd—

CS for HB 895—A bill to be entitled An act relating to the West Manatee Fire and Rescue District, Manatee County; amending chapter 2000-401, as amended; revising provisions related to the terms of the members of the district's board of commissioners; deleting obsolete provisions relating to the initial board of commissioners; providing for continuation of the staggered terms of commissioners; confirming certain non-ad valorem assessment rates adopted by the district on a specified date; specifying that the district may amend the non-ad valorem assessment rates as authorized by the district's enabling legislation as provided by general law; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 911 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Hager—

HB 911—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County; repealing chapters 97-324, 86-428, 83-397, 80-496, 79-447, 67-1284, and 25784 (1949), Laws of Florida; repealing the civil service act for the city; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1025 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Energy & Utilities Subcommittee and Representative(s) Antone, Cortes, B.—

CS for CS for HB 1025—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; defining the term "utility"; amending s. 119.0713, F.S.; providing an exemption from public records requirements for information related to the security of information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; 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 1051 and requests the concurrence of the Senate.

Bob Ward, Clerk

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

CS for CS for HB 1051—A bill to be entitled An act relating to anchoring limitation areas; creating s. 327.4108, F.S.; prohibiting overnight anchoring of vessels in specified anchoring limitation areas; providing exceptions; providing applicability; authorizing specified law enforcement officers and agencies to remove and impound vessels or cause vessels to be removed or impounded under certain conditions; providing indemnification for such law enforcement officers and agencies in certain circumstances; providing requirements for contractors performing such removal or impoundment services; providing that certain vessel operators are required to pay removal and storage fees and are subject to specified penalties; providing for expiration; amending s. 327.70, F.S.; providing for issuance of uniform boating citations; amending s. 327.73, F.S.; providing penalties relating to the anchoring of vessels in anchoring limitation areas; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1071 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Stark, Jenne—

CS for HB 1071—A bill to be entitled An act relating to the South Broward Hospital District, Broward County; amending chapter 2004-397, Laws of Florida; revising the authority of the district's board of commissioners to invest funds; authorizing investments listed in an investment policy adopted by the board pursuant to requirements applicable to various units of local government; deleting a list of authorized investments; revising construction and severability; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1081 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) O'Toole—

HB 1081—A bill to be entitled An act relating to the North Sumter County Hospital District, Sumter County; repealing chapter 2004-451, Laws of Florida; abolishing the district; transferring assets and liabilities of the district to the Board of County Commissioners of Sumter County; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1149 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Spano, Edwards, Rodríguez, J.—

CS for HB 1149—A bill to be entitled An act relating to alternative sanctioning; amending s. 948.06, F.S.; authorizing the chief judge of each judicial circuit, in consultation with specified entities, to establish an alternative sanctioning program; defining the term "technical violation"; requiring the chief judge to issue an administrative order when creating an alternative sanctioning program; specifying requirements for the order; authorizing an offender who allegedly committed a technical violation of supervision to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring the probation officer to submit the recommended sanction and certain documentation to the court if the offender admits to committing the violation; authorizing the court to impose the recommended sanction or direct the Department of Corrections to submit a violation report, affidavit, and warrant to the court; specifying that an offender's participation in an alternative sanctioning program is voluntary; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1181 and requests the concurrence of the Senate.

Bob Ward, Clerk

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

CS for CS for HB 1181—A bill to be entitled An act relating to bad faith assertions of patent infringement; amending s. 501.991, F.S.; providing construction; amending s. 501.992, F.S.; revising definitions; amending s. 501.993, F.S.; prohibiting a person from sending a demand letter to a target which makes a bad faith assertion of patent infringement; specifying what constitutes such a demand letter; repealing s. 501.994, F.S., relating to the requirement that a plaintiff post a specified bond in certain circumstances; amending s. 501.995, F.S.; authorizing the award of actual damages; revising provisions authorizing the award of punitive damages; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1221 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Hudson, Pigman—

HB 1221—A bill to be entitled An act relating to Barron Water Control District, Glades and Hendry Counties; amending chapter 2001-301, Laws of Florida; abrogating the scheduled abolition of the district; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1265 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Passidomo—

HB 1265—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1267 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Local Government Affairs Subcommittee and Representative(s) Passidomo, Artiles—

CS for HB 1267—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; expanding district boundaries; deleting obsolete provisions; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1333, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee and Representative(s) Baxley—

CS for HB 1333—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.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1355 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Local Government Affairs Subcommittee and Representative(s) Perry—

CS for CS for HB 1355—A bill to be entitled An act relating to the City of Gainesville, Alachua County; amending chapter 12760, Laws of Florida (1927), as amended by chapter 90-394, Laws of Florida, relating to the city's charter; repealing section 3.06 of the charter, relating to the general manager for utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and establishing it as the governing board of Gainesville Regional Utilities; providing definitions; providing a ballot statement; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1433 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Magar—

HB 1433—A bill to be entitled An act relating to Martin County; repealing chapters 63-1619, 91-389, and 2011-246, Laws of Florida, relating to the issuance of special alcoholic beverage licenses to hotels, motels, motor courts, and certain restaurants; providing an effective date.

—was referred to the Committee on Rules.

Proof of publication of the required notice was attached.

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 190.

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 286.

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 1046.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 3 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for SB 1294; Gibson—SB 418, SM 600, CS for CS for SB 760, CS for CS for SB 1652; Sachs—CS for SB 268, CS for SB 1294, SB 1312; Smith—SM 600, CS for CS for SB 760

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 5:54 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Monday, March 7 or upon call of the President.