



# Journal of the Senate

Number 21—Regular Session

Monday, March 7, 2016

## CONTENTS

Address by President . . . . . 748  
 Bills on Third Reading . . . . . 734, 749  
 Call to Order . . . . . 734, 742  
 Co-Introducers . . . . . 773  
 House Messages, Final Action . . . . . 773  
 House Messages, First Reading . . . . . 768  
 Motions . . . . . 742, 767  
 Recognition of President . . . . . 742  
 Remarks . . . . . 742  
 Reports of Committees . . . . . 768  
 Senate Pages . . . . . 773  
 Special Guests . . . . . 742  
 Special Presentation . . . . . 747, 748  
 Unveiling of Portrait . . . . . 747  
 Vote Preference . . . 734, 735, 736, 737, 738, 739, 740, 741, 750, 751, 765

## CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—33:

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

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

## PRAYER

The following prayer was offered by Senator Altman:

Heavenly Father, all powerful, all loving God, creator of the universe, creator of everything that is good: You have placed us here at this point in time, in this special place here in the universe called Florida. You have given us dominion; you have given us authority; and you have given us the opportunity to exercise wisdom and judgment.

We pray for your guidance. We turn to you for your wisdom and we work hard to implement your will. We look to you for power, understanding, patience, but most of all, love. We look to you to enable us to work together in harmony. This is the day that you have made and we give you thanks for these wonderful gifts. We pray this in your name. Amen.

## PLEDGE

Senate Pages, Brandon Beebe and Bridget Beebe of Inverness, joined by several children; the President's niece, Abby Boyer; Joey Esposito, Bella Esposito, and Gianna Esposito; and the President's children, Andrew Gardiner, Jr., Joanna Gardiner, and Kathryn Gardiner; led the

Senate in the Pledge of Allegiance to the flag of the United States of America.

## BILLS ON THIRD READING

**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 third time by title.

On motion by Senator Simpson, **CS for CS for SB 7000** was passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Flores, Garcia, Sachs

Vote preference:

March 8, 2016: Yea—Lee

May 6, 2016: Yea—Sobel

Consideration of **SB 7022**, **CS for SB 7050**, **SB 288**, **CS for SB 1322**, **CS for SB 1106**, and **CS for SB 268** was deferred.

**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 third time by title.

On motion by Senator Flores, **CS for SB 1106** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Garcia, Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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 third time by title.

On motion by Senator Evers, **SB 7022** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Garcia, Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for SB 1394** was deferred.

**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.

—as amended March 4, was read the third time by title.

On motion by Senator Flores, **CS for HB 299**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Latvala, Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

On motion by Senator Negron, **HB 819** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Mr. President Joyner

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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.

—as amended March 4, was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for CS for HB 1361**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—2

Flores Joyner

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 749** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for CS for HB 1133** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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 read the third time by title.

On motion by Senator Richter, **CS for CS for CS for HB 783** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Smith	Stargel
Simmons	Sobel	Thompson
Simpson	Soto	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

On motion by Senator Bradley, **HB 549** 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	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

---

Consideration of **CS for CS for HB 7029** was deferred.

---

**CS for CS for HB 563**—A bill to be entitled An act relating to public assistance; amending s. 39.5085, F.S.; revising eligibility guidelines for the Relative Caregiver Program with respect to relative and nonrelative caregivers; amending s. 402.82, F.S.; requiring the Department of Children and Families to impose a replacement fee for electronic benefits transfer cards under certain circumstances; amending s. 414.065, F.S.; revising penalties for noncompliance with the work requirements for temporary cash assistance; limiting the receipt of child-only benefits during periods of noncompliance with work requirements; providing applicability of work requirements before expiration of the minimum penalty period; requiring the Department of Children and Families to refer sanctioned participants to appropriate free and low-cost community services, including food banks; amending s. 414.095, F.S.; revising the consideration of income from illegal noncitizen or ineligible non-citizen family members in determining eligibility for temporary cash assistance; amending s. 445.024, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., the regional workforce boards, and the Department of Children and Families, to develop and implement a work plan agreement for participants in the temporary cash assistance program; requiring the plan to identify expectations, sanctions, and penalties for noncompliance with work requirements; reenacting s. 414.045(1), F.S., relating to the cash assistance program, to incorporate the amendment made by the act to s. 414.095, F.S., in a reference thereto; providing a contingent appropriation; providing an effective date.

—as amended March 4, was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 563**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

---

**CS for HB 373**—A bill to be entitled An act relating to mental health counseling interns; amending s. 491.0045, F.S.; revising mental health intern registration requirements; revising requirements for supervision

of registered interns; deleting specified education and experience requirements; establishing a validity period and providing for expiration of intern registrations; amending s. 491.005, F.S.; requiring a licensed mental health professional to be on the premises when a registered intern provides services in clinical social work, marriage and family therapy, and mental health counseling; deleting a clinical experience requirement for such registered interns; deleting a provision requiring that certain registered interns meet educational requirements for licensure; providing an effective date.

—was read the third time by title.

On motion by Senator Legg, **CS for HB 373** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

---

**CS for CS for HB 965**—A bill to be entitled An act relating to fire-safety; 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 third time by title.

On motion by Senator Legg, **CS for CS for HB 965** 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	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

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 read the third time by title.

On motion by Senator Simpson, CS for CS for HB 1051 was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Name, Evers, Legg. Lists names of senators who voted 'yea'.

Nays—2

Table with 2 columns: Name, Negron. Lists names of senators who voted 'nay'.

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

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.

—was read the third time by title.

On motion by Senator Stargel, CS for CS for HB 431 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Abruzzo, Altman. Lists names of senators who voted 'yea'.

Table with 3 columns: Name, Gaetz, Montford. Lists names of senators who voted 'yea'.

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

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.

—was read the third time by title.

On motion by Senator Hays, HB 303 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Evers, Margolis. Lists names of senators who voted 'yea'.

Nays—None

Vote after roll call:

Yea—Sachs

Vote preference:

March 8, 2016: Yea—Lee

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 read the third time by title.

On motion by Senator Smith, **HB 93** was passed 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	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Grimsley, Sachs

Vote preference:

March 8, 2016: Yea—Lee

**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 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 Smith moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (155402) (with title amendment)**—Delete lines 11-14 and insert:  
*Broward County is redesignated as the “Von D. Mizell-Eula Johnson State Park.”*

(2) *The following structures at the Von D. Mizell-Eula Johnson State Park are designated or redesignated, as appropriate, as follows:*

- (a) *Boat ramp as the Alphonso Giles Boat Ramp.*
- (b) *Marina pavilion as the Dr. Calvin Shirley Marina Pavilion.*
- (c) *Osprey pavilion as the George and Agnes Burrows Osprey Pavilion.*
- (d) *Leatherback pavilion as the W. George Allen Leatherback Pavilion.*

(3) *The Department of Environmental Protection is directed to erect suitable markers designating the Von D. Mizell-Eula Johnson State Park and the structures as described in subsections (1) and (2).*

And the title is amended as follows:

Delete line 4 and insert: specified county; designating and redesignating structures in the park; directing the Department of

On motion by Senator Smith, **SB 288**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Abruzzo	Altman
---------------	---------	--------

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

Nays—None

Vote after roll call:

Yea—Sachs, Soto

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 971** was passed 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	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hukill	Sobel
Bullard	Hutson	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Hays, Sachs

Vote preference:

March 8, 2016: Yea—Lee

Consideration of **CS for CS for CS for HB 651** was deferred.

**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.

—as amended March 4, was read the third time by title.

On motion by Senator Brandes, **HB 7027**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Sachs, Soto

Vote preference:

March 8, 2016: Yea—Lee

**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.

—was read the third time by title.

## SENATOR RICHTER PRESIDING

## THE PRESIDENT PRESIDING

## SENATOR RICHTER PRESIDING

On motion by Senator Bradley, **CS for CS/CS/HB 307 & HB 1313** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Galvano	Sachs
Abruzzo	Gibson	Simmons
Bean	Grimsley	Simpson
Bradley	Hays	Smith
Braynon	Hutson	Sobel
Dean	Joyner	Soto
Detert	Margolis	Stargel
Diaz de la Portilla	Montford	Thompson
Flores	Negron	
Gaetz	Richter	

Nays—11

Altman	Clemens	Latvala
Benacquisto	Evers	Legg
Brandes	Garcia	Ring
Bullard	Hukill	

## SPECIAL GUESTS

Senator Brandes introduced his parents, Russ and Mary Brandes, who were present in the gallery.

## MOTIONS

On motion by Senator Simmons, the rules were waived and the following bills were added to the Special Order Calendar for Tuesday, March 8, 2016: **CS for CS for SB 212, CS for CS for SB 488, CS for SJR 492, CS for CS for SB 766, CS for CS for SB 868, and CS for SJR 1194.**

## RECESS

The President declared the Senate in recess at 1:15 p.m. to reconvene at 2:00 p.m.

## AFTERNOON SESSION

The Senate was called to order by Senator Gaetz at 2:00 p.m. A quorum present—38:

Mr. President	Gaetz	Montford
Abruzzo	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
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	

## SPECIAL RECOGNITION OF PRESIDENT GARDINER

## SPECIAL GUESTS

Senator Gaetz introduced the President's wife, Camille Gardiner; children, Andrew, Joanna Lynn, and Kathryn Lucille; parents, Bill and Linda Gardiner; Camille's parents, Joanne and Richard Wood; and Camille's sister and niece, Julie and Abby Boyer, who were present in the chamber. Senator Gaetz also welcomed friends and family of the Gardiner's who were present in the gallery.

Senator Gaetz introduced the House of Representatives Speaker Designate Richard Corcoran; former Senators Ellyn Bogdanoff and Carey Baker, Lake County Appraiser; former Senate Presidents Jim Scott and Jeff Atwater, Chief Financial Officer; former Speakers Dean Cannon and Tom Feeney; and the Speaker of the House of Representatives Steve Crisafulli, who were present in the chamber.

A video tribute was played honoring President Gardiner.

## REMARKS

On motion by Senator Simmons, by two-thirds vote, the following remarks were ordered spread upon the Journal:

**Senator Braynon:** Andy made me make a lot of promises about my language and everything I said in my remarks, so I'm going to definitely try to be not the "Angry Andy." You know, the whole thought process behind why we created "Angry Andy" is because Andy's genuinely just a nice guy and, you know, he just really—it's hard for him to say no to people, it's hard for him to tell people when he's upset or anything—it's rare in this process that you find somebody that is just a genuine, nice, great, and good-hearted guy. That's one of the reasons—see and he's always crying up there, and now you're going to make me cry.

I've served in the Senate for about four years now and I guess—coming from the House, the Speaker is so far from you when you're a Democrat—it was just somebody that's sitting up there. Even in our seating chart, when they were a Republican member with you, they were sitting in front of you.

Well, when you come to the Senate, you get to know your presiding officer. Well, this was the presiding officer that when I had a personal issue or anything, I would go sit in his office and I'd just talk to him. He was a friend beyond just being a President.

I'm going to really miss you. I'm going to miss the relationship we had, and anytime you have anybody that's not treating you right, just let your Angry Interpreter know and I'll come and let 'em know.

**Senator Gibson:** When I first went to the House in 2002, I met Andy. I thought he was a little stiff, but what I've realized is that he just had good posture. During his presidency, I've really come to learn much more about him. Obviously he wasn't stiff because I remember that "*Make it Rain*" video that he did for the press skit.

One of the greatest things I appreciate about him is his love for family. I mentioned this morning how much family means to me. I see the love and care that he gives to his wife and every one of his children. That's what made him a great President, because family is first. When you come from good roots, through both of the parents of Andy and Camille, it shows in every single thing that you do.

I've appreciated so much the fact that we were able to get out of here early, because I know family was important to you. You know how important family is to the most of us. So, we could never go wrong having a leader like you who understands where everything emanates from. I appreciate you very, very much. I certainly will miss you presiding. I appreciate the relationship that we have developed, not just during your presidency, but in working with you in the Senate. Thank you.

**Senator Detert:** I've known Andy Gardiner 16 years. We sat next to each other in the House. At one point we didn't always agree on issues; mostly didn't. One time he turned to me and he said, "You're

voting for my bill, right?" I said, "Ah, no." Then he said, "But you sit next to me." I said, "Well then, you'll have to move my chair."

I knew President Gardiner before they had children, and I've got to say, it's been a remarkable pleasure to watch your kids grow and to see what a beautiful family you have. Your wife gets prettier every year. We all remember when Andrew was born. One thing that impressed me is when we swore you in as President, to hear the story of your parents. Those are the kind of parents every kid in the world would love to have, and if everybody had those kind of parents, we wouldn't need to spend a lot of money on most of the problems we're spending a lot of money on.

I was going to save this for my remarks for tomorrow, but I wanted to take the opportunity to personally thank you, President Gardiner, for all the help you've given me on Loveland School. What a great project it's going to be. I hope you will come to the groundbreaking. So, we'll miss you when you are gone but hope to see you in Orlando.

**Senator Stargel:** Similar to what I said with Senator Altman, I met you through your wife. When my husband was in the House and you were in the House at the time, we would frequently sit up and watch the bills and watch the process. It's so interesting to hear the wife's perspective of the angst, the passion, and the efforts at home that people put into their bills; knowing you from that perspective and then getting to come over here.

You hear all these things about a liberal Senate and, "the liberal Senate did this," and "the liberal Senate did that," but the fact that "the liberal Senate" was able to select a man such as your stature, with your conservative values, with your love of family, and with your love for looking out for the people who maybe don't have a lot of people up there in a lobby corp—who are up there lobbying for them. The things that you've done in this Senate and in this body to further the "little person," the person who doesn't have a voice of their own, the people with unique abilities, the unborn, the people who are on Medicaid and things like that. You've actually run this Senate with the passion of your heart, of what was important to you—not by the bucks, not by the donors, not by the people who pay to be a part of this process—but because it was the right thing to do.

When we've had an issue and come to you, you've been respectful to all the members—the Democrats, the Republicans—you know that we all had our own agenda that we wanted to accomplish. Sometimes we would have liked you to just rule with an iron fist and say, "We're going to do it this way, and not regard those people," but you didn't do that; you did what you thought was best. You knew we all came up here with a passion for what we wanted to accomplish and I thank you. I'm honored to have served in the Senate with you. I look forward to seeing you when you get back to Orlando and working with Camille on many things in the future.

**Senator Sobel:** Well, first of all, you have a wonderful family—especially your wife and your mother-in-law, who are from Brooklyn—yes, they are fantastic women and your children are beautiful.

I've been in the Legislature 16 years and I'm really proud that, finally, we have a champion for people with unique abilities. We will make a change in the history of the State of Florida that will have such a tremendous impact on kids—whether they're early steps or whether they're in universities. We will see that changes to people with unique abilities will have the opportunities that they deserve—a different perspective on how we view these young children and young adults.

Thanks to this body—which supported you in every way that they could to make this happen—it wouldn't have happened without the rest of us, but you led the way, the charges, and we followed, we actually followed. Some day we will see in our universities and in our youngsters excelling, exceeding, and doing all the things that they could possibly do, and contribute to our society.

I like it when you say, "Don't fear the debate, don't fear the debate." President Gardiner often says that and we just had a tremendous debate on marijuana, we heard all sides, and we voted our conscience—that's what the Senate is about—hearing the debate, working together, coming up with possible solutions, and moving forward. So I thank you for your leadership, from the bottom of my heart, and so will thousands and thousands of youngsters who appreciate what you did today—you and your family—for future generations. Thank you very much.

**Senator Ring:** President Gardiner, Andy, a few things: First, I want to tell you one of the most enjoyable times I've had this year was when your father and I got to spend quite a bit of time speaking about a month ago. I think we caught each other up for about 30 or 40 minutes—Mr. Gardiner, that was quite a pleasure, thank you, it really was.

So, I'll say a couple of things about you. Number one, we've known each other since I got here. What I marveled at were a few things: First, you knew why you came to elected office—you got it, you had a reason, you had a purpose, and you had a thesis for doing it. You've achieved why you came and everyone obviously has spoken about it before and will after. It's always good to go through anything in life and know why you're actually doing it; that's important. I think that's a lesson for anybody that wants to get into the political world: First and foremost, ask yourself, "Why are you doing this?" You had an answer, you knew why.

Second, and I would say this—as a number of us are terming out—to any future Senate and future presiding officers, what you brought to the Florida Senate and what has been here ever since I was elected—and I think it's so critical and important that it stays—I think you brought it to a whole new level, is the idea of family. We're all in this room together, and sometimes it is us versus them—"them" could be the House or "them" could be the middle of the chamber over there with all the lobbyists—but when the Florida Senate is at its best, it's at its best when it's "us." On multiple occasions that we could list off, you've turned the Senate into "us" and you've created "us" as a family.

The third part about it is speaking, obviously, as someone who is a member of the minority party—yes, every so often we see the 26-14 votes, and that happens—but more times than not, it's not about that. It's not about what political party you are from. You represent half a million people and that makes you an equal as a Senator. I think that was demonstrated several years ago when we had a special session on the contentious issue of the rail, high-speed rail, and SunRail. You were able to ensure—President Atwater was the President at the time—that a Democrat, myself, would be the sponsor of that major piece of legislation—the only piece of legislation we were doing in that special session, that it was called for. So, when you come into politics and you're a member of the minority party—vast minority party—you're certainly not expecting that you're going to be handed the key and only piece of legislation to do during an actual special session. What I don't know if other members know is you weren't Senate President at the time, but you were the one that pushed for me to get that bill. I knew that and I certainly appreciated it, and all the other work that we've worked closely together on we've tried to help children that have unique abilities and everyone else will talk about that because, obviously, that's a legacy that will live past the hundred years that you'll be up on the wall. Thank you.

**Senator Hays:** Mr. President, I know that behind every successful man is a wonderful wife and a surprised mother-in-law. I'd like to thank both those ladies for sharing you with us, and your entire family, for sharing you with the people of Florida and with the Senate. I also know that behind every successful leader, there's a good team of other leaders that leader has chosen. You've put together a very good team of leaders to raise the hopes of people across Florida, and I certainly respect you for that and the manner in which you have conducted business here. It's been a joy to work with your leadership team and to be a part of it.

Frequently, people say, "Well, tell me about Andy." Unlike Alan, who's loud and boisterous, your favorite expression I think is, "I'm just trying to get Hays to tell you what he really thinks, or come out of his shell." I've been out of my shell a long time! I tell folks, Andy is not like Alan at all—he's very quiet—but he who interprets that quietness as weakness is about to make a very big mistake because you're a picture of strength, when strength needs to be shown. I need a little more of that quietness myself. It would help me sometimes. I appreciate what you've done as our President; I thank you for your leadership; I thank you for your dedication to the task; and certainly have tremendous respect and love for you and your family. It's been a joy to serve with you. Thank you.

**Senator Simmons:** Senators, I met President Gardiner in probably 2000, when we were both elected to the Florida House of Representatives—part of that famous class of 2000. I remember our Speaker at that time telling each one of us saying, "I see out there in this class

senators, congress people, governors,” and lo and behold, 16 years later, obviously, Senate President.

It is amazing how life throws curves at you, and you have relationships with people you never thought you would have a relationship with, or just how close that relationship can become. For each of us, I know that I measure character not by what life throws at you or challenges you with, but how you respond to it. Character is measured by how you treat other people, specifically people you don't have to treat in a way that they might want to be treated. Character is measured by once you have been given the authority and the power how you treat other people. Character is measured by judicious conduct, fairness, and the constants that, even under stress, those characteristics that you have of honesty and decency remain.

I didn't know until we were in the Senate that President Gardiner and I are fraternity brothers. We laugh about that we have never given each other the secret handshake. The fact of it is that you are a man of character, and Camille, you are a wonderful, wonderful, wife, mother, and leader. You are more than a brother, you are a friend—a great friend. Thank you so much for the opportunity to be a part of your life. Thank you.

**Senator Bean:** Good afternoon to the Florida Senate and the Wood and Gardiner family. We are glad to have you here. What a big day it is. I had the opportunity to speak on Andy's nomination when we launched this whole leadership thing for the Gardiner family, and yes, we did talk about the class of 2000. There are some great leaders. Our leader of the class of 2000, there is Tom Feeney, Speaker Feeney as we like to refer to him. There's Jeff Atwater from that class of 2000, Chair Simmons, Negron, and so many others. That was a big class and that is where we got the start to our relationship with Andy Gardiner.

Now, I am not big on titles or names or whatnot, but let me tell you the nickname many people in the lobbying corp had for me for the years 2000 to about 2008, which was basically my tenure in the Florida House. The nickname they had for me was, “Andy.” How about that? They called me Andy all the time. I got to like it because, hey, they are thinking of me as up there with Andy Gardiner, and so I answered to basically everything right there. Let me tell you about a particularly awkward day, in fact, it was pictured on the photo montage that we just played earlier. That was just an extremely awkward day when President Gardiner and I wore the exact same suit. How about that? Extremely awkward. We came and we looked at each other. What was even more awkward was that 72 percent of the readers of People Magazine said that President Gardiner wore it better. That was really hard for me to overcome. That was a fun day. We actually milked it for all it was worth.

Let me tell you something. During that nomination speech that I got to second, we talked about his life and the life that Andy Gardiner leads with his family. He is the George Bailey from “It's a Wonderful Life” in our state. The richest man in the Florida Senate with his family sitting beside him is no doubt Andy Gardiner. I am pleased to be confused with him based on his reputation, his love of family. I know Abby wishes she were here today to say, “We salute you Andy Gardiner,” for all that you have done, all that you have stood for, and we are looking forward to seeing the next chapter in your life. We know family is going to be based out of it. Here is to you my friend. God bless you and Godspeed.

**Senator Richter:** Andy, I would like to address my comments to Andrew, Joanna, and Kathryn. I have had such great fun watching these three beautiful children stare at you with their eyes and watch their chests swell with pride. The pride that they have in their dad, it has been just phenomenal. Every time Andrew comes into this chamber, we do what Andrew? I recall when you were made President, he gave his mom a rub on the head. What a beautiful family. I met President Gardiner for the first time in the lunchroom in the House, seated at a lunch table with Loranne Ausley, you, and me. You won't remember this, but I walked away from that lunch thinking this guy has got to be a nut. They were talking about how far they ran every morning. He would run further every morning than I would drive every week. What a runner. But one thing that showed was everybody knew that Andy Gardiner was always in for the long haul.

When I think of President Gardiner the word that comes to my mind is class. I didn't know you much in the House. I didn't really get to know you until the last four, maybe five or six years here in the Senate, but

class is what comes to my mind. The “C” in class, first off, stands for commitment. The commitment that you have made to your family. The commitment you have made to your priorities. The commitment that you have made to the long run. The “C” also stands for consistent, because you have never swayed from that commitment. You have been consistent. If this montage that we saw this morning was done after we take the pictures here today and those pictures were added to this montage, the pictures of the unveiling of your picture and your family here would not be the picture that you are most proud of. The picture that I am sure you are most proud of was the picture when the Governor signed into legislation the bill that you carried under your arm, in your heart, and in your back pocket on every run that you ever made—mile, after mile, after mile. What a difference that was.

The “C” in class stands for composure. Goodness knows you needed composure, especially last year and this year. The “C” stands for composure. One of the things that you have said in your office on many times, much more than just once, “Doggone it. We are going to be the adults in the room”—composure.

The “L” in class stands for leadership; the leadership that your colleagues have expressed here; the leadership that you have delivered here; the leadership that “L” stands for. It not only stands for leadership, the “L,” more importantly, stands for being a loving father to Andrew, Joanna, and Kathryn—the loving father that you are to them and the loving husband that you are to Camille. It stands for the leadership that you carried from the chamber to here in Tallahassee.

The “A” in class stands for advocate. One thing you have always advocated for is the right thing. If it is the right thing, you want to look up and see who is advocating for it, it is going to be President Gardiner.

The first “S” in class stands for successful. You have gone through the House, you mentioned you were an aide in the House, Majority Leader in the House, then into the Senate, and President of the Senate. That is success. More importantly, the success is measured not only by what you have done for the State of Florida, but your success will be measured in the years ahead as you watch these three beautiful children grow and make you very, very proud. That is what the “S” stands for. It also stands for sincere, because I know you are going to sincerely continue to push for their success so that the success you have they will carry with them on their runs throughout their life.

The last “S” in class stands for something that I know that you are really looking forward to. It stands for sine die.

**Senator Smith:** Andy moved my parking spot this year and put me on some committees that I really didn't want to be on, so I want to add to his misery today. He is hating life right now. This is the most modest human being I know. Andy does so much for all of us and he is hating life. He is hating that 39 people are going to get up and say good stuff about him. He would rather be up there working on our issues, working on things to make this state Florida. But we have to take this time to say how we feel about him.

I'll just tell a quick story, about one incident that happened about two years ago. Andy and I worked together on some funds for the Urban League, a great program they have that we are continuing. If you are working on the budget, make sure you work that out. So the Urban League said, “We are going to honor you and Senator Gardiner who worked hard on this.” So I called Senator Gardiner and said, “Andy, you know the Urban League wants to do this award for us because this is a great program.” So I told him the date and he said, “Man, my kid's birthday is the next day. We have to get ready for this party and everything.” But in typical Andy fashion he said, “You know what? I would love to come to your district and stand on the stage with you.” So, the day before his kid's birthday, when he is going to have family members and all kind of stuff going on, Andy drove all the way down to Broward County that night just to come to that dinner. Now the great part about it is when he got to Port Everglades, even though he's flown all around this country and done a lot of things, they wouldn't let him in Port Everglades because his license was expired. So, you have done a great job of making sure we have good security at Port Everglades.

So, Andy, as we go forward, next time you cross County Line Road coming into Broward, just give me a holler and I'll vouch for you. Thank you.

**Senator Thompson:** Senators, I'm from Orange County so I have known of Andy Gardiner for a long time. I knew Andy when he was with the Chamber of Commerce. I knew Andy when we worked on some things with the YMCA together. But I had not really known him, I had known of him.

When I was elected to the Senate, I went to the softball game that the firefighters organize every year. President Gardiner was there, and he was playing on the side of the Republicans and I was cheering for the Democrats. Well, you all know that the Democrats always lose that game. I had an issue that I needed his help with, so I went to see him in his district office on Michigan. I don't remember now what the issue was, but I remember his office being very organized. On his desk, he had a baseball glove. While we talked, he moved the glove from here to there, and toward the end of the meeting I said, "Is this a reminder, this baseball glove, of how badly you all plan to beat us next year when the Democrats play the Republicans?" So he laughed and said, "Oh no, that's not what this is about." I said, "Well, I thought you put it there to kind of intimidate me and let me know that you were gonna win." And sure enough, when we played them again, the Republicans won. Not only did they win, they ran up the score. We had like a basketball score of 56 to 4, or something like that. So every year, I do not look forward to that game because I pretty much know what the outcome is going to be. The other thing about those softball games is that Andy Gardiner would seek me out. He would find me and come and sit with me to establish rapport. We would talk about any number of things just to get to know each other as individuals.

I know that I'll be seeing you in Orlando. I'm sure we will be working on some things in common. Now that you are leaving and you won't be playing on the softball team, maybe the Democrats can win. Thank you.

**Senator Soto:** President Gardiner and I met under very unique circumstances: I ran against him in the 2006 election! It was under an interesting set of circumstances where one or two Democrats actually had a shot at winning, so several of us filed in different seats to make sure they were contested. I'm just glad we kept it clean—particularly now. I consider the President not only our President, but also a neighbor of mine. He lives about five miles away from us and his house is a little nicer than mine—truth be told.

The main reason why I'm up standing today is because, Mr. President, you've been a champion for Central Florida, from the beginning—particularly at a time when there was so much growth and so much of a need for help. From 2000 onward, our community has progressed by leaps and bounds. Your fight to help with the springs, which, they're under attack in Central Florida, is critical; for SunRail; Medical City at Lake Nona; UCF Medical School; downtown venues; and hopefully we'll add a downtown campus and sensors this year.

So I want to thank you for being a champion for Central Florida and also for helping so much with projects that I've worked on with you, that may happen to be in my district, but also are going to help out all over Central Florida. Thanks for being our champ, Andy. I appreciate it.

**Senator Altman:** We all have these amazing experiences here in the Senate and in the House. Most of them are public, where we're involved in some public issue, but also, just the remarkable experiences we have. We have incredibly uplifting and life-changing personal experiences. I want to thank President Gardiner for making that happen for me.

Over in the House, we had a very active group. Every Wednesday morning we would meet with a prayer meeting, a prayer breakfast type of meeting, where people would come together. This group was made up of all faiths: Jewish faith, Catholics, Protestants, and Evangelicals; very diverse men and women. It was a time we would come together and really pray for members, family members, and staff who had challenges, share experiences, get to know each other on a very deep and personal level. What I learned about Andy Gardiner is that he is a remarkable man of deep, spiritual faith, and that's what drives him. That particular year, Andy was our leader in the prayer group, and he selected this series of tapes following the book "The Purpose Driven Life," by Rick Warren. Now that's a big deal. Rick Warren was the Evangelical that hosted the public forum on the presidency with Barack Obama and John McCain the first time they met in public, and get this, he did it for the purpose of restoring civility in our civil discourse. Wow, that's appropriate in today's world, isn't it? So we did the series of tapes and lo and

behold, I go to the last meeting, and who's there leading the group? Rick Warren himself. I realized then, this Andy Gardiner is a remarkable guy. When he does something he does it right.

We got to meet Rick Warren. We went to the Governor's Mansion with Governor Bush and had dinner. It was a life-changing experience, the greatest personal experience I've had in my 14 sessions, and I want to thank Andy for that. I want to thank him for his spiritual leadership, his heart is in the right place. It's so good to know that we have leaders—and I can say that about all the members here—there's a strong, spiritual driver in this process to do the right thing, to do God's will, to do what's right for the people of Florida. Thank you for your leadership in that prayer group and your spiritual leadership as well.

**Senator Garcia:** I was going to start off with a joke, but I am not going to go there. Anyway, you stand up and you wonder what are you going to say about Andy? Andy is such a great guy. He is such a humble guy and we all know that he is, but—Mr. President—I have to say thank you. Thank you for being a leader amongst leaders. You truly have been and truly are. You empowered us in this chamber like I have never seen before. You have empowered the determined to do what they think is right. You have empowered the Senate to take the stand on principle. You empowered each individual member to fight for what we believe in and I know all of us can agree with that because that is what you have done. That is who you are. It wasn't about you, but it was about us and about the residents that we represent. So, Mr. President, and to your family from Orlando that is here, he is not a politician. He truly is a public servant, and it has been an honor for me to serve under Andy Gardiner.

I want to say that I am going to miss him, but I'm really not. I really want you to go because I am tired of working this hard. I have never worked this hard in my life, but—Mr. President—the truth is, that number one, I did not want to disappoint this institution and, number two, I didn't want to disappoint you.

The moment that you asked me to be chairman of the Health Appropriations Committee, I asked, "Are you serious? Are you sure you want to do that?" He saw something in me that I didn't and, Mr. President, for that I will always be eternally grateful. You are not only a President but you are my friend and I thank you for that. Senator Braynon, you got up and said Andy can't say no to anyone. He has said "no" to me plenty of times. So I must be doing something really wrong. But, he has always said it with a smile on his face.

Camille, thank you for giving up Andy to make sure that he leads this Senate and now that you are going home, Mr. President, you have a friend in Miami. I know you are scared of living in Miami Beach. We had a fundraiser in Miami Beach and it happened to be at the Fontainebleau. Do I not go there? But anyway, you should have seen him walking in with his Dockers pants and his plaid shirt. I said, "Mr. President, no, not on the beach. That is not how you dress on the beach."

Anyway, Mr. President, it has been an awesome endeavor to work with you. I will miss you, thank you, and Godspeed Mr. President. Take care.

**Senator Flores:** I was elected in 2004 in the House. Speaker Bense was my first Speaker and Leader Gardiner was the Majority Leader. As a freshman member of the House, you see the Majority Leader and you know that this is someone who is a big deal. Someone who you don't cross. That was kind of like "House me," not "Senate me." Sorry Leader Galvano and actually Leader Gardiner. At the time, in the House, when I was starting, I said we should not mess with this guy and I knew he was a big deal and I wondered why that was the case. Over the years, we realized that it was because of many of the things that some folks have said, but the real, real reason is because you have a super awesome, amazing wife who is Catholic and Italian. Italian women from the Bronx are almost the same as Cuban women from Miami. So I think that it was more like a healthy level of respect and maybe fear. You were always an incredible leader.

I remember your last session ended with making the very difficult decision about what to do with the issue of insurance companies covering students with autism and other unique abilities and disabilities. At the time it was so hard for us because it was similar to other debates that we have had here in the past. Do you do the right thing for a couple of people when what we really should be fighting for is to do the right

thing for a lot of people? We went back and forth and it was a tough decision for Andy, at the time, because he said, “I know that I could block this, but we have to do the right thing for the people that we can help at the time.” We have had opportunities since then to come back, but that was a really difficult decision and I think it was an incredible testament to your leadership to say, “I am going to put myself aside to do what is right for other people.”

In 2009, I decided that it would be a really great idea to maybe come over to the Senate in 2010. So I walked over here, and that was also something at the time, well there are a couple House members in here, but at the time, House members just didn’t come to the Senate. It was scary and very intimidating, but Senator Gardiner had asked me to talk to him and get some advice about running for the Senate. The particular race I was contemplating was against a couple of individuals who were “tough guys.” His advice was, “Listen, you want to do this for the right reasons and you should go for it. Don’t be afraid of the tough guy. Don’t be afraid of what people are saying. Don’t be afraid of everyone saying that you shouldn’t do this. If you want to do this because it is for the right reason, then you should.” So, we joined in 2010, and I have been honored to be part of Team Andy and Team Gardiner since the very first day when we had to go up against the tough guy, the establishment, and people on the other side when it wasn’t popular.

You have always made the right decision. I think that people across the state, not just today, but for generations to come are going to look at the issues that you have championed and know that you have made an incredible difference. To stand up for issues of life is something that is just not popular. I don’t think there has ever been a presiding officer that has said, “This is part of my agenda. We are going to get this done.” That is so incredible because you think of the difference that you have made and the lives that you have saved and it means a lot to so many different people. There will be people that you will never meet that are here on this earth because of the decisions that you have made. I think that is incredibly powerful.

We have had some losses along the way as well, but we have had mostly wins. Those of you that know me know that I am a very competitive person. I like to be on the winning side and so luckily with Leader/President/Senator Gardiner at the helm, we have had more wins than losses. We have also had a little bit of fun.

So, I will just start wrapping things up by saying a couple of things. In the realm of fun, you know that pit bull is not just a dog, so that I think is very positive. You think that the number 18 is the best number ever. You came up with a really great acronym “CCB,” which just means that you don’t mess with opinionated colleagues, and I think that you learned that from your wife over there—smart lady.

I know that when all of this is said and done, Andrew, Joanna, Kathryn, and Camille, if the offer is still open and the invitation is still there, Dustin, Maximo, Lucas, and myself would love to spend some time by the pool, cooking out on the Green Egg. I think we will probably have more fun over there than we have over here. Thank you for everything and know that Club 305 will never be the same without you.

**Senator Benacquisto:** When I decided to run for the Senate in 2009, he didn’t know who I was, and I didn’t know who Andy Gardiner was. But he had a friend who was a total and complete maniac—Joe Negron, who called me every day. “Have you signed a card, have you signed a card?” You know, I kind of think it’s appropriate that I get to meet the guy before I pledge my undying loyalty to him. He said, “Uh, I don’t think so. Can you just sign the card?” I said, “Well, no, can you just arrange for me to meet him?” So the President drove to my district. We met in Starbucks. The man that I met that day, who is the absolute, most humble human being, explained to me in great detail what he thought the presidency should be like, what he thought he would want to accomplish while he was here, and the reasons why he was fighting for those policy goals is exactly who he turned out to be when he was in the chair.

If I can say anything, I think that is the greatest accomplishment and the most pride to have invested in a friendship based on a 15 or 20 minute conversation in Starbucks and have the knowledge and experience there out that you are just that great a guy. I, too, like Senator Richter, will look up in that gallery every day and the person that I’m going to miss the most is that little smiley face. Because no matter what we are working on the floor—fearing the loss of a vote, fearing the loss of

a debate, wondering what is going to happen, is our bill going to be pulled up, is our budget item going to go through—it is that good natured happiness that makes us feel good about being here. You did invest in all of us. You empowered chairmen, because I know everybody out there in the world was so happy that I was the Banking and Insurance chairman, and they are going to be so happy to get rid of me. But you invested in us and gave us the ability to see things as we wanted to see them. Call the balls and strikes, as you said, based on what we felt was right for the Senate of the State of Florida.

The greatest accomplishment, and everyone has touched on it, is bringing folks and families out of the shadows, making it known and expected that we will give nothing less than the best opportunities for everyone. We will look back, 10, 20, 30 years from now, knowing that if we did nothing else, we changed culture. That is something we really don’t get to talk about that much. We solve food fights, we advance the issues, but you have changed a culture. That will probably be, setting aside every other legislative accomplishment that I can claim as my own, that will be what we end up most proud of for our time in the Senate and our time in helping you pursue those goals.

You will be missed. Doctor Van Nostrand is the greatest Doctor of the Day, ever. And to think, he’s going to be gone, too, is just something I can’t bear. You, a friend to all, will be missed very much. Thank you so much for your leadership, your friendship, and your belief in us. Thank you.

**Senator Lee:** It’s probably risky for me to do this because I’m a little spent right now. In fact, I hit a new low this morning. At about 9:30 this morning, I had to call my wife, who, thank God is in town, and ask her to bring me my blue jacket to my blue suit. I had walked out with my gray pin-stripe jacket with my blue slacks. The irony is, the people that I’m working with down in the Appropriations suite are so much in a fog like me, they didn’t even notice. But I don’t want to miss this moment. Some of this I said last year when we were debating the unique abilities bill on the floor and it was clear that it wasn’t going to happen. It bears mentioning again today because you have so many of your family and friends in town and they weren’t here.

I know that for myself and many of us, we don’t really know how this movie is going to end when we come here. Senator Ring mentioned it; you come here with a purpose. Usually it is ideological core values. We try to drive those into government and accomplish things in statutes, but we never really know how this movie is going to end. Time is pretty fickle. In the course of human events, the Gardiner family has been blessed with a son, Andrew, who they love a great deal. Who would have thought, when he started out as an aide down in the House of Representatives, that he would find his purpose for being here in his own child. Many of us have served with leaders in the House, leaders in the Senate, they all come with different agendas. What strikes me as so powerful about President Gardiner is the manner in which he has used his influence as a leader and the purity of his purpose. The purity of his purpose to dedicate his time and his energy to advancing the lives of children, because he has walked in the shoes of parents and he has seen how the unique abilities of children affect lives. How ill-prepared our government is in some ways to help lift those families up, to make it a little easier.

I am so grateful to have had the privilege of serving with a man who used his influence for something like that. I never heard from a special interest group or a lobbyist or anyone trying to lift up these issues on his behalf. It was Andy Gardiner and his wife, Camille, and the inspiration that they have attained from their own personal lives’ experience. I should be so lucky as to have dedicated my time to this institution over 14 sessions as well as he has. It has been an honor serving with him. I promised him when he asked me to do this job that I would do everything I could do to make sure that the portrait we are going to unveil, and hang on the wall, will be something he can look at, his children can look at, his grandchildren can look at for generations and have fond memories of his time here. I think that is one of the things we all owe our presiding officers, is to try to do what we can to make their time in this chamber a fond memory. I know we’ve had some rough patches along the road, but my hope is that when the hanky drops here this Friday, he’ll feel that I have fulfilled that commitment. You are a great friend, you are a great man, and it has been an honor, Mr. President, to have served with you.

## RETIRING OF PORTRAIT

**Senator Gaetz:** As is the Senate tradition, the portrait on display on the west side of the chamber will be retired to the Historic Capitol. We pay tribute today for one last time to Senator John B. Johnson, a Democrat from Live Oak, Florida. Senator Johnson was elected in 1907. He served eight terms in the Senate, finishing in 1923. He was the Senate's 35th President. He also was President Pro Tempore. During the same time that he served in the Senate, he also served as the Mayor of the City of Live Oak. After his legislative career, President Johnson went on to serve as the Attorney General of Florida and then as a Circuit Judge in the Second Judicial Circuit. President John B. Johnson died on June 26, 1940, at the age of 71. His portrait will be retired from this chamber and will be hung with honor in the Historic Capitol.

## UNVEILING OF PORTRAIT

Senator Gaetz invited President Gardiner, his wife, Camille, their children, Andrew, Joanna Lynn, and Kathryn Lucille, to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Tim Hay. The portrait was created by artist Jie Ruan of Leon Loard Commission Portraits.

**Senator Joyner:** Helen Keller once said, "The only thing worse than being blind is having sight, but no vision." President Gardiner, you have that vision. You know firsthand that a disability may be an obstacle, but is not insurmountable. You know those who might seem to take a little longer to grasp a concept and those whose minds have already moved on to tackle greater, more complex questions. You know that humanity is not defined by identical images, but the collection of all the people, in all sizes, colors, talents, strengths, and weaknesses.

As this event marks the countdown to November and the end of your Presidency, you know that you have kept your commitment to your son, Andy, the one you made twelve years ago. Your promise to expect the best from your son is now the promise to expect the best from other children with unique abilities in education and in careers in their lives. You turned dreams into reality by creating a unique path forward for these children. New opportunities born from a vision that others could not see, but God gifted you with the ability to see it, and you have moved on and made your vision a reality. For that, thousands of people in this state 100 years from now, and even the occupants of this great chamber will look and say, "Who are they?" History will record that everybody will know about the Gardiner Scholarship, the one that helps all the kids in this great state with unique abilities. Your legacy has been cast, Mr. President, and I am so blessed to have been here to experience this with you.

We came here together in 2000, and you formed an alliance with a Democrat: you and Loranne Ausley. You were the two running folks. Every time I looked, she was out running and you were out running. On the floor of the House, you all, the two of you, coalesced and made a significant difference. She had a child who was born with unique abilities, and you consoled her. You had a child born with unique abilities, and the two of you together have made history in the state. I saw at that point in my political career, a Republican and a Democrat, people who developed a relationship notwithstanding what party they were or what gender they were. They just coalesced around their running, that eventually ended up being greater than all of that. That has made all the difference for me and countless others in this state.

You know, you never had the big head, as they call that. You've just been an ordinary guy—at first, I thought a little nerdy. I said, "Oh gosh, look at him: upright, handsome, and a gentleman." He didn't talk that smack that some of the others did. Not an Evers or a Dean, but nice, nice Andy Gardiner from Orlando. I like that.

You brought something different to the chamber. Then it ended up that we are here in the Senate together. As something greater than both of us ordained, I became the Leader Designate to serve alongside you as President. You called and said, "Leader Joyner, we need to talk." We did. We met, we talked, and made plans, and we said that this was going to be fun. Our last two years would be fun. It has been just that. We toasted and made a commitment to each other, and we started our Session by dining with R's and D's across the aisle. For that, I am thankful.

You never once said, "No." Senator Garcia, I have never been the recipient of an "Andy Gardiner no." It might have been, "I'll take it under advisement," "I will consider it," and maybe, "Let me take a look at it and I'll get back to you," but never ever a "No." That has made all the difference to me.

I came in pretty partisan, I want you to know that. You know that we had all those satellite trucks out there in 2000, and it was the Bush v. Gore. It was chaos in the House, but we persevered, relationships developed, and now we are at the end of our 16 year career in the Florida Legislature.

When I go back home, you are the person that I can tell people about. I talk all the time, "They aren't mean old guys, we just have a difference of opinion." The one thing that my folks taught me that embodies our relationship is respect for your fellow man's decisions and their values. They are individuals and they are entitled to that right. You just stand up for what you believe in and respect their right to do the same thing. That has made the difference, Andy.

You are a remarkable guy and a wonderful, wonderful father. I see the love that these children have for you and Camille, and it is truly phenomenal, awesome, and outstanding. It reinforces one's commitment to family just to see the love amongst and between the five of you. This whole chamber loves and appreciates that. You are just an ordinary guy who has risen to gargantuan heights. You have made us all proud, and I am so happy that my steps were ordered for me to be here, to be beside you in this chamber. Thank you so much, Mr. President.

**Senator Galvano:** Before we go any further, you are right. He never did say, "No." He made me say it. Thank you for that, by the way—how to lose friends and influence people. So we have some gifts. I know the Egyptian blue satin is calling your name, but be patient. But before I do, I just want to say a few words and I think I will start with thank you, as well. Thank you for your leadership as a phenomenal President. Also on a personal note, thank you for your friendship, Mr. President. You know when you take the office of President, you don't know what hand you are dealt. We all know that the last couple of years have been some very challenging times. President Gardiner, you have met every challenge with steadiness, with courage, and with poise. I don't think there were many days that went by where you didn't have to make an extremely difficult decision. You met every challenge, you made those decisions, and you did it confidently. I came to really admire the way that you operated. Your patience, your calmness—you never get rattled. That is why it was so funny when Senator Braynon did the "Mad Andy," because you don't get rattled. You are calm. I don't know how many times we were in the office and you said, "Let's just let things bubble for a while. Let them simmer. It is going to answer itself. It will work out." And it did. It was like a second sight that you had beyond the physical to know that things would come together. When you would say, "You know, all we need is a little 'stratgerery,'" at one point I googled 'stratgerery'. I was like, "Is that a real word that he is saying?" It actually comes from Saturday Night Live when they were doing George W. Bush, but it worked. I really appreciated it.

You know I watch you generate respect among the members by respecting them, and it is not an easy body. It really isn't. There are so many different personalities. Frankly, everyone is not as even-keeled as Senator Latvala, as mousy as Senator Evers, or as politically correct as Senator Hays. But I digress. You have dealt with these personalities and you have definitely shown me how one earns respect. Throughout this process, and it has been said a couple of times, you have remained extremely humble.

You know I met you when I got elected to the House in 2002, and you are essentially the same guy that I met back then. You truly are. You drink better wine, you dress a little better, but overall you are pretty much the same guy. It has been said here today that you are an example of faith and family. The beauty of it is that, Camille, he doesn't have to articulate it. He doesn't have to tell any of us that is what he is made of. He does it by his actions and he has become an example through that.

I know I am not alone when I say this to you, Mr. President. I have learned a lot from you. There is frankly not a battle that you could be in that I wouldn't want to join you there at your side. Frankly, I am going to truly miss taking that walk from your office around the corner into this chamber. It has been an absolute privilege, sir. It really has.

## SPECIAL PRESENTATION

Senators Galvano and Joyner presented the President with a Rolex watch and a plaque honoring his years of service to the Senate.

## ADDRESS BY THE PRESIDENT

**President Gardiner:** I'm going to be brief, because I think the kids have to use the restroom; I might need to, too. I said this last week, on behalf of the Gardiner family: It truly will be an honor for us to follow the Gaetz family for the next hundred years. I truly mean that. You have been a true friend and a rock. It's not a surprise that when the big issues hit, you're in the middle of them—that's your style—but as a servant leader I took every advantage of it, I can assure you of that.

There are a few people that I want to thank: First and foremost, the residents of district 13. For me—we all have our stories of how we got here, and the districts that we represent, and the people that sent you to Tallahassee—but my story started back in 2000. I was just a local kid that went to Blankner, Howard, and Boone High School, and we had this idea of running for office. To think that, to get elected to the House in that class of 2000, to go through 16 years, and to be here, and to know that I'm going home to the exact same place, half a mile from my mom and dad's house, that's pretty good, and that's a real blessing for me.

Second, and probably more important than any, Chris Hart, who—most of you know—we served in the House together. Chris had a line that I've never forgotten. He said, "If you want to make God laugh, tell God what you have planned for your life," and that's true. If it had not been for the plan that God had for me, I may have been that kid that just worked in a bait shop in Key West. When I was in college, my fraternity brothers said, "Yeah, that's what you're going to end up doing. You're going to run a bait shop in Key West." I told Jimmy Buffett that when he came to visit me, that I almost flunked out of school because of him.

God has a plan for each one of us, there's just no doubt about it. To think that I had the opportunity to be elected to the House, Majority Leader of the House, Senate Majority Leader, and then to be given the opportunity to be your Senate President, there is no doubt in my mind that God has a plan for each one of us, every step of the way—there's just no doubt. Plain and simple. It's such an honor to have Speaker Crisafulli here, the Speaker Designate—and I would say this to the President Designate as well, to both of you—enjoy the ride; it's a fleeting moment. Enjoy every moment of it. There has not been a time that I haven't shown up in this office—even through some tough times, we all know it—that I didn't look forward to being here. I loved it. I've loved every moment of it, and I'm sure the Speaker has as well. It's an incredible opportunity to serve the residents of this great State.

There are a couple of people that I want to recognize, the staff. I know Kathy Johnson and Kevin, down here on the floor, handle our district office; thank you for everything you've done. I am going to call out Stacy a little bit. Most of you know Stacy Vancamp-Garcia, but what you don't know is that Stacy has worked for me for 18 or 19 years, give or take. I hired Stacy when she was a student at UCF, just a graduate of Apopka High School, at the Apopka Chamber of Commerce. She worked two days a week, and I said, "We're thinking about running for office, do you have any interest in making a little extra money and working another day or two?" Well that was 18 years ago and she's been here—and when you're on the journey of trying to become Senate President or Speaker, you know your staff becomes the most important people to help you get there, they just are. The reality is, at some point, not sure when the transition happened, most of the lobbyists and most of the members would go see Stacy before they'd come see me. She really has been the rock for our office and a very dear friend for all of us, so Stacy, thank you. Thank you for everything you've done.

The other part of it is—and I've mentioned this to others—you spend all your time to become Senate President, with the members. That's what you do and I love it. I love hanging out at 305, I love all that. Then when you become President, there's a whole new wave of responsibility and things that come into your life, and I could not have picked a better Senate staff than the ones that each of you have worked with over the last two years—I just couldn't have. Starting with, of course, Reynold Meyer, who we have nicknamed Reynaldo Maximus. As you know, sometimes he lurks around a little bit. He's just been an incredible Chief

of Staff. I could not have asked for a better Chief of Staff to keep calm, allow the Senators to be Senators, and just keep the trains running on time. Of course, Carlecia, everybody knows Carlecia. She's the first person you see when you walk in, the first person you see when you leave out; usually she's the one telling you to leave, right? Then Katie, Carol Gormley, Lisa Vickers, Andrew Mackintosh, Debbie, George Levesque. I've gotten to know George more. I told George, "I feel like I should get honorarily allowed into The Florida Bar after all the things that we've been a part of," but George Levesque has done an incredible job—and Cindy. Then of course, somebody that's not only worked for me in the President's Office, but also in the Majority Office, Tony Cortese. Tony has done just an incredible job. A few years ago—this will tell you a lot about Tony—a few years ago we had a little issue here in the Senate about some various things, and Tony was my Staff Director at the time in the Majority Office, and some things were happening. I can remember going in and I said, "Tony, you know, this could be a really bad day," and the first thing he said was, "Let's pray about it." I've never forgotten that. Never forgotten that. I've just been incredibly blessed.

To the members: I can look around this Senate chamber and over 16 years, I can think of a story where each one of you has had an impact on my life. Each one of you. I'm sitting here, I'm looking and I'm thinking of each one of them. Whether it's Aaron Bean and I—Aaron Bean and I did the New York City Marathon together, many years ago. I finished about an hour before him, but we did do—I should have said, "We both completed." I would take up way too much time if I sat here and just said everything. It's just been an absolutely incredible journey. While each of you have talked about my legacy and helping individuals with unique abilities, honestly, it's your legacy, and it's the Speaker's legacy. The only thing I did, is maybe, for two years raise it to a level that people took notice. I couldn't have done it on my own. I mean, none of those bills have my name on them, none of them. They had your names on them; every one of them. For that, I am forever grateful, for everything that you all have done for us as a family. You've embraced our journey. You could have very easily said, "No, Andy. We don't believe in that," or "No, let's work on this or that," and we did, but you embraced what we believed in. For that, I want to thank you.

To my family, my mom and dad: What was said earlier was absolutely true. Senator Detert, everything you said is absolutely true. My dad was a used truck salesman, a one-man show in Orlando. I'm a southsider from Orlando, born and raised, but so was my dad. My dad remembers when Orange Avenue coming into Downtown Orlando was a dirt road. He talks a lot about growing orange trees when he was a kid. When my dad was born in Orlando, the doctor was paid—and it's still a dispute in the family—two dozen eggs or three? Three dozen eggs was the payment to the doctor when my dad was born. Who would have thought that my dad would get to see the Gardiner name up here for a long, long time?

To my children: I know that I've been distracted and busy. I hope that there will come a point—and I think you do now—but I hope when you all grow up and you bring your children here, and they get a chance to—my grandchildren and your grandchildren—they see the picture that you'll be able to say, "You know, he did ok." I love you guys. I've loved having you all up here. I've been blessed. I know the Speaker's kids are in school and it's a little more difficult. I've been blessed to have my children here almost the entire session. That has been just so incredibly special and I want to thank you all. I hope that you'll understand as you grow older why we've done what we've done.

To Camille: I still blame Camille for all of this. I still remember the day—we had just a really easy, simple life, we were newly-married—and she said, "There was a little article about Representative Bill Sublette, and he was not going to run for reelection." He was term limited out—a lot of you all remember Bill. It's her fault because she said, "You know, you ought to run for that seat." When you marry your best friend, they know you better than you know yourself. I never would have run if it had not been for Camille. She knocked on more doors than me, she worked harder than me. To be quite honest, she would have been a better Representative and Senator than me. I cannot thank her enough for the opportunity to go and do this. I'm ready to go home. I am. I feel—you're ready to go home too? Ok. Just a second honey, we'll go home in just a second, I promise.

What I'm going home to are the people that were my closest friends growing up, that are up here in the audience. When we get together, we talk about fishing and baseball, we don't talk about this. They were my

friends then, they've been my friends through all this, and they will be my friends after. Orlando Health, my friends up here all came up. I'm ready to come home, and for that I'm grateful. There are a couple of other people I need to just recognize up here. I see Joel Springer and the team, David Johnson and Christina, the whole crew. Of course, little Robert, who had to travel with me for three or four years. "Sparky," Senator Detert, I think you nicknamed him that.

I'll leave you with this. I'd love to take credit for the quote, but it was President Jeff Atwater that stood right here and said, and I'll never forget it, "Don't fear the debate. Don't fear the debate." We will always have disputes. We will always have differences of opinions with our friends in the House, in the Governor's Office, in the press, whatever it may be. But don't fear the ability to raise an issue. Just don't. If you do, if you walk away from what you believe, then you will forever be sad that you walked away from an opportunity to make a difference, you just will. I've probably lost more issues in this legislative process than I've won, but I never lost sleep at night because I always felt as though I did everything I could to be successful.

To the President Designate: You will absolutely love this. You will. You're going to cry. You're going to laugh. You're going to yell. You will feel every emotion that you can possibly think of, but I will tell you this: Enjoy every minute of it. Surround yourself with people that you enjoy being around, because you will be around them a lot—I can assure you of that.

On behalf of the Gardiner family, and to everybody that has been here and been a part of my political career—which is coming to an end—thank you. Thank you to the press; thank you for everything. Thank you for embracing the Gardiner family on this journey. I cannot thank you enough. It has been truly a humbling experience and it's time to go home. Thank you. Thank you.

## BILLS ON THIRD READING, continued

### THE PRESIDENT PRESIDING

Consideration of **CS for SB 7050** was deferred.

**CS for SB 1322**—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 appropriations; providing effective dates.

—as amended March 4, 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 Latvala moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (227052) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 985.6865, Florida Statutes, is created to read:

985.6865 *Juvenile detention.*—

(1) *The Legislature finds that various counties and the Department of Juvenile Justice have engaged in a multitude of legal proceedings regarding detention cost sharing for juveniles. Such litigation has largely focused on how the Department of Juvenile Justice calculates the detention costs that the counties are responsible for paying, leading to the*

*overbilling of counties for a period of years. Additionally, litigation pending in 2016 is a financial burden on the taxpayers of this state.*

(2) *It is the intent of the Legislature that all counties that are not fiscally constrained counties and that have 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 sharing. Furthermore, all counties that are not fiscally constrained 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 from counties complying with this subsection for any underpayment for any cost-sharing requirements before the 2016-2017 fiscal year.*

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

(a) *"Detention care" means secure detention and respite beds for juveniles charged with a domestic violence crime.*

(b) *"Fiscally constrained county" means a county within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.*

(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. This amount includes the most recent actual certify forward amounts minus any funds it expends on detention care for juveniles residing in fiscally constrained counties or out of state.*

(4)(a) *Notwithstanding s. 985.686 and 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 subsection (2) 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 county that is not a fiscally constrained 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 such 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) *Notwithstanding s. 985.686, for the 2017-2018 fiscal year, and each fiscal year thereafter, each county that is not a fiscally constrained county and that has taken the action fulfilling the intent of this section as described in subsection (2) shall pay its annual percentage share of 50 percent of the total shared detention costs. By July 15, 2017, and each year thereafter, the department shall calculate and provide to each county that is not a fiscally constrained 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, each such 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.*

(5) *The state shall pay all costs of detention care for juveniles residing in a fiscally constrained county and for juveniles residing out of state. 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.*

(6) *Each county that is not a fiscally constrained county and that has taken the action fulfilling the intent of this section as described in subsection (2) shall incorporate into its annual county budget sufficient funds to pay its annual percentage share of the total shared detention costs required by subsection (4).*

(7) Funds paid by the counties to the department pursuant to this section must be deposited into the Shared County/State Juvenile Detention Trust Fund.

(8) The department shall determine each quarter whether the counties are remitting funds as required by this section.

(9) Funds received from counties pursuant to this section are not subject to the service charges provided in s. 215.20.

(10) The department may adopt rules to administer this section.

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 ~~pre-disposition~~ juvenile detention. Moneys credited to the trust fund shall consist of funds from the counties' share of the costs for ~~pre-disposition~~ 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 ~~pre-adjudication~~ 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 ~~pre-adjudication~~ 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. *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 s. 985.6865, Florida Statutes, as created 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 everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile detention costs; creating s. 985.6865, F.S.; providing legislative findings and intent; defining terms; requiring certain counties that are not fiscally constrained counties to each pay to the Department of Juvenile Justice its annual percentage share of specified amounts for specified fiscal years; requiring such counties to pay its annual percentage share of the specified amounts in 12 equal payments beginning on a specified date; creating the methodology by which the department determines the percentage share for each county; providing an expiration date; requiring the state to pay all costs of detention care for juveniles residing in a fiscally constrained county, residing out of state, and residing in state detention centers in counties that provide their own detention care for juveniles; requiring a county that is not fiscally constrained county to incorporate into its annual budget sufficient funds to pay its annual percentage share; requiring certain funds to be deposited into the Shared County/State Juvenile Detention Trust Fund; requiring the department to determine certain compliance on a quarterly basis; exempting certain funds collected from specified service charges; providing rulemaking; amending ss. 985.6015 and 985.688, F.S.; conforming provisions to changes made by the act; providing appropriations; providing effective dates.

On motion by Senator Latvala, **CS for SB 1322**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	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
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

**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 third time by title.

Pending further consideration of **CS for SB 7050**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1033** was withdrawn from the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

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

**CS for CS for CS for HB 1033**—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; amending s. 282.0051, F.S.; requiring the agency to establish an information technology policy for certain state contracts; providing policy requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 7050**, and by two-thirds vote, read the second time by title.

On motion by Senator Ring, by two-thirds vote, **CS for CS for CS for HB 1033** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	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
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

**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 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.

—as amended March 4, was read the third time by title.

Pending further consideration of **CS for SB 268**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 229** was withdrawn from the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Fiscal Policy.

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

**CS for HB 229**—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring each school district to review its 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 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.

—a companion measure, was substituted for **CS for SB 268**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Ring, by two-thirds vote, **CS for HB 229** 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	Gaetz	Latvala
Bradley	Galvano	Legg
Brandes	Garcia	Margolis
Bullard	Gibson	Montford
Clemens	Grimsley	Negron

Richter	Simpson	Stargel
Ring	Smith	Thompson
Sachs	Sobel	
Simmons	Soto	

Nays—None

Vote after roll call:

Yea—Braynon, Flores

Vote preference:

March 8, 2016: Yea—Lee

**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. 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. 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. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; 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 issuance of such plate to qualified persons; requiring certain wording and symbols on the plate; 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.

—as amended March 4, 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 Richter moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (564610)**—Delete line 478 and insert: 316.003(2), and is being operated in autonomous mode, as

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

Senator Richter moved the following amendment:

**Amendment 2 (822546) (with title amendment)**—Delete lines 149-171 and insert:

Section 1. Section 316.003, Florida Statutes, is reordered and amended 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:

(1) **AUTHORIZED EMERGENCY VEHICLES.**—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

(3)(2) **BICYCLE.**—Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

(7)(3) **BUS.**—Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(4) **BICYCLE LANE.**—A portion of a roadway or highway that has been designated by pavement markings and signs for the preferential or exclusive use by bicycles.

(8)(4) **BUSINESS DISTRICT.**—The territory contiguous to, and including, a highway when 50 percent or more of the frontage thereon, for a distance of 300 feet or more, is occupied by buildings in use for business.

(9)(5) **CANCELLATION.**—Cancellation means that a license which was issued through error or fraud is declared void and terminated. A new license may be obtained only as permitted in this chapter.

(14)(6) **CROSSWALK.**—

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(15)(7) **DAYTIME.**—The period from a half hour before sunrise to a half hour after sunset. Nighttime means at any other hour.

(16)(8) **DEPARTMENT.**—The Department of Highway Safety and Motor Vehicles as defined in s. 20.24. Any reference herein to Department of Transportation shall be construed as referring to the Department of Transportation, defined in s. 20.23, or the appropriate division thereof.

(17)(9) **DIRECTOR.**—The Director of the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles.

(18)(10) **DRIVER.**—Any person who drives or is in actual physical control of a vehicle on a highway or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.

(19) **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.

(21)(11) **EXPLOSIVE.**—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or

other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effect on contiguous objects or of destroying life or limb.

~~(23)(12)~~ FARM TRACTOR.—Any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

~~(24)(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

~~(26)(14)~~ GROSS WEIGHT.—The weight of a vehicle without load plus the weight of any load thereon.

~~(28)(15)~~ HOUSE TRAILER.—

(a) A trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets and highways, or

(b) A trailer or a semitrailer the chassis and exterior shell of which is designed and constructed for use as a house trailer, as defined in paragraph (a), but which is used instead, permanently or temporarily, for the advertising, sales, display, or promotion of merchandise or services or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

~~(29)(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

~~(30)(17)~~ INTERSECTION.—

(a) The area embraced within the prolongation or connection of the lateral curblines; or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

~~(31)(18)~~ LANED HIGHWAY.—A highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

~~(32)(19)~~ LIMITED ACCESS FACILITY.—A street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways from which trucks, buses, and other commercial vehicles are excluded; or they may be freeways open to use by all customary forms of street and highway traffic.

~~(33)(20)~~ LOCAL AUTHORITIES.—Includes all officers and public officials of the several counties and municipalities of this state.

~~(39)(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, swamp buggy, or moped. For purposes of s. 316.1001, “motor vehicle” has the same meaning as in s. 320.01(1)(a).

~~(40)(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or a moped.

~~(43)(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

~~(44)(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

~~(45)(25)~~ OPERATOR.—Any person who is in actual physical control of a motor vehicle upon the highway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

~~(46)(26)~~ OWNER.—A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee, or lessee, or mortgagor shall be deemed the owner, for the purposes of this chapter.

~~(47)(27)~~ PARK OR PARKING.—The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this chapter.

~~(48)(28)~~ PEDESTRIAN.—Any person afoot.

~~(49)(29)~~ PERSON.—Any natural person, firm, copartnership, association, or corporation.

~~(50)(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air is designed to support the load.

~~(51)(31)~~ POLE TRAILER.—Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

~~(52)(32)~~ POLICE OFFICER.—Any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations, including Florida highway patrol officers, sheriffs, deputy sheriffs, and municipal police officers.

~~(53)(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph ~~(76)(b)~~ ~~(53)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

~~(54)(34)~~ RADIOACTIVE MATERIALS.—Any materials or combination of materials which emit ionizing radiation spontaneously in which the radioactivity per gram of material, in any form, is greater than 0.002 microcuries.

~~(55)(35)~~ RAILROAD.—A carrier of persons or property upon cars operated upon stationary rails.

~~(56)(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or device erected by authority of a public body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

~~(57)(37)~~ RAILROAD TRAIN.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except a streetcar.

~~(58)(38)~~ RESIDENCE DISTRICT.—The territory contiguous to, and including, a highway, not comprising a business district, when the property on such highway, for a distance of 300 feet or more, is, in the main, improved with residences or residences and buildings in use for business.

~~(59)(39)~~ REVOCATION.—Revocation means that a licensee’s privilege to drive a motor vehicle is terminated. A new license may be obtained only as permitted by law.

(60)(40) **RIGHT-OF-WAY.**—The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

(61)(41) **ROAD TRACTOR.**—Any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or as any part of the weight of a vehicle or load so drawn.

(62)(42) **ROADWAY.**—That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term “roadway” as used herein refers to any such roadway separately, but not to all such roadways collectively.

(63)(43) **SADDLE MOUNT; FULL MOUNT.**—An arrangement whereby the front wheels of one vehicle rest in a secured position upon another vehicle. All of the wheels of the towing vehicle are upon the ground, and only the rear wheels of the towed vehicle rest upon the ground. Such combinations may include one full mount, whereby a smaller transport vehicle is placed completely on the last towed vehicle.

(64)(44) **SAFETY ZONE.**—The area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or so marked by adequate signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

(66)(45) **SCHOOL BUS.**—Any motor vehicle that complies with the color and identification requirements of chapter 1006 and is used to transport children to or from public or private school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children. The term “school” includes all preelementary, elementary, secondary, and postsecondary schools.

(67)(46) **SEMITRAILER.**—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

(68) **SERVICE PATROL VEHICLE.**—*A motor vehicle that bears an emblem or markings with the wording “SERVICE VEHICLE” which is visible from the roadway and clearly indicates that the vehicle belongs to or is under contract with a person, an entity, a cooperative, a board, a commission, a district, or a unit of government that provides highway assistance services to motorists, clears travel lanes, or provides temporary maintenance of traffic support for incident response operations.*

(69)(47) **SIDEWALK.**—That portion of a street between the curb-line, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

(70)(48) **SPECIAL MOBILE EQUIPMENT.**—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(71)(49) **STAND OR STANDING.**—The halting of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this chapter.

(72)(50) **STATE ROAD.**—Any highway designated as a state-maintained road by the Department of Transportation.

(73)(51) **STOP.**—When required, complete cessation from movement.

(74)(52) **STOP OR STOPPING.**—When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a law enforcement officer or traffic control sign or signal.

(76)(53) **STREET OR HIGHWAY.**—

(a) The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic;

(b) The entire width between the boundary lines of any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons, or any limited access road owned or controlled by a special district, whenever, by written agreement entered into under s. 316.006(2)(b) or (3)(b), a county or municipality exercises traffic control jurisdiction over said way or place;

(c) Any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within the boundary of any airport owned by the state, a county, a municipality, or a political subdivision, which area is used for vehicular traffic but which is not open for vehicular operation by the general public; or

(d) Any way or place used for vehicular traffic on a controlled access basis within a mobile home park recreation district which has been created under s. 418.30 and the recreational facilities of which district are open to the general public.

(77)(54) **SUSPENSION.**—Temporary withdrawal of a licensee’s privilege to drive a motor vehicle.

(83)(55) **THROUGH HIGHWAY.**—Any highway or portion thereof on which vehicular traffic is given the right-of-way and at the entrances to which vehicular traffic from intersecting highways is required to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or yield sign, or otherwise in obedience to law.

(84)(56) **TIRE WIDTH.**—Tire width is that width stated on the surface of the tire by the manufacturer of the tire, if the width stated does not exceed 2 inches more than the width of the tire contacting the surface.

(85)(57) **TRAFFIC.**—Pedestrians, ridden or herded animals, and vehicles, streetcars, and other conveyances either singly or together while using any street or highway for purposes of travel.

(88)(58) **TRAILER.**—Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle.

(91)(59) **TRUCK.**—Any motor vehicle designed, used, or maintained primarily for the transportation of property.

(92)(60) **TRUCK TRACTOR.**—Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(36)(61) **MIGRANT OR SEASONAL FARM WORKER.**—Any person employed in hand labor operations in planting, cultivation, or harvesting agricultural crops.

(22)(62) **FARM LABOR VEHICLE.**—Any vehicle equipped and used for the transportation of nine or more migrant or seasonal farm workers, in addition to the driver, to or from a place of employment or employment-related activities. The term does not include:

(a) Any vehicle carrying only members of the immediate family of the owner or driver.

(b) Any vehicle being operated by a common carrier of passengers.

(c) Any carpool as defined in s. 450.28(3).

(5)(63) **BICYCLE PATH.**—Any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is

located either within the highway right-of-way or within an independent right-of-way.

(10)(64) CHIEF ADMINISTRATIVE OFFICER.—The head, or his or her designee, of any law enforcement agency which is authorized to enforce traffic laws.

(11)(65) CHILD.—A child as defined in s. 39.01, s. 984.03, or s. 985.03.

(12)(66) COMMERCIAL MOTOR VEHICLE.—Any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle:

- (a) Has a gross vehicle weight rating of 10,000 pounds or more;
- (b) Is designed to transport more than 15 passengers, including the driver; or
- (c) Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

A vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. 549.09(1)(a), is not a commercial motor vehicle if it is not used for profit and corporate sponsorship is not involved. As used in this subsection, the term “corporate sponsorship” means a payment, donation, gratuity, in-kind service, or other benefit provided to or derived by a person in relation to the underlying activity, other than the display of product or corporate names, logos, or other graphic information on the property being transported.

(13)(67) COURT.—The court having jurisdiction over traffic offenses.

(25)(68) GOLF CART.—A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes.

(27)(69) HAZARDOUS MATERIAL.—Any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term includes hazardous waste as defined in s. 403.703(13).

(75)(70) STRAIGHT TRUCK.—Any truck on which the cargo unit and the motive power unit are located on the same frame so as to form a single, rigid unit.

(80)(71) TANDEM TRAILER TRUCK.—Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate as a complete unit.

(81)(72) TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway network consisting primarily of four or more lanes, including all interstate highways; highways designated by the United States Department of Transportation as elements of the National Network; and any street or highway designated by the Florida Department of Transportation for use by tandem trailer trucks, in accordance with s. 316.515, except roads on which truck traffic was specifically prohibited on January 6, 1983.

(82)(73) TERMINAL.—Any location where:

- (a) Freight either originates, terminates, or is handled in the transportation process; or
- (b) Commercial motor carriers maintain operating facilities.

(89)(74) TRANSPORTATION.—The conveyance or movement of goods, materials, livestock, or persons from one location to another on any road, street, or highway open to travel by the public.

(94)(75) VEHICLE.—Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

(6)(76) BRAKE HORSEPOWER.—The actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(37)(77) MOPED.—Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels; with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(42)(78) NONPUBLIC SECTOR BUS.—Any bus which is used for the transportation of persons for compensation and which is not owned, leased, operated, or controlled by a municipal, county, or state government or a governmentally owned or managed nonprofit corporation.

(97)(79) WORK ZONE AREA.—The area and its approaches on any state-maintained highway, county-maintained highway, or municipal street where construction, repair, maintenance, or other street-related or highway-related work is being performed or where one or more lanes is closed to traffic.

(35)(80) MAXI-CUBE VEHICLE.—A specialized combination vehicle consisting of a truck carrying a separable cargo-carrying unit combined with a semitrailer designed so that the separable cargo-carrying unit is to be loaded and unloaded through the semitrailer. The entire combination may not exceed 65 feet in length, and a single component of that combination may not exceed 34 feet in length.

(79)(81) TANDEM AXLE.—Any two axles whose centers are more than 40 inches but not more than 96 inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles.

(41)(82) MOTORIZED SCOOTER.—Any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

(20)(83) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

(87)(84) TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or device with the capability of activating a control mechanism mounted on or near traffic signals which alters a traffic signal’s timing cycle.

(95)(85) VICTIM SERVICES PROGRAMS.—Any community-based organization whose primary purpose is to act as an advocate for the victims and survivors of traffic crashes and for their families. The victims services offered by these programs may include grief and crisis counseling, assistance with preparing victim compensation claims excluding third-party legal action, or connecting persons with other service providers, and providing emergency financial assistance.

(38)(86) MOTOR CARRIER TRANSPORTATION CONTRACT.—

- (a) A contract, agreement, or understanding covering:
  1. The transportation of property for compensation or hire by the motor carrier;
  2. Entrance on property by the motor carrier for the purpose of loading, unloading, or transporting property for compensation or hire; or
  3. A service incidental to activity described in subparagraph 1. or subparagraph 2., including, but not limited to, storage of property.

(b) “Motor carrier transportation contract” does not include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use, or possession of intermodal chassis, containers, or other intermodal equipment.

(86)(87) **TRAFFIC INFRACTION DETECTOR.**—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

(90)(88) **TRI-VEHICLE.**—An enclosed three-wheeled passenger vehicle that:

- (a) Is designed to operate with three wheels in contact with the ground;
- (b) Has a minimum unladen weight of 900 pounds;
- (c) Has a single, completely enclosed, occupant compartment;
- (d) Is produced in a minimum quantity of 300 in any calendar year;
- (e) Is capable of a speed greater than 60 miles per hour on level ground; and
- (f) Is equipped with:

1. Seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, “Seating systems” (49 C.F.R. s. 571.207);

2. A steering wheel used to maneuver the vehicle;

3. A propulsion unit located forward or aft of the enclosed occupant compartment;

4. A seat belt for each vehicle occupant certified to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, “Seat belt assemblies” (49 C.F.R. s. 571.209);

5. A windshield and an appropriate windshield wiper and washer system that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, “Glazing Materials” (49 C.F.R. s. 571.205) and Federal Motor Vehicle Safety Standard No. 104, “Windshield Wiping and Washing Systems” (49 C.F.R. s. 571.104); and

6. A vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, “Rollover crush resistance” (49 C.F.R. s. 571.216).

(78)(89) **SWAMP BUGGY.**—A motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

(2)(90) **AUTONOMOUS VEHICLE.**—Any vehicle equipped with autonomous technology. The term “autonomous technology” means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(34)(91) **LOCAL HEARING OFFICER.**—The person, designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), who is authorized to conduct hearings related to a notice of violation issued pursuant to s. 316.0083. The charter county, non-charter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

(65)(92) **SANITATION VEHICLE.**—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides garbage, trash, refuse, or recycling collection.

(93) **UTILITY SERVICE VEHICLE.**—A motor vehicle that bears an emblem that is visible from the roadway and clearly identifies that the vehicle belongs to or is under contract with a person, entity, cooperative, board, commission, district, or unit of local government that provides electric, natural gas, water, wastewater, cable, telephone, or communications services.

(96) **VULNERABLE USER OF A PUBLIC ROADWAY OR VULNERABLE USER.**—

(a) *A pedestrian, including a person actually engaged in work upon a highway, work upon utility facilities along a highway, or the provision of emergency services within the right-of-way;*

(b) *A person operating, or who is a passenger on, a bicycle, motorcycle, scooter, or moped lawfully on the roadway;*

(c) *A person riding an animal; or*

(d) *A person lawfully operating on a public roadway, crosswalk, or shoulder of the roadway:*

1. *A farm tractor or similar vehicle designed primarily for farm use;*

2. *A horse-drawn carriage;*

3. *An electric personal assistive mobility device; or*

4. *A wheelchair.*

Section 2. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 316.027, Florida Statutes, are amended to read:

316.027 Crash involving death or personal injuries.—

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

(a) “serious bodily injury” means an injury to a person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

(b) “Vulnerable road user” means:

1. ~~A pedestrian, including a person actually engaged in work upon a highway, or in work upon utility facilities along a highway, or engaged in the provision of emergency services within the right-of-way;~~

2. ~~A person operating a bicycle, motorcycle, scooter, or moped lawfully on the roadway;~~

3. ~~A person riding an animal; or~~

4. ~~A person lawfully operating on a public right-of-way, crosswalk, or shoulder of the roadway:~~

- a. ~~A farm tractor or similar vehicle designed primarily for farm use;~~

- b. ~~A skateboard, roller skates, or in-line skates;~~

- e. ~~A horse-drawn carriage;~~

- d. ~~An electric personal assistive mobility device; or~~

~~e. A wheelchair.~~

(2)

(e) A driver who violates paragraph (a), paragraph (b), or paragraph (c) shall have his or her driver license revoked for at least 3 years as provided in s. 322.28(4).

1. A person convicted of violating paragraph (a), paragraph (b), or paragraph (c) shall, before his or her driving privilege may be reinstated, present to the department proof of completion of a victim's impact panel session in a judicial circuit if such a panel exists, or if such a panel does not exist, a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2).

2. The department may reinstate an offender's driving privilege after he or she satisfies the 3-year revocation period as provided in s. 322.28(4) and successfully completes either a victim's impact panel session or a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2).

3. For purposes of this paragraph, an offender's driving privilege may be reinstated only after the department verifies that the offender participated in and successfully completed a victim's impact panel session or a department-approved driver improvement course.

(f) For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, an offense listed in this subsection is ranked one level above the ranking specified in s. 921.0022 or s. 921.0023 for the offense committed if the victim of the offense was a vulnerable road user.

Section 3. Section 316.083, Florida Statutes, is amended to read:

316.083 Overtaking and passing a vehicle.—The following provisions shall govern the overtaking and passing of a vehicle proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall give an appropriate signal as provided for in s. 316.156, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) The driver of a motor vehicle overtaking a person operating a bicycle or other vulnerable user of a public roadway ~~nonmotorized vehicle~~ must pass the person operating the bicycle or other vulnerable user ~~nonmotorized vehicle~~ at a safe distance of not less than 3 feet between any part of or attachment to the motor vehicle, anything extending from the motor vehicle, or any trailer or other thing being towed by the motor vehicle and the bicycle, the person operating the bicycle, or other vulnerable user ~~nonmotorized vehicle~~.

~~(3)(2)~~ Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle, on audible signal or upon the visible blinking of the headlamps of the overtaking vehicle if such overtaking is being attempted at nighttime, and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

~~(4)(3)~~ A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. *If a violation of this section contributes to the bodily injury of a vulnerable user of a public roadway or to the damage to a motor vehicle and bodily injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the violation shall note such information on the citation.*

Section 4. Section 316.084, Florida Statutes, is amended to read:

316.084 When overtaking on the right is permitted.—

(1) The driver of a vehicle may overtake and pass on the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving traffic in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

*(3) This section does not prohibit a bicycle that is in a bicycle lane or on the shoulder of a roadway or highway from passing another vehicle on the right at the bicycle rider's own risk with no liability to other motor vehicle drivers.*

~~(4)(3)~~ A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 5. Section 316.0875, Florida Statutes, is amended to read:

316.0875 No-passing zones.—

(1) The Department of Transportation and local authorities are authorized to determine those portions of any highway under their respective jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, and, when such signs or markings are in place and clearly visible to an ordinarily observant person, ~~each~~ every driver of a vehicle shall obey the directions thereof.

(2) Where signs or markings are in place to define a no-passing zone as set forth in subsection (1), a ~~no~~ driver may not, ~~shall~~ at any time, drive on the left side of the roadway with such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(3) This section does not apply to a person who safely and briefly drives to the left of the center of the roadway or pavement striping only to the extent necessary to:

(a) Avoid ~~When an obstruction; exists making it necessary to drive to the left of the center of the highway, nor~~

(b) Turn ~~To the driver of a vehicle turning~~ left into or from an alley, private road, or driveway; or

(c) Comply with the requirements regarding a safe distance to pass a vulnerable user, as required by s. 316.083(2).

(4) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 6. Section 316.151, Florida Statutes, is amended to read:

316.151 Required position and method of turning at intersections.—

(1)(a) *Right turn.*—The driver of a vehicle intending to turn right at an intersection onto a highway, public or private roadway, or driveway shall do so as follows:

~~1.(a) Right turn.~~—Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

2. *When overtaking and passing a bicycle or other vulnerable user proceeding in the same direction, the driver of a motor vehicle shall give an appropriate signal as provided for in s. 316.155 and may make the right turn only if the bicycle or other vulnerable user is at least 20 feet from the highway, public or private roadway, or driveway.*

(b) *Left turn.*—The driver of a vehicle intending to turn left at ~~an~~ ~~any~~ intersection onto a highway, public or private roadway, or driveway shall do so as follows:

1. The driver shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. ~~Thereafter, and, after entering the intersection,~~ the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered.

2. A person riding a bicycle and intending to turn left in accordance with this section is entitled to the full use of the lane from which the turn may legally be made. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

~~(c) *Left turn by bicycle.*—In addition to the method of making a left turn described in paragraph (b), a person riding a bicycle and intending to turn left may do so as follows has the option of following the course described hereafter:~~

a. The rider shall approach the turn as close as practicable to the right curb or edge of the roadway;

b. After proceeding across the intersecting roadway, the turn shall be made as close as practicable to the curb or edge of the roadway on the far side of the intersection; and,

c. Before proceeding, the bicyclist shall comply with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed.

(2) The state, county, and local authorities in their respective jurisdictions may cause official traffic control devices to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection. When such devices are so placed, ~~the~~ ~~no~~ driver of a vehicle may *not* turn a vehicle at an intersection other than as directed and required by such devices.

(3) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. *If a violation of this section contributes to the bodily injury of a vulnerable user of a public roadway or the damage to a motor vehicle and injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the violation shall note such information on the citation.*

Section 7. Section 316.1925, Florida Statutes, is amended to read:

316.1925 Careless driving.—

(1) ~~Any~~ person operating a vehicle upon the streets or highways within the state shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as not to endanger the life, limb, or property of any person. ~~A person who fails~~ ~~Failure~~ to drive in such manner ~~commits shall constitute~~ careless driving and a violation of this section.

~~(2) Any person who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.~~

*(2) If a violation under subsection (1) contributed to the bodily injury of a vulnerable user of a public roadway, the law enforcement officer issuing the citation for the violation shall note such information on the citation.*

Section 8. Subsections (1), (5), and (6) of section 316.2065, Florida Statutes, are amended to read:

316.2065 Bicycle regulations.—

(1) *A bicycle is a vehicle under Florida law and shall be operated in the same manner as any other vehicle and every person operating a bicycle propelling a vehicle by human power* has all of the rights and all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this chapter, and except as to provisions of this chapter which by their nature can have no application.

(5)(a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride in the bicycle lane ~~marked for bicycle use~~ or, if *there is no bicycle lane in the roadway is marked for bicycle use*, as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.

2. When preparing for a left turn at an intersection or into a private road or driveway.

3. When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. For the purposes of this subsection, a “substandard-width lane” is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(6)(a) Persons riding bicycles upon a roadway *or in a bicycle lane* may not ride more than two abreast except on *bicycle* paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.

*(b) When stopping at a stop sign, persons riding bicycles in groups of four or more, after coming to a full stop and obeying all traffic laws, may proceed through the stop sign in a group of 10 or fewer at a time, and motor vehicle operators shall allow that group to travel through the intersection before moving forward.*

Section 9. Section 318.19, Florida Statutes, is amended to read:

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of s. 318.14(2), (4), and (9) available to him or her but must appear before the designated official at the time and location of the scheduled hearing:

(1) Any infraction which results in a crash that causes the death of another;

(2) Any infraction which results in a crash that causes “serious bodily injury” of another as defined in s. 316.1933(1);

(3) Any infraction of s. 316.172(1)(b);

(4) Any infraction of s. 316.520(1) or (2); ~~or~~

(5) Any infraction of s. 316.183(2), s. 316.187, or s. 316.189 of exceeding the speed limit by 30 m.p.h. or more; *or*

*(6) Any infraction of s. 316.083, s. 316.151, or s. 316.1925 which contributes to bodily injury of a vulnerable user of a public roadway as defined in s. 316.003. If an infraction listed in this subsection contributes to the bodily injury of a vulnerable user of a public roadway or the damage to a motor vehicle and injury of a motor vehicle occupant, the law enforcement officer issuing the citation to the responsible party for the infraction shall note such information on the citation.*

Section 10. Subsection (2) of section 322.0261, Florida Statutes, is amended to read:

322.0261 Driver improvement course; requirement to maintain driving privileges; failure to complete; department approval of course.—

(2) With respect to an operator convicted of, or who pleaded nolo contendere to, a traffic offense giving rise to a crash identified in paragraph (1)(a) or paragraph (1)(b), the department shall require that the operator, in addition to other applicable penalties, attend a department-approved driver improvement course in order to maintain his or her driving privileges. The department shall include in the course

curriculum instruction specifically addressing the rights of vulnerable road users as defined in s. 316.003 ~~316.027~~ relative to vehicles on the roadway. If the operator fails to complete the course within 90 days after receiving notice from the department, the operator's driver license shall be canceled by the department until the course is successfully completed.

Section 11. Paragraph (c) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 12. Subsection (1) of section 316.1303, Florida Statutes, is amended to read:

316.1303 Traffic regulations to assist mobility-impaired persons.—

(1) Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of a guide dog or service animal designated as such with a visible means of identification, a walker, a crutch, an orthopedic cane, or a wheelchair, the driver of a vehicle approaching the intersection, as defined in s. 316.003 ~~316.003(17)~~, shall bring his or her vehicle to a full stop before arriving at the intersection and, before proceeding, shall take precautions necessary to avoid injuring the pedestrian.

Section 13. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 316.545, Florida Statutes, are 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

~~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 ~~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. 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 ~~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.

(4)(a) No commercial vehicle, as defined in s. 316.003 ~~316.003(66)~~, shall be operated over the highways of this state unless it has been properly registered under the provisions of s. 207.004. Whenever any law enforcement officer identified in s. 207.023(1), upon inspecting the vehicle or combination of vehicles, determines that the vehicle is in violation of s. 207.004, a penalty in the amount of \$50 shall be assessed, and the vehicle may be detained until payment is collected by the law enforcement officer.

Section 14. Subsection (2) of section 316.605, Florida Statutes, is amended to read:

316.605 Licensing of vehicles.—

(2) Any commercial motor vehicle, as defined in s. 316.003 ~~316.003(66)~~, operating over the highways of this state with an expired registration, with no registration from this or any other jurisdiction, or with no registration under the applicable provisions of chapter 320 shall be in violation of s. 320.07(3) and shall subject the owner or operator of such vehicle to the penalty provided. In addition, a commercial motor vehicle found in violation of this section may be detained by any law enforcement officer until the owner or operator produces evidence that the vehicle has been properly registered and that any applicable delinquent penalties have been paid.

Section 15. Subsection (6) of section 316.6105, Florida Statutes, is amended to read:

316.6105 Violations involving operation of motor vehicle in unsafe condition or without required equipment; procedure for disposition.—

(6) This section does not apply to commercial motor vehicles as defined in s. 316.003 ~~316.003(66)~~ or transit buses owned or operated by a governmental entity.

Section 16. Paragraph (a) of subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term "motor vehicle" means a motor vehicle as defined in s. 316.003 that is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003 ~~316.003(45)~~.

Section 17. Subsection (8) of section 316.622, Florida Statutes, is amended to read:

## 316.622 Farm labor vehicles.—

(8) The department shall provide to the Department of Business and Professional Regulation each quarter a copy of each accident report involving a farm labor vehicle, as defined in s. 316.003 ~~316.003(62)~~, commencing with the first quarter of the 2006-2007 fiscal year.

Section 18. Paragraph (b) of subsection (1) of section 316.650, Florida Statutes, is amended to read:

## 316.650 Traffic citations.—

(1)

(b) The department shall prepare, and supply to every traffic enforcement agency in the state, an appropriate affidavit-of-compliance form that shall be issued along with the form traffic citation for any violation of s. 316.610 and that indicates the specific defect needing to be corrected. However, such affidavit of compliance shall not be issued in the case of a violation of s. 316.610 by a commercial motor vehicle as defined in s. 316.003 ~~316.003(66)~~. Such affidavit-of-compliance form shall be distributed in the same manner and to the same parties as is the form traffic citation.

Section 19. Subsection (1) of section 316.70, Florida Statutes, is amended to read:

## 316.70 Nonpublic sector buses; safety rules.—

(1) The Department of Transportation shall establish and revise standards to assure the safe operation of nonpublic sector buses, as defined in s. 316.003 ~~316.003(79)~~, which standards shall be those contained in 49 C.F.R. parts 382, 385, and 390-397 and which shall be directed towards assuring that:

(a) Nonpublic sector buses are safely maintained, equipped, and operated.

(b) Nonpublic sector buses are carrying the insurance required by law and carrying liability insurance on the checked baggage of passengers not to exceed the standard adopted by the United States Department of Transportation.

(c) Florida license tags are purchased for nonpublic sector buses pursuant to s. 320.38.

(d) The driving records of drivers of nonpublic sector buses are checked by their employers at least once each year to ascertain whether the driver has a suspended or revoked driver license.

Section 20. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, special mobile equipment as defined in s. 316.003 ~~316.003(48)~~, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

Section 21. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(3) ~~316.003(2)~~, tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$10 flat.

(b) Any moped: \$5 flat.

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a non-refundable motorcycle safety education fee in the amount of \$2.50 shall be paid. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

(d) An ancient or antique motorcycle: \$7.50 flat, of which \$2.50 shall be deposited into the General Revenue Fund.

(2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

(b) Net weight of less than 2,500 pounds: \$14.50 flat.

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$22.50 flat.

(d) Net weight of 3,500 pounds or more: \$32.50 flat.

(3) TRUCKS.—

(a) Net weight of less than 2,000 pounds: \$14.50 flat.

(b) Net weight of 2,000 pounds or more, but not more than 3,000 pounds: \$22.50 flat.

(c) Net weight more than 3,000 pounds, but not more than 5,000 pounds: \$32.50 flat.

(d) A truck defined as a “goat,” or other vehicle if used in the field by a farmer or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which is not principally operated upon the roads of the state: \$7.50 flat. The term “goat” means a motor vehicle designed, constructed, and used principally for the transportation of citrus fruit within citrus groves or for the transportation of crops on farms, and which can also be used for hauling associated equipment or supplies, including required sanitary equipment, and the towing of farm trailers.

(e) An ancient or antique truck, as defined in s. 320.086: \$7.50 flat.

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS VEHICLE WEIGHT.—

(a) Gross vehicle weight of 5,001 pounds or more, but less than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be deposited into the General Revenue Fund.

(b) Gross vehicle weight of 6,000 pounds or more, but less than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

(c) Gross vehicle weight of 8,000 pounds or more, but less than 10,000 pounds: \$103 flat, of which \$27 shall be deposited into the General Revenue Fund.

(d) Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.

(e) Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.

(f) Gross vehicle weight of 20,000 pounds or more, but less than 26,001 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.

(g) Gross vehicle weight of 26,001 pounds or more, but less than 35,000: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

(h) Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.

(i) Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$773 flat, of which \$201 shall be deposited into the General Revenue Fund.

(j) Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$916 flat, of which \$238 shall be deposited into the General Revenue Fund.

(k) Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.

(l) Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(m) Notwithstanding the declared gross vehicle weight, a truck tractor used within a 150-mile radius of its home address is eligible for a license plate for a fee of \$324 flat if:

1. The truck tractor is used exclusively for hauling forestry products; or
2. The truck tractor is used primarily for the hauling of forestry products, and is also used for the hauling of associated forestry harvesting equipment used by the owner of the truck tractor.

Of the fee imposed by this paragraph, \$84 shall be deposited into the General Revenue Fund.

(n) A truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products within a 150-mile radius of its home address, is eligible for a restricted license plate for a fee of:

1. If such vehicle's declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.
2. If such vehicle's declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to the point of primary manufacture; to the point of assembling the same; or to a shipping point of a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers delivered direct to the growers. The department may require any documentation deemed necessary to determine eligibility prior to issuance of this license plate. For the purpose of this paragraph, "not-for-hire" means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(a)1. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$13.50 flat per registration year or any part thereof, of which \$3.50 shall be deposited into the General Revenue Fund.

2. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$68 flat per permanent registration, of which \$18 shall be deposited into the General Revenue Fund.

(b) A motor vehicle equipped with machinery and designed for the exclusive purpose of well drilling, excavation, construction, spraying, or similar activity, and which is not designed or used to transport loads other than the machinery described above over public roads: \$44 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(d) A wrecker, as defined in s. 320.01, which is used to tow a vessel as defined in s. 327.02, a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01, or a replacement motor vehicle as defined in s. 320.01: \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

(e) A wrecker that is used to tow any nondisabled motor vehicle, a vessel, or any other cargo unless used as defined in paragraph (d), as follows:

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, of which \$31 shall be deposited into the General Revenue Fund.
2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, of which \$46 shall be deposited into the General Revenue Fund.
3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 flat, of which \$65 shall be deposited into the General Revenue Fund.
4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.
5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, of which \$105 shall be deposited into the General Revenue Fund.
6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 flat, of which \$200 shall be deposited into the General Revenue Fund.
7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 flat, of which \$237 shall be deposited into the General Revenue Fund.
8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, of which \$280 shall be deposited into the General Revenue Fund.
9. Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, of which \$343 shall be deposited into the General Revenue Fund.

(f) A hearse or ambulance: \$40.50 flat, of which \$10.50 shall be deposited into the General Revenue Fund.

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Nine passengers and over: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 flat per year or any part thereof, of which \$1.75 shall be deposited into the General Revenue Fund.

(b) Net weight over 500 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1 per cwt, of which 25 cents shall be deposited into the General Revenue Fund.

(8) TRAILERS FOR HIRE.—

(a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Net weight 2,000 pounds or more: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

(a) A travel trailer or fifth-wheel trailer, as defined by s. 320.01(1)(b), that does not exceed 35 feet in length: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

(b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$13.50 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(c) A motor home, as defined by s. 320.01(1)(b)4.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(d) A truck camper as defined by s. 320.01(1)(b)3.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(e) A private motor coach as defined by s. 320.01(1)(b)5.:

1. Net weight of less than 4,500 pounds: \$27 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS; 35 FEET TO 40 FEET.—

(a) Park trailers.—Any park trailer, as defined in s. 320.01(1)(b)7.: \$25 flat.

(b) A travel trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

(11) MOBILE HOMES.—

(a) A mobile home not exceeding 35 feet in length: \$20 flat.

(b) A mobile home over 35 feet in length, but not exceeding 40 feet: \$25 flat.

(c) A mobile home over 40 feet in length, but not exceeding 45 feet: \$30 flat.

(d) A mobile home over 45 feet in length, but not exceeding 50 feet: \$35 flat.

(e) A mobile home over 50 feet in length, but not exceeding 55 feet: \$40 flat.

(f) A mobile home over 55 feet in length, but not exceeding 60 feet: \$45 flat.

(g) A mobile home over 60 feet in length, but not exceeding 65 feet: \$50 flat.

(h) A mobile home over 65 feet in length: \$80 flat.

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund.

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 flat, of which \$1 shall be deposited into the General Revenue Fund.

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 flat, of which \$26.25 shall be deposited into the General Revenue Fund.

Section 22. Subsection (1) of section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(1) In addition to the license taxes specified in s. 320.08 and in subsection (2), there is hereby levied and imposed an annual license tax of 10 cents for the operation of a motor vehicle, as defined in s. 320.01, and moped, as defined in s. 316.003 ~~316.003(77)~~, which tax shall be paid to the department or its agent upon the registration or renewal of registration of the vehicle. Notwithstanding the provisions of s. 320.20, revenues collected from the tax imposed in this subsection shall be deposited in the Emergency Medical Services Trust Fund and used solely for the purpose of carrying out the provisions of ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

Section 23. Section 320.38, Florida Statutes, is amended to read:

320.38 When nonresident exemption not allowed.—The provisions of s. 320.37 authorizing the operation of motor vehicles over the roads of this state by nonresidents of this state when such vehicles are duly registered or licensed under the laws of some other state or foreign country do not apply to any nonresident who accepts employment or engages in any trade, profession, or occupation in this state, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~. In every case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in any trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 10 days after the commencement of such employment or education, register his or her motor vehicles in this state if such motor vehicles are proposed to be operated on the roads of this state. Any person who is enrolled as a student in a college or university and who is a nonresident but who is in this state for a period of up to 6 months engaged in a work-study program for which academic credits are earned from a college whose credits or degrees are accepted for credit by at least three accredited institutions of higher learning, as defined in s. 1005.02, is not required to have a Florida registration for the duration of the work-study program if the person's vehicle is properly registered in another jurisdiction. Any nonresident who is enrolled as a full-time student in such institution of higher learning is also exempt for the duration of such enrollment.

Section 24. Subsection (1) of section 322.031, Florida Statutes, is amended to read:

322.031 Nonresident; when license required.—

(1) In each case in which a nonresident, except a nonresident migrant or seasonal farm worker as defined in s. 316.003 ~~316.003(61)~~, accepts employment or engages in a trade, profession, or occupation in this state or enters his or her children to be educated in the public schools of this state, such nonresident shall, within 30 days after beginning such employment or education, be required to obtain a Florida driver license if such nonresident operates a motor vehicle on the highways of this state. The spouse or dependent child of such nonresident shall also be required to obtain a Florida driver license within that 30-day period before operating a motor vehicle on the highways of this state.

Section 25. Subsection (3) of section 450.181, Florida Statutes, is amended to read:

450.181 Definitions.—As used in part II, unless the context clearly requires a different meaning:

(3) The term "migrant laborer" has the same meaning as migrant or seasonal farm workers as defined in s. 316.003 ~~316.003(61)~~.

Section 26. Subsection (5) of section 559.903, Florida Statutes, is amended to read:

559.903 Definitions.—As used in this act:

(5) “Motor vehicle” means any automobile, truck, bus, recreational vehicle, motorcycle, motor scooter, or other motor powered vehicle, but does not include trailers, mobile homes, travel trailers, trailer coaches without independent motive power, watercraft or aircraft, or special mobile equipment as defined in s. 316.003 ~~316.003(48)~~.

Section 27. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

655.960 Definitions; ss. 655.960-655.965.—As used in this section and ss. 655.961-655.965, unless the context otherwise requires:

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(76)(a) or (b) ~~316.003(53)(a) or (b)~~, including any adjacent sidewalk, as defined in s. 316.003 ~~316.003(47)~~.

Section 28. Paragraph (b) of subsection (2) of section 732.402, Florida Statutes, is amended to read:

732.402 Exempt property.—

(2) Exempt property shall consist of:

(b) Two motor vehicles as defined in s. 316.003 ~~316.003(21)~~, which do not, individually as to either such motor vehicle, have a gross vehicle weight in excess of 15,000 pounds, held in the decedent’s name and regularly used by the decedent or members of the decedent’s immediate family as their personal motor vehicles.

Section 29. Subsection (1) of section 860.065, Florida Statutes, is amended to read:

860.065 Commercial transportation; penalty for use in commission of a felony.—

(1) It is unlawful for any person to attempt to obtain, solicit to obtain, or obtain any means of public or commercial transportation or conveyance, including vessels, aircraft, railroad trains, or commercial vehicles as defined in s. 316.003 ~~316.003(66)~~, with the intent to use such public or commercial transportation or conveyance to commit any felony or to facilitate the commission of any felony.

Section 30. For the purpose of incorporating the amendment made by this act to section 316.1925, Florida Statutes, in a reference thereto, paragraph (b) of subsection (4) of section 316.072, Florida Statutes, is reenacted to read:

316.072 Obedience to and effect of traffic laws.—

(4) PUBLIC OFFICERS AND EMPLOYEES TO OBEY CHAPTER; EXCEPTIONS.—

(b) Unless specifically made applicable, the provisions of this chapter, except those contained in ss. 316.192, 316.1925, and 316.193, shall not apply to persons, teams, or motor vehicles and other equipment while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Section 31. For the purpose of incorporating the amendment made by this act to sections 316.083 and 316.084, Florida Statutes, in references thereto, subsection (5) of section 316.1923, Florida Statutes, is reenacted to read:

316.1923 Aggressive careless driving.—“Aggressive careless driving” means committing two or more of the following acts simultaneously or in succession:

(5) Improperly passing as defined in s. 316.083, s. 316.084, or s. 316.085.

Section 32. For the purpose of incorporating the amendment made by this act to section 318.19, Florida Statutes, in a reference thereto, subsection (2) of section 318.14, Florida Statutes, is reenacted to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(2) Except as provided in ss. 316.1001(2) and 316.0083, any person cited for a violation requiring a mandatory hearing listed in s. 318.19 or any other criminal traffic violation listed in chapter 316 must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18. For all other infractions under this section, except for infractions under s. 316.1001, the officer must certify by electronic, electronic facsimile, or written signature that the citation was delivered to the person cited. This certification is prima facie evidence that the person cited was served with the citation.

Section 33. For the purpose of incorporating the amendment made by this act to section 316.2065, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 318.18, Florida Statutes, is reenacted to read:

318.18 Amount of penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(1) Fifteen dollars for:

(b) All infractions of s. 316.2065, unless otherwise specified.

And the title is amended as follows:

Delete lines 4-5 and insert: providing definitions; amending s. 316.027, F.S.; deleting the definition of the term “vulnerable road user”; conforming provisions to changes made by the act; amending s. 316.083, F.S.; revising provisions relating to the passing of a vehicle; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.084, F.S.; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; amending s. 316.0875, F.S.; revising exceptions to provisions for designated no-passing zones; amending s. 316.151, F.S.; revising provisions for turning at intersections; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.1925, F.S.; revising provisions relating to careless driving; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 316.2065, F.S.; revising provisions for operation of a bicycle; requiring motor vehicle operators to allow a group of bicycles to travel through an intersection under certain circumstances; amending s. 318.19, F.S.; requiring a hearing for specified offenses; directing a law enforcement officer issuing a citation for specified violations to note certain information on the citation; amending s. 322.0261, F.S., relating to driver improvement courses; revising the definition of “vulnerable road users”; amending ss. 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031, 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.; conforming cross-references; reenacting ss. 316.072(4)(b), 316.1923(5), 318.14(2), and 318.18(1)(b), F.S., relating to obedience to and effect of traffic laws, aggressive careless driving, noncriminal traffic infractions, and amount of penalties, respectively, to incorporate amendments made by the act in references thereto;

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 to **Amendment 2 (822546)**:

**Amendment 2A (240216)**—Delete line 600 and insert:  
*bicycle, scooter, or moped lawfully on the roadway;*

On motion by Senator Brandes, further consideration of **CS for CS for SB 1394**, as amended, with pending **Amendment 2 (822546)** and **Amendment 2A (240216)** was deferred.

**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.

—as amended March 4, was read the third time by title.

#### RECONSIDERATION OF BILL

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

**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.

—as amended March 4, was placed on the calendar of Bills on Third Reading.

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Brandes, the Senate reconsidered the vote by which **Amendment 4 (690366)** was adopted on March 4. **Amendment 4 (690366)** was withdrawn.

On motion by Senator Brandes, by two-thirds vote, **CS for CS for CS for HB 651**, as amended, was read the third time by title, passed, and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote preference:

March 8, 2016: Yea—Lee

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

**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. 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. 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. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; 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 issuance of such plate to qualified persons; requiring certain wording and symbols on the plate; 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.

—which was previously considered and amended this day. Pending **Amendment 2A (240216)** by Senator Clemens failed to receive the required two-thirds vote.

The vote was:

Yeas—19

Bean	Hukill	Ring
Brandes	Hutson	Smith
Braynon	Latvala	Sobel
Clemens	Legg	Soto
Dean	Margolis	Stargel
Detert	Montford	
Garcia	Negron	

Nays—19

Mr. President	Evers	Richter
Abruzzo	Flores	Sachs
Altman	Galvano	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Thompson
Bullard	Hays	
Diaz de la Portilla	Joyner	

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Richter, the Senate reconsidered the vote by which **Amendment 2A (240216)** failed. **Amendment 2A (240216)** failed to receive the required two-thirds vote.

The question recurred on pending **Amendment 2 (822546)** by Senator Richter which was adopted by two-thirds vote.

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 by two-thirds vote:

**Amendment 3 (253166) (with title amendment)**—Delete line 702 and insert:  
collegiate license plates established under s. 320.08058(3), *license plates of institutions in the State University System, Florida Professional Sports Team license plates established under s. 320.08058(9), or*

And the title is amended as follows:

Delete line 63 and insert: license plate; providing exceptions to the minimum

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:

**Amendment 4 (413116) (with title amendment)**—Between lines 1300 and 1301 insert:

Section 26. Paragraph (a) of subsection (2) of section 318.18, Florida Statutes, is amended to read

318.18 Amount of penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(2) Thirty dollars for all nonmoving traffic violations and:

(a) For all violations of s. 322.19 and s. 366.94.

Section 27. Subsection (46) is added to section 320.01, Florida Statutes, to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(46)(a) “Ridesharing arrangements” means the transportation of not more than 15 passengers, including the driver, where the transportation is incidental to another purpose of the driver, who is not engaged in transportation as a business or for a profit. The term includes:

1. Carpool or vanpool arrangements not exceeding 15 passengers, including the driver, in which the driver seeks reimbursement for, or the rideshare participants may pool or otherwise share, transportation costs; and

2. Carpool or vanpool arrangements not exceeding 15 passengers, including the driver, used in the transportation of employees to or from their places of employment or educational or other institutions.

(b) For the purposes of this chapter and chapter 627, motor vehicles used in ridesharing arrangements are not included in the term “for-hire vehicle,” and money or other consideration exchanged for, or to facilitate reimbursement of, transportation costs or related expenses in a ridesharing arrangement may not be deemed to be compensation or the receipt of a fee.

Section 28. Paragraphs (c), (d), and (e) are added to subsection (8) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(8)

(c) A person issued a specialty license plate that has been discontinued by the department may keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period and must pay all other applicable registration fees. However, such person is exempt from paying the applicable specialty license plate fee under subsection (4) for the remainder of the 10-year license plate replacement period.

(d) If the department discontinues issuance of a specialty license plate, all annual use fees currently held or collected by the department shall be distributed within 180 days after the date the specialty license plate is discontinued. Of those fees, the department shall retain an amount sufficient to defray the applicable administrative and inventory closeout costs associated with discontinuance of the plate. The remaining funds shall be distributed to the specified organization or organizations as provided in s. 320.08058.

(e) If an organization that is the intended recipient of the funds pursuant to s. 320.08058 no longer exists, the department shall deposit any undisbursed funds into the Highway Safety Operating Trust Fund.

Section 29. Section 324.031, Florida Statutes, is amended to read:

324.031 Manner of proving financial responsibility.—The owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle may prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy as defined in s. 324.021(8) or s. 324.151, which policy is issued by an insurance carrier which is a member of the Florida Insurance Guaranty Association. The operator or owner of any other vehicle, including those used in a ridesharing arrangement, may prove his or her financial responsibility by:

(1) Furnishing satisfactory evidence of holding a motor vehicle liability policy as defined in ss. 324.021(8) and 324.151;

(2) Furnishing a certificate of self-insurance showing a deposit of cash in accordance with s. 324.161; or

(3) Furnishing a certificate of self-insurance issued by the department in accordance with s. 324.171.

Any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in subsection (2) shall furnish a certificate of deposit equal to the number of vehicles owned times \$30,000, to a maximum of \$120,000; in addition, any such person, other than a natural person, shall maintain insurance providing coverage in excess of limits of

\$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$125,000/250,000/50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).

Section 30. Paragraph (b) of subsection (3) of section 366.94, Florida Statutes, is amended to read:

366.94 Electric vehicle charging stations.—

(3)

(b) If a law enforcement officer finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in ~~s. 316.008(4)~~ or s. 318.18(2)(a).

Section 31. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

(2)(a)1. If the property stolen is valued at \$100,000 or more or is a semitrailer that was deployed by a law enforcement officer; or

2. If the property stolen is cargo valued at \$50,000 or more that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock; or

3. If the offender commits any grand theft and:

a. In the course of committing the offense the offender uses a motor vehicle as an instrumentality, other than merely as a getaway vehicle, to assist in committing the offense and thereby damages the real property of another; ~~or~~

b. In the course of committing the offense the offender causes damage to the real or personal property of another in excess of \$1,000; *or*;

c. *In the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,*

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete line 145 and insert: Legislature; amending s. 318.18, F.S.; adding a penalty for a specified violation; amending s. 320.01, F.S.; defining the term "ridesharing arrangements"; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty license plate; amending s. 324.031, F.S.; authorizing the operator or owner of certain vehicles used in a ridesharing arrangement to prove his or her financial responsibility by furnishing certain evidence or a certain certificate; amending s. 366.94, F.S.; revising penalties; amending s. 812.014, F.S.; specifying a certain criminal penalty for offenders committing any grand theft who in the course of committing the offense use any type of device to interfere with a global positioning system or similar system 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 4 (413116)** which was adopted by two-thirds vote:

**Amendment 4A (898564) (with title amendment)**—Delete lines 13-102 and insert:

Section 27. Paragraphs (c), (d), and (e) are added to subsection (8) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(8)

(c) A person issued a specialty license plate that has been discontinued by the department may keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period and must pay all other applicable registration fees. However, such person is exempt from paying the applicable specialty license plate fee under subsection (4) for the remainder of the 10-year license plate replacement period.

(d) If the department discontinues issuance of a specialty license plate, all annual use fees currently held or collected by the department shall be distributed within 180 days after the date the specialty license plate is discontinued. Of those fees, the department shall retain an amount sufficient to defray the applicable administrative and inventory closeout costs associated with discontinuance of the plate. The remaining funds shall be distributed to the specified organization or organizations as provided in s. 320.08058.

(e) If an organization that is the intended recipient of the funds pursuant to s. 320.08058 no longer exists, the department shall deposit any undisbursed funds into the Highway Safety Operating Trust Fund.

Section 28. Paragraph (b) of subsection (3) of section 366.94, Florida Statutes, is amended to read:

366.94 Electric vehicle charging stations.—

(3)

(b) If a law enforcement officer finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in ~~s. 316.008(4)~~ or s. 318.18(2)(a).

Section 29. Paragraph (a) of subsection (2) of section

And the title is amended as follows:

Delete lines 135-143 and insert: penalty for a specified violation; amending s. 320.08056, F.S.; revising provisions for discontinuing issuance of a specialty license plate; amending s. 366.94, F.S.;

**Amendment 4 (413116)**, as amended, was adopted by two-thirds vote.

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

Senator Garcia moved the following amendment:

**Amendment 5 (269694) (with title amendment)**—Between lines 171 and 172 insert:

Section 2. Subsection (3) is added to section 316.068, Florida Statutes, to read:

316.068 Crash report forms.—

(3) *The crash report form may not include personal telephone numbers of persons involved in the crash.*

And the title is amended as follows:

Between lines 5 and 6 insert: amending s. 316.068, F.S.; prohibiting a crash report form from including personal telephone numbers of persons involved in the crash;

On motion by Senator Brandes, further consideration of **CS for CS for SB 1394**, as amended, with pending **Amendment 5 (269694)** was deferred.

**MOTIONS**

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

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Monday, March 7, 2016: CS for CS for SB 324, CS for SB 706, CS for SB 984, CS for CS for SB 1010, CS for CS for SB 1454, CS for SB 1496, CS for SB 1638, CS for SB 7054, CS for SB 7056.

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 31, as amended, and requests the concurrence of the Senate.

*Bob Ward*, Clerk

By Education Committee and Representative(s) Spano, Ahern, Artiles, Combee, Diaz, M., Grant, Hill, O'Toole, Porter, Raulerson, Santiago, Stevenson, Van Zant—

**CS for HB 31**—A bill to be entitled An act relating to high school athletics; amending s. 1006.20, F.S.; providing that a private school may join the Florida High School Athletic Association (FHSAA) as a full-time member or on a per-sport basis; authorizing a public school to apply for consideration to join another athletic association; prohibiting the FHSAA from taking any retributory or discriminatory action against specified schools; authorizing the Commissioner of Education to identify other associations in compliance with specified provisions; requiring the preparticipation physical evaluation form to contain certain information relating to a cardiovascular assessment that includes an electrocardiogram; requiring the FHSAA to make literature containing certain information available to parents; providing a process for resolving student eligibility disputes; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 195, as amended, by the required constitutional three-fourths vote of the membership and requests the concurrence of the Senate.

*Bob Ward*, Clerk

By Regulatory Affairs Committee and Representative(s) Rodrigues, R., Berman, Costello, Diaz, J., Diaz, M., Dudley, Pafford, Rehwinkel Vasilinda, Smith—

**CS for HB 195**—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.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; Finance and Tax; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 229, as amended, and requests the concurrence of the Senate.

*Bob Ward*, Clerk

By K-12 Subcommittee and Representative(s) Geller, Cortes, J., DuBose, Fitzenhagen, Hager, Murphy, Rooney—

**CS for HB 229**—A bill to be entitled An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring each school district to review its 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 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.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 447 and requests the concurrence of the Senate.

*Bob Ward*, Clerk

By Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Raschein, Mayfield, Pilon—

**CS for CS for HB 447**—A bill to be entitled An act relating to local government environmental financing; providing a short title; amending s. 212.055, F.S.; expanding the uses of local government infrastructure surtaxes to include acquiring any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; revising definitions for purposes of using surtax proceeds; amending s. 215.619, F.S.; expanding the use of Everglades restoration bonds to include the City of Key West Area of Critical State Concern; expanding the types of water management projects eligible for funding; revising the dates for issuance and maturity of Everglades restoration bonds; reducing the annual appropriation amount dedicated to fund the Florida Keys Area of Critical State Concern protection program; authorizing bond proceeds to be spent on the City of Key West Area of Critical State Concern; expanding projects that may be funded by bond proceeds; specifying procedures to be followed for certain lands that are no longer needed for certain restoration purposes; amending s. 259.045, F.S.; requiring the Department of Environmental Protection to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern; authorizing certain local governments and special districts to recommend additional lands for purchase; amending s. 259.105, F.S.; requiring specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; amending s. 380.0552, F.S.; revising legislative intent regarding the Florida Keys Area of Critical State Concern; specifying that plan amendments in the Florida Keys must also be consistent with protecting and improving specified water quality and water supply projects; amending s. 380.0666, F.S.; expanding powers of a land authority to include acquiring lands to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern and contribute funds for certain land purchases by the department; providing limitations relating to acquiring or contributing lands to improve public transportation facilities; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 593, as amended, and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Metz, Artiles, Rodriguez, J.—

**CS for CS for HB 593**—A bill to be entitled An act relating to government accountability; amending s. 11.045, F.S.; providing definitions; requiring each house of the Legislature to provide by rule reporting requirements regarding a lobbying firm's lobbying activities; specifying requirements regarding the content of reports and filing deadlines; requiring each house of the Legislature to establish procedures applicable to untimely filing of reports by rule; providing fines for late filing of reports; amending s. 11.0455, F.S.; conforming a cross-reference; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms "abuse," "fraud," and "waste"; revising the definition of the term "local governmental entity"; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; creating s. 20.602, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to officers and board members of corporate entities associated with the Department of Economic Opportunity; prohibiting such officers and board members from representing a person or an entity for compensation before certain bodies for a specified timeframe; providing for construction; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, a criminal conflict and civil regional counsel, a capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; creating s. 112.3126, F.S.; defining the term "private entity"; prohibiting a member of the Legislature or a candidate for legislative office from accepting employment with a private entity that directly receives funding through state revenues under certain circumstances; authorizing employment with a private entity if certain conditions are met; amending s. 112.313, F.S.; specifying that prohibitions on conflicting employment or contractual relationships for public officers or employees of an agency apply to contractual relationships held by certain business entities; providing that specified contractual relationships are not prohibited or deemed a conflict of interest for certain purposes; amending s. 112.3144, F.S.; requiring certain elected municipal officers to file a full and public disclosure of financial interests, rather than a statement of financial interests; providing for applicability; amending s. 112.31455, F.S.; revising provisions governing collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests to include school districts; amending s. 112.3215, F.S.; requiring a lobbying firm to file a report with the Commission on Ethics disclosing whether the firm lobbied the Governor to approve or veto a bill or an appropriation, beginning on a specified date; requiring the commission to establish procedures applicable to untimely filing of reports by rule; providing fines for late filing of reports; conforming provisions to changes made by the act; amending s. 112.3261, F.S.; revising terms to conform to changes made by the act; expanding the types of governmental entities that are subject to lobbyist registration requirements; requiring a governmental entity to create a lobbyist registration form; amending ss. 129.03, 129.06, 166.241, and 189.016, F.S.; requiring counties, municipalities, and special districts to maintain certain budget documents on the entities' websites for a specified period; amending s. 162.30, F.S.; authorizing a county or municipality to provide for the recovery of attorney fees and costs by a prevailing party in certain civil actions under specified conditions; providing applicability of certain codes and ordinances; amending s. 215.425, F.S.; defining the term "public funds"; revising exceptions to the prohibition on extra compensation claims; revising minimum requirements for any policy, ordinance, rule, or resolution designed to implement a bonus scheme; requiring certain contracts into which a unit of government or state university enters to contain certain provisions regarding severance pay; requiring a unit of government to investigate and take reasonable action to recover prohibited compensation; specifying methods of recovery for unintentional and willful violations; specifying applicability of pro-

cedures regarding suspension and removal of an officer who commits a willful violation; specifying circumstances under which an employee has a cause of action under the Whistle-blower's Act; providing for applicability; amending s. 215.86, F.S.; revising the purposes for which management systems and internal controls must be established and maintained by each state agency and the judicial branch; amending s. 215.97, F.S.; revising the definition of the term "audit threshold"; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements of the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of noncompliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls to achieve specified purposes; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the composition of an audit committee; prohibiting an audit committee member from being an employee, a chief executive officer, or a chief financial officer of the respective governmental entity; requiring the chair of an audit committee to sign and execute an affidavit affirming compliance with auditor selection procedures; prescribing procedures in the event of noncompliance with auditor selection procedures; amending s. 286.0114, F.S.; prohibiting a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting; amending s. 288.92, F.S.; prohibiting specified officers and board members of Enterprise Florida, Inc., from representing a person or entity for compensation before Enterprise Florida, Inc., and associated entities thereof, for a specified timeframe; revising the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to certain officers and board members; amending s. 288.9604, F.S.; prohibiting a director of the Florida Development Finance Corporation from representing a person or an entity for compensation before the corporation for a specified timeframe; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts' websites for a specified period; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term "bribery"; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; amending s. 1001.42, F.S.; authorizing additional internal audits as directed by the district school board; specifying duties of the district school board regarding visitation of schools; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit requirements; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; removing obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 99.061, 218.503, and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, and s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath of notaries public, to incorporate the amendment made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(d) and (g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, 838.022, and 838.22, F.S., in references thereto; providing for applicability; repealing s. 110.181, F.S., which provides for the creation and administration of the Florida State Employees' Charitable Campaign; requiring the Department of Management Services to provide a report to the Governor and Legislature regarding the establishment of a new single state employee charitable

campaign; providing report requirements; declaring that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; Community Affairs; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 627 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Economic Development & Tourism Subcommittee and Representative(s) Moraitis, Rogers—

**CS for HB 627**—A bill to be entitled An act relating to community contribution tax credits; 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.

—was referred to the Committees on Community Affairs; Finance and Tax; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 655 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Representative(s) Fullwood—

**HB 655**—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida, as amended; establishing special zones in downtown Jacksonville; providing exceptions for space and seating requirements for liquor licenses for restaurants in the zones, subject to local zoning requirements; 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 709 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Representative(s) Williams, A.—

**HB 709**—A bill to be entitled An act relating to the City of Tallahassee, Leon County; amending chapter 2008-294, Laws of Florida; revising the boundaries of the downtown area for purposes of temporary permits for a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tallahassee; 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 931 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Passidomo, Rodríguez, J., Dudley, Williams, A.—

**CS for CS for HB 931**—A bill to be entitled An act relating to operations of the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; specifying that a consumer representative appointed by the Governor to the Citizens Property Insurance Corporation's board of governors is not prohibited from practicing in a certain profession if required or permitted by law or ordinance; revising the requirements for licensed agents of the corporation; revising provisions related to the corporation's use of certain public and private hurricane loss projection models in establishing certain rates; authorizing the use of specified information by certain entities in analyzing risks or developing rating plans; prohibiting the use of such information for the direct solicitation of policyholders; requiring the corporation to revise certain programs by a specified date; requiring the corporation to publish a periodic schedule of cycles for certain purposes; specifying information required to be included in certain take-out requests; requiring the corporation to maintain and make available specified lists of insurers requesting to take out a policy; requiring the corporation to provide policyholders and the agents of record with a specified notice regarding policy renewal options; providing an effective date.

—was referred to the Committees on Banking and Insurance; Ethics and Elections; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1017 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Economic Development & Tourism Subcommittee and Representative(s) La Rosa, Artilles, Stevenson—

**CS for HB 1017**—A bill to be entitled An act relating to reemployment assistance fraud; providing a short title; amending s. 322.142, F.S.; adding the Department of Economic Opportunity as an entity that may be issued reproductions from certain files or digital records for specified reasons; amending s. 443.101, F.S.; providing for disqualification from eligibility for reemployment benefits for a specified period of time determined by the number of incidents of false or fraudulent representation; extending such disqualification period if such representation is made in furtherance of a specified felony; amending s. 895.02, F.S.; expanding the definition of the term "racketeering activity" to include knowingly making false statements or representations or knowingly failing to disclose a material fact to obtain or increase benefits or other payments under ch. 443, F.S., and other specified laws; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1033, as amended, and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By State Affairs Committee, Government Operations Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) Artilles, Broxson, Caldwell, Combee, Grant, Hill, Rehwinkel Vasilinda, Rooney, Stevenson, Sullivan, Taylor—

**CS for CS for CS for HB 1033**—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; amending s. 282.0051, F.S.; requiring the agency to establish an information technology policy for certain state contracts; providing policy requirements; providing an effective date.

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

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1039 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Representative(s) Caldwell, Roberson, K.—

**HB 1039**—A bill to be entitled An act relating to the Babcock Ranch Community Independent Special District, Charlotte and Lee Counties; amending chapter 2007-306, Laws of Florida; expanding the Babcock Ranch Community Independent Special District to include areas of Lee County; amending legislative intent, definitions, legislative policy, district creation and establishment, governing board administrative duties, district budgets and financial reports, and district powers to include references to Lee County; amending the district's legal boundaries to include areas of Lee County; requiring district governing board election procedures to involve officials from both counties; requiring general obligation bond elections to occur in both counties; authorizing the levy and collection of non-ad valorem maintenance taxes in both counties; providing for required notices to be published in both counties; 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 1187, as amended, and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Regulatory Affairs Committee and Representative(s) Grant, La Rosa—

**CS for HB 1187**—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 326.004, F.S.; deleting a requirement that yacht and ship brokers maintain a separate license for each branch office and related fees; amending s. 447.02, F.S.; deleting the definition of the term "department"; repealing s. 447.04, F.S., relating to business agents, licenses, and permits; repealing s. 447.041, F.S., relating to a hearing for a denied license, permit, or registration; repealing s. 447.045, F.S., relating to certain confidential information; repealing s. 447.06, F.S., relating to the required registration of labor organizations; amending s. 447.09, F.S.; deleting prohibitions against specified actions; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to the applicability of ch. 447, F.S.; amending s. 468.401, F.S.; deleting definitions; repealing s. 468.402, F.S., relating to the duties of the Department of Business and Professional Regulation; repealing s. 468.403, F.S., relating to licensure and application requirements for owners and operators of talent agencies; repealing s. 468.404, F.S., relating to fees and renewal of talent agency licenses; repealing s. 468.405, F.S., relating to qualification for talent agency licenses; amending s. 468.406, F.S.; deleting the requirement for talent agencies to file with the department an itemized schedule of certain fees and an amended or supplemental schedule under certain circumstances; repealing s. 468.407, F.S., relating to license contents and posting; amending s. 468.408, F.S.; revising requirements for talent agency bonds; deleting a departmental requirement to approve talent agency bonds; requiring that a bonding company notify the talent agency, rather than notifying the department, of certain claims; amending s. 468.409, F.S.; deleting provisions requiring talent agencies to make specified records readily available for inspection by the department; amending s. 468.410, F.S.; deleting a reference to the department in talent agency contracts; amending s. 468.412, F.S.; revising the information that talent agencies must enter in the talent agency records; deleting requirements relating to the inspection of talent agency records and the submission of certain

records and reports to the department; revising the requirements for talent agencies to post certain laws and rules; revising the information required in talent agency publications; amending s. 468.413, F.S.; deleting provisions relating to criminal violations for failing to obtain or maintain licensure with the department; deleting provisions authorizing the court to suspend or revoke a license; deleting a provision authorizing the court to take certain actions; revising the department's authority to bring certain actions and impose certain remedies for violations of talent agency regulations; repealing s. 468.414, F.S., relating to collection and deposit of fines, fees, and penalties by the department; amending s. 468.415, F.S.; deleting a provision requiring the department to revoke a license; amending s. 469.006, F.S.; requiring that a license be in the name of a qualifying agent rather than the name of a business organization; requiring the qualifying agent, rather than the business organization, to report certain changes in information; conforming provisions to changes made by the act; amending s. 469.009, F.S.; deleting the authority of the department to reprimand, censure, or impose probation on certain business organizations; amending s. 477.0135, F.S.; providing that a license or registration is not required for a person whose occupation or practice is confined solely to applying polish to nails; amending s. 481.203, F.S.; defining the term "business organization"; deleting the definition of the term "certificate of authorization"; amending s. 481.219, F.S.; revising the process by which a business organization obtains the requisite license to perform architectural services; requiring that a licensee or an applicant apply to qualify a business organization under certain circumstances; specifying application requirements; authorizing the Board of Architecture and Interior Design to deny an application under certain circumstances; requiring that a qualifying agent be a registered architect or a registered interior designer under certain circumstances; requiring that a qualifying agent notify the department when she or he ceases to be affiliated with a business organization; prohibiting a business organization from engaging in certain practices until it is qualified by a qualifying agent; authorizing the executive director or the chair of the board to authorize a certain registered architect or interior designer to temporarily serve as the business organization's qualifying agent for a specified timeframe under certain circumstances; requiring the qualifying agent to give written notice to the department before engaging in practice under her or his own name or in affiliation with another business organization; requiring the board to allow an applicant to qualify one or more business organizations or to operate using a fictitious name under certain circumstances; conforming provisions to changes made by the act; amending s. 481.221, F.S.; requiring a business organization to include the license number of a certain registered architect or interior designer in any advertising; providing an exception; conforming provisions to changes made by the act; amending s. 481.229, F.S.; conforming provisions to changes made by the act; reordering and amending s. 481.303, F.S.; deleting the definition of the term "certificate of authorization"; amending s. 481.321, F.S.; revising provisions that require persons to display certificate numbers under certain circumstances; conforming provisions to changes made by the act; amending ss. 481.311, 481.317, and 481.319, F.S.; conforming provisions to changes made by the act; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.503, F.S.; revising an exemption from regulation for certain persons; exempting a person who installs certain low-voltage landscape lighting from specified requirements; amending s. 489.518, F.S.; exempting certain persons from initial training for burglar alarm system agents; creating s. 550.2416, F.S.; requiring injuries to racing greyhounds to be reported within a certain timeframe on a form adopted by the Division of Pari-mutuel Wagering of the department; requiring such form to be completed and signed under oath or affirmation by certain individuals; providing penalties; specifying information that must be included in the form; requiring the division to maintain the forms as public records for a specified time; specifying disciplinary action that may be taken against a licensee of the department who fails to report an injury or who makes false statements on an injury form; exempting injuries to certain animals from reporting requirements; requiring the division to adopt rules; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1195 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Government Operations Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) Grant, Artiles—

**CS for CS for HB 1195**—A bill to be entitled An act relating to technology; amending s. 20.61, F.S.; establishing the chief data officer within the Agency for State Technology; creating s. 282.319, F.S.; requiring the chief data officer to develop an enterprise data inventory and provide recommendations for developing and maintaining an open data catalog; providing definitions; providing responsibilities of the chief data officer; requiring the agency to develop an implementation plan for issuing a digital proof of driver license; requiring the agency to submit the plan to the Governor and Legislature by a specified date; authorizing a position for the agency; authorizing the agency to submit a budget amendment; providing an effective date.

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

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1339 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Local Government Affairs Subcommittee and Representative(s) O'Toole—

**CS for HB 1339**—A bill to be entitled An act relating to the City of Webster, Sumter County; providing legislative intent; codifying, amending, repealing, and reenacting special acts relating to the city; repealing chapter 57-1944, 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 CS/HB 1341 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Appropriations Committee and Representative(s) Young—

**CS for HB 1341**—A bill to be entitled An act relating to state-owned motor vehicles; requiring the Department of Management Services to prepare a plan regarding the centralized management of state-owned motor vehicles; requiring the department to submit the plan to the Governor and Legislature by a specified date; prescribing requirements for the plan; requiring the department to conduct certain evaluations while developing the plan; providing an appropriation; providing an effective date.

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

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1417 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Representative(s) Young—

**HB 1417**—A bill to be entitled An act relating to Hillsborough County; amending chapter 70-718, Laws of Florida; revising space and seating requirements for the issuance of alcoholic beverage licenses to certain restaurants; 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 1439 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Local Government Affairs Subcommittee and Representative(s) Raulerson, Young—

**CS for HB 1439**—A bill to be entitled An act relating to the Hillsborough County Public Transportation Commission; amending chapter 2001-299, Laws of Florida, as amended; providing and revising definitions; revising rulemaking authority for vehicle safety and equipment requirements; revising the application and certification requirements to engage in the business of operating handicabs in the county; revising the types of vehicles subject to restrictions on marks or identification; providing certain requirements for transportation network company services; providing applicability; prohibiting certain acts by transportation network company drivers; 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 4035 and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Representative(s) Combee—

**HB 4035**—A bill to be entitled An act relating to pesticide registration; amending s. 487.041, F.S.; deleting provisions relating to supplemental registration fees for certain pesticides that contain active ingredients for which the United States Environmental Protection Agency has established food tolerance limits; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

---

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 7021, as amended, and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Education Committee, Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Adkins, Harrell, Ahern, Albritton, Antone, Avila, Boyd, Burgess, Burton, Cortes, B., Costello, Diaz, M., Eagle, Edwards, Fresen, Fullwood, Geller, Gonzalez, Hager, Harrison, Jones, M., Jones, S., Latvala, Lee, Magar, Miller, Moskowitz, O'Toole, Perry, Plakon, Plasencia, Porter, Raulerson, Rehwinkel Vasinda, Renner, Rouson, Slosberg, Smith, Spano, Sprowls, Stone—

**CS for CS for HB 7021**—A bill to be entitled An act relating to education; amending s. 1001.215, F.S.; revising the duties of the Just Read, Florida! Office; amending s. 1001.42, F.S.; requiring certain schools to include specific information in the school's improvement plan; requiring certain schools to implement an early warning system for students who meet specific criteria; requiring certain school personnel to monitor data from the early warning system and perform certain duties when a student exhibits specified indicators; amending s. 1002.20, F.S.; revising requirements for notifying a parent of a student with a substantial reading deficiency; amending s. 1002.59, F.S.; revising the emergent literacy and performance standards training course requirements to include specific reading instruction; amending s. 1002.67, F.S.; requiring the Office of Early Learning to approve specific Voluntary Prekindergarten Education Program assessments and establish requirements for individuals administering the assessments; requiring certain prekindergarten students to receive specific reading instruction; requiring the office to identify certain guidelines by rule and provide examples of certain instructional strategies; amending s. 1002.69, F.S.; conforming provisions; requiring data from the statewide kindergarten screening to be used to identify certain students; creating s. 1003.432, F.S.; defining terms; establishing the program to recognize

a high school graduate who has attained a high level of competency in one or more foreign languages; providing the purpose of the program; specifying criteria to earn a Gold Seal of Biliteracy or a Silver Seal of Biliteracy; requiring the Commissioner of Education and school districts to perform specified duties to administer the program; prohibiting a school district or the Department of Education from charging a fee for the seals; requiring the State Board of Education to adopt rules; amending s. 1004.04, F.S.; revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions; revising certain requirements related to clinical education training and preservice field experiences; amending s. 1004.85, F.S.; requiring certain educator preparation institutes to provide evidence of specified reading and technology instruction as a condition of program approval and continued approval; amending s. 1008.25, F.S.; requiring district school boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a substantial deficiency in reading; providing that students with a substantial reading deficiency must be covered by certain plans; revising the parental notification requirements for students with a substantial deficiency in reading; requiring a school to provide updates to parents of students who receive certain services; requiring the Department of Education to develop or contract with another entity to develop a handbook containing specific information for parents of students with a substantial reading deficiency; defining the terms "dyslexia" and "dyscalculia"; requiring schools to provide certain instruction to students who received a good cause exemption from retention; revising grounds for such good cause exemption; revising intervention requirements for certain retained students; revising provisions relating to the Intensive Acceleration Class for retained students in certain grades; revising student progress evaluation requirements; amending s. 1008.345, F.S.; revising reporting requirements of the Commissioner of Education relating to the state system of school improvement and education accountability; amending s. 1011.67, F.S.; revising the contents of a comprehensive staff development plan required for each school district; amending s. 1012.585, F.S.; revising requirements for renewal of professional teaching certificates; amending s. 1012.586, F.S.; authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; requiring the department to review and make recommendations regarding certain subject coverage or endorsement requirements; providing construction; amending s. 1012.98, F.S.; revising duties and requirements for implementation of the School Community Professional Development Act; providing an appropriation and authorizing positions; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7089, as amended, and requests the concurrence of the Senate.

*Bob Ward, Clerk*

By Health & Human Services Committee and Representative(s) Brodeur, Sprowls—

**HB 7089**—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; revising applicability of certain definitions; defining the term "plan year"; authorizing the program to include additional benefits; authorizing an employee to use a specified portion of the state's contribution to purchase additional program benefits and supplemental benefits under certain circumstances; providing for the program to offer health plans in specified benefit levels; requiring the Department of Management Services to develop a plan for implementation of the benefit levels; providing reporting requirements; providing for expiration of the implementation plan; creating s. 110.12303, F.S.; authorizing additional benefits to be included in the program; requiring the department to contract with at least one entity that provides comprehensive pricing and inclusive services for surgery and other medical procedures; providing contract and reporting requirements; requiring the department to contract with an entity to provide enrollees with online information on health care services and providers; providing contract and reporting requirements;

creating s. 110.12304, F.S.; directing the department to contract with an independent benefits consultant; providing qualifications and duties of the independent benefits consultant; providing reporting requirements; providing that the department shall determine and recommend premiums for enrollees for the 2017 plan year; providing requirements for the determination of premiums; requiring the department to submit premium rates to the Legislative Budget Commission by a specified date for review and approval; requiring premium rates to be consistent with the total budgeted amount for the program in the General Appropriations Act for the 2016-2017 fiscal year; providing an appropriation and authorizing positions; providing an effective date.

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

**RETURNING MESSAGES — FINAL ACTION**

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 422.

*Bob Ward, Clerk*

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 586.

*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 624 by the required constitutional two-thirds vote of the members voting.

*Bob Ward, Clerk*

The bill contained in the foregoing message was ordered enrolled.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 4 was corrected and approved.

**CO-INTRODUCERS**

Senators Abruzzo—CS for CS for SB 1310; Negron—CS for CS for SB 750; Sachs—CS for SB 460, SM 600

**ADJOURNMENT**

On motion by Senator Simmons, the Senate adjourned at 5:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 8 or upon call of the President.

**SENATE PAGES**

March 7-11, 2016

Brandon Beebe, Inverness; Bridget Beebe, Inverness; Kaleb Boje, Apollo Beach; Kollin Boje, Apollo Beach; Aaron Denys, Port Orange; Connor Hansen, Tallahassee; Owen Jackson, Boca Raton; Reece Poppe, Tallahassee; Elijah Ring, Parkland; Logan Roberts, Tallahassee; Bailey Smith, Tallahassee; Emily Smith, Riverview