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CALL TO ORDER

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

Mr. President	Farmer	Powell
Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Galvano	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Stewart
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Clemens	Perry	

Excused: Senator Hukill

PRAYER

The following prayer was offered by Pastor Michael D. Smith, New Creation Church, Tallahassee:

Dear gracious God, we come to you this morning thanking you for another day of life and strength. This day, we pray for our great state. We pray, number one, that you would allow us faith. Give us wisdom and insight so that we would do things in decency and in order that we would allow your power and your goodwill to be released on our great state. We pray for your protection, that you would protect us from enemies—foreign and domestic. We pray for our citizens, that the laws passed here would bring about your goodwill, that they may have life, liberty, and the pursuit of happiness.

We pray for the Senators here, for we know that all authorities are assigned and designated by God, and we ask that you would give them wisdom. We pray that you would give them a fervor and a passion for why they were elected and why they were established in this position. Help them to remember, not based on financial contributions from constituents but from good moral character, that we would do good where we know we can. I pray, Lord, for our budget—that the budget will be passed, the great State of Florida will prosper, and we will be in good health.

I pray, Lord God, for those that are in the sex trafficking industry, that our laws would create a place of refuge and a place of safety for them. We pray over all of the other bills the Senators are responsible for so we can see our state grow. I pray that our economy will be blessed and will prosper. I pray, Lord, that at the end of the day, we know we can lay our heads down and understand we have done what we were created to do. So as we move forward, we ask for grace. We ask for wisdom. We ask for guidance. We ask for your presence as we go about our lives. In the name of our Lord. Amen.

PLEDGE

Senate Pages, Justin Eichermuller of Bryceville; Elija Lima of Jacksonville; Nicholas Lahera of Hernando; and Alyssa Chunn of Monticello, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

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

SPECIAL ORDER CALENDAR

SCR 1360—A concurrent resolution requesting the Joint Committee on the Library of Congress to approve the replacement of the statue of Confederate General Edmund Kirby Smith in the National Statuary Hall Collection with a statue of Mary McLeod Bethune.

—was read the second time by title. On motion by Senator Thurston, **SCR 1360** was adopted and certified to the House.

Consideration of **CS for SB 686** was deferred.

On motion by Senator Stewart—

CS for CS for SB 198—A bill to be entitled An act relating to the Environmental Regulation Commission; amending s. 20.255, F.S.; requiring the Governor to appoint a new member to the commission within a certain timeframe after the occurrence of a vacancy; amending s. 403.805, F.S.; requiring certain proposed rules submitted to the commission to receive specified vote totals for approval or modification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 198** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baxley—

SB 762—A bill to be entitled An act relating to child protection; amending s. 61.13, F.S.; prohibiting a time-sharing plan from requiring visitation at a recovery residence between specified hours; amending s. 397.487, F.S.; authorizing a certified recovery residence to allow a minor child to visit a recovery residence, excluding visits during specified hours; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 762** was placed on the calendar of Bills on Third Reading.

CS for SCR 920—A concurrent resolution acknowledging the grave injustices perpetrated against Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, who came to be known as “the Groveland Four”; offering a formal and heartfelt apology to these victims of racial hatred and to their families; and urging the Governor and Cabinet to perform an expedited clemency review of the cases of Charles Greenlee, Walter Irvin, Samuel Shephard, and Ernest Thomas, including granting full pardons.

—was read the second time by title.

CO-INTRODUCERS

On motion by Senator Farmer, the following Senators were recorded as co-introducers of **CS for SCR 920**.

The vote was:

Yeas—36

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Gibson	Rouson
Book	Grimsley	Simmons
Bracy	Hutson	Simpson
Bradley	Latvala	Stargel
Brandes	Lee	Steube
Braynon	Mayfield	Stewart
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Clemens	Perry	Young

Nays—None

Pending further consideration of **CS for SCR 920**, pursuant to Rule 3.11(3), there being no objection, **CS for HCR 631** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Farmer—

CS for HCR 631—A concurrent resolution acknowledging the grave injustices perpetrated against Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, who came to be known as “the Groveland Four”; offering a formal and heartfelt apology to these victims of racial hatred and to their families; and urging the Governor and Cabinet to perform an expedited clemency review of the cases of Charles Greenlee, Walter Irvin, Samuel Shephard, and Ernest Thomas, including granting full pardons.

—a companion measure, was substituted for **CS for SCR 920** and read the second time by title. On motion by Senator Farmer, **CS for HCR 631** was adopted and certified to the House.

On motion by Senator Rodriguez—

CS for CS for SB 766—A bill to be entitled An act relating to payment card offenses; amending s. 817.625, F.S.; revising definitions; revising terminology; revising the offenses of using a scanning device or reencoder with the intent to defraud; prohibiting the use of a skimming device with intent to defraud; prohibiting the possession, sale, or delivery of a skimming device; providing criminal penalties; amending s. 921.0022, F.S.; ranking the offense of possessing, selling, or delivering a skimming device on level 4 of the offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 766** was placed on the calendar of Bills on Third Reading.

SENATOR FLORES PRESIDING

On motion by Senator Baxley—

SB 914—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; defining terms; specifying conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions; providing for construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 914** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1018** was deferred.

On motion by Senator Latvala—

CS for SB 1520—A bill to be entitled An act relating to termination of a condominium association; amending s. 718.117, F.S.; revising legislative findings; requiring a plan of termination to be approved by the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation and meet specified requirements for a condominium form of ownership to be terminated for all or a portion of the condominium property under certain circumstances; revising voting requirements for the rejection of a plan of termination; increasing the amount of time before a new plan of termination may be considered after a previous rejection under certain conditions; revising the requirements to qualify for payment as a homestead owner; revising and providing notice requirements; requiring the division to examine a plan of termination and provide specified notice within a certain timeframe; providing applicability; specifying that a plan of termination is presumed to be accepted if notice is not provided within the specified timeframe; providing an appropriation and authorizing a position; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (961572) (with title amendment)—Delete line 98 and insert:
created pursuant to part VI of this chapter until 5 years

And the title is amended as follows:

Delete line 12 and insert: plan of termination; revising the amount of time

Pursuant to Rule 4.19, **CS for SB 1520**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 1622** was deferred.

On motion by Senator Bradley—

CS for SB 494—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; reordering and amending s. 961.02, F.S.; making technical changes; defining the term “violent felony”; amending s. 961.04, F.S.; revising the circumstances under which a wrongfully incarcerated person is not eligible for compensation under the Victims of Wrongful Incarceration Compensation Act; amending s. 961.06, F.S.; providing that a wrongfully incarcerated person who commits a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is ineligible for compensation; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of status as a wrongfully incarcerated person and of eligibility for compensation, to incorporate the amendment made to s. 961.04, F.S., in references thereto; reenacting ss. 961.05(6), 961.055(1), and 961.056(4), F.S., relating to determination of entitlement to compensation, application for compensation for a wrongfully incarcerated person, and an alternative application for compensation for a wrong-

fully incarcerated person, respectively, to incorporate the amendment made to s. 961.06, F.S., in references thereto; providing an effective date.

—was read the second time by title.

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

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (908054) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 961.02, Florida Statutes, is reordered and amended to read:

961.02 Definitions.—As used in ss. 961.01-961.07, the term:

(1) “Act” means the Victims of Wrongful Incarceration Compensation Act.

(2) “Department” means the Department of Legal Affairs.

(3) “Division” means the Division of Administrative Hearings.

(7)(4) “Wrongfully incarcerated person” means a person whose felony conviction and sentence have been vacated by a court of competent jurisdiction and *who is the subject of an order issued by the original sentencing court pursuant to s. 961.03, with respect to whom pursuant to the requirements of s. 961.03, the original sentencing court has issued its order finding that the person did not commit neither committed the act or nor the offense that served as the basis for the conviction and incarceration and that the person did not aid, abet, or act as an accomplice or accessory to a person who committed the act or offense.*

(4)(5) “Eligible for compensation” means *that* a person meets the definition of *the term* “wrongfully incarcerated person” and is not disqualified from seeking compensation under the criteria prescribed in s. 961.04.

(5)(6) “Entitled to compensation” means *that* a person meets the definition of *the term* “eligible for compensation” and satisfies the application requirements prescribed in s. 961.05, and may receive compensation pursuant to s. 961.06.

(6) “Violent felony” means a felony listed in s. 775.084(1)(c)1. or s. 948.06(8)(c).

Section 2. Section 961.04, Florida Statutes, is amended to read:

961.04 Eligibility for compensation for wrongful incarceration.—A wrongfully incarcerated person is not eligible for compensation under the act if:

(1) Before the person’s wrongful conviction and incarceration, the person was convicted of, or pled guilty or nolo contendere to, regardless of adjudication, any *violent felony offense*, or a crime committed in another jurisdiction the elements of which would constitute a *violent felony* in this state, or a crime committed against the United States which is designated a *violent felony*, excluding any delinquency disposition;

(2) *Before the person’s wrongful conviction and incarceration, the person was convicted of, or pled guilty or nolo contendere to, regardless of adjudication, more than one felony that is not a violent felony, or more than one crime committed in another jurisdiction, the elements of which would constitute a felony in this state, or more than one crime committed against the United States which is designated a felony, excluding any delinquency disposition;*

(3)(2) During the person’s wrongful incarceration, the person was convicted of, or pled guilty or nolo contendere to, regardless of adjudication, any *violent felony offense*; ~~or~~

(4) *During the person’s wrongful incarceration, the person was convicted of, or pled guilty or nolo contendere to, regardless of adjudication, more than one felony that is not a violent felony; or*

(5)(3) During the person’s wrongful incarceration, the person was also serving a concurrent sentence for another felony for which the person was not wrongfully convicted.

Section 3. Subsection (2) of section 961.06, Florida Statutes, is amended to read:

961.06 Compensation for wrongful incarceration.—

(2) In calculating monetary compensation under paragraph (1)(a), a wrongfully incarcerated person who is placed on parole or community supervision while serving the sentence resulting from the wrongful conviction and who commits *no more than one felony that is not anything less than a violent felony which law violation that* results in revocation of the parole or community supervision is eligible for compensation for the total number of years incarcerated. A wrongfully incarcerated person who commits *one violent a felony or more than one felony that is not a violent felony law violation* that results in revocation of the parole or community supervision is ineligible for any compensation under subsection (1).

Section 4. *The changes made by this act to ss. 961.02, 961.04, and 961.06, Florida Statutes, apply only to persons who are determined to be wrongfully incarcerated on or after the effective date of this act.*

Section 5. For the purpose of incorporating the amendments made by this act to section 961.04, Florida Statutes, in references thereto, paragraph (a) of subsection (1) and subsections (2), (3), and (4) of section 961.03, Florida Statutes, are reenacted to read:

961.03 Determination of status as a wrongfully incarcerated person; determination of eligibility for compensation.—

(1)(a) In order to meet the definition of a “wrongfully incarcerated person” and “eligible for compensation,” upon entry of an order, based upon exonerating evidence, vacating a conviction and sentence, a person must set forth the claim of wrongful incarceration under oath and with particularity by filing a petition with the original sentencing court, with a copy of the petition and proper notice to the prosecuting authority in the underlying felony for which the person was incarcerated. At a minimum, the petition must:

1. State that verifiable and substantial evidence of actual innocence exists and state with particularity the nature and significance of the verifiable and substantial evidence of actual innocence; and

2. State that the person is not disqualified, under the provisions of s. 961.04, from seeking compensation under this act.

(2) The prosecuting authority must respond to the petition within 30 days. The prosecuting authority may respond:

(a) By certifying to the court that, based upon the petition and verifiable and substantial evidence of actual innocence, no further criminal proceedings in the case at bar can or will be initiated by the prosecuting authority, that no questions of fact remain as to the petitioner’s wrongful incarceration, and that the petitioner is not ineligible from seeking compensation under the provisions of s. 961.04; or

(b) By contesting the nature, significance, or effect of the evidence of actual innocence, the facts related to the petitioner’s alleged wrongful incarceration, or whether the petitioner is ineligible from seeking compensation under the provisions of s. 961.04.

(3) If the prosecuting authority responds as set forth in paragraph (2)(a), the original sentencing court, based upon the evidence of actual innocence, the prosecuting authority’s certification, and upon the court’s finding that the petitioner has presented clear and convincing evidence that the petitioner committed neither the act nor the offense that served as the basis for the conviction and incarceration, and that the petitioner did not aid, abet, or act as an accomplice to a person who committed the act or offense, shall certify to the department that the petitioner is a wrongfully incarcerated person as defined by this act. Based upon the prosecuting authority’s certification, the court shall also certify to the department that the petitioner is eligible for compensation under the provisions of s. 961.04.

(4)(a) If the prosecuting authority responds as set forth in paragraph (2)(b), the original sentencing court shall make a determination

from the pleadings and supporting documentation whether, by a preponderance of the evidence, the petitioner is ineligible for compensation under the provisions of s. 961.04, regardless of his or her claim of wrongful incarceration. If the court finds the petitioner ineligible under the provisions of s. 961.04, it shall dismiss the petition.

(b) If the prosecuting authority responds as set forth in paragraph (2)(b), and the court determines that the petitioner is eligible under the provisions of s. 961.04, but the prosecuting authority contests the nature, significance or effect of the evidence of actual innocence, or the facts related to the petitioner's alleged wrongful incarceration, the court shall set forth its findings and transfer the petition by electronic means through the division's website to the division for findings of fact and a recommended determination of whether the petitioner has established that he or she is a wrongfully incarcerated person who is eligible for compensation under this act.

Section 6. For the purpose of incorporating the amendment made by this act to section 961.06, Florida Statutes, in a reference thereto, subsection (6) of section 961.05, Florida Statutes, is reenacted to read:

961.05 Application for compensation for wrongful incarceration; administrative expunction; determination of entitlement to compensation.—

(6) If the department determines that a claimant meets the requirements of this act, the wrongfully incarcerated person who is the subject of the claim becomes entitled to compensation, subject to the provisions in s. 961.06.

Section 7. For the purpose of incorporating the amendments made by this act to section 961.06, Florida Statutes, in references thereto, subsection (1) of section 961.055, Florida Statutes, is reenacted to read:

961.055 Application for compensation for a wrongfully incarcerated person; exemption from application by nolle prosequi.—

(1) A person alleged to be a wrongfully incarcerated person who was convicted and sentenced to death on or before December 31, 1979, is exempt from the application provisions of ss. 961.03, 961.04, and 961.05 in the determination of wrongful incarceration and eligibility to receive compensation pursuant to s. 961.06 if:

(a) The Governor issues an executive order appointing a special prosecutor to review the defendant's conviction; and

(b) The special prosecutor thereafter enters a nolle prosequi for the charges for which the defendant was convicted and sentenced to death.

Section 8. For the purpose of incorporating the amendment made by this act to section 961.06, Florida Statutes, in a reference thereto, subsection (4) of section 961.056, Florida Statutes, is reenacted to read:

961.056 Alternative application for compensation for a wrongfully incarcerated person.—

(4) If the department determines that a claimant making application under this section meets the requirements of this chapter, the wrongfully incarcerated person is entitled to compensation under s. 961.06.

Section 9. This act shall take effect October 1, 2017.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to compensation of victims of wrongful incarceration; amending s. 961.02, F.S.; defining the term "violent felony"; making technical changes; amending s. 961.04, F.S.; revising the circumstances under which a person is disqualified from receiving compensation under the Victims of Wrongful Incarceration Compensation Act; amending s. 961.06, F.S.; specifying that a wrongfully incarcerated person who commits no more than one felony that is not a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is eligible for compensation; providing applicability; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of eligibility for compensation, to incorporate the amendments made by the act to s. 961.04, F.S., in references thereto; reenacting ss. 961.05(6), 961.055(1), and 961.056(4), F.S., relating to the

determination of entitlement to compensation, application for compensation for a wrongfully incarcerated person and exemption from application by nolle prosequi, and alternative application for compensation for a wrongfully incarcerated person, to incorporate the amendments made by the act to s. 961.06, F.S., in references thereto; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 494**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 534—A bill to be entitled An act relating to public works projects; creating s. 255.0992, F.S.; providing definitions; prohibiting the state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 534**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 599** was withdrawn from the Committees on Community Affairs; Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Perry—

CS for CS for HB 599—A bill to be entitled An act relating to public works projects; creating s. 255.0992, F.S.; providing definitions; prohibiting the state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 534** and read the second time by title.

Senator Rodriguez moved the following amendments which failed:

Amendment 1 (306116)—Delete line 28 and insert:

(b) "Public works project" means an activity of which 75

THE PRESIDENT PRESIDING

Amendment 2 (949562) (with title amendment)—Between lines 55 and 56 insert:

(c) Any ordinance of a political subdivision in effect as of July 1, 2017, which conflicts with the restrictions in paragraph (a) or paragraph (b) shall remain in full force and effect and is not impaired by this section.

And the title is amended as follows:

Delete line 9 and insert: bidders from submitting bids; grandfathering certain ordinances which conflict with the act; providing applicability;

Amendment 3 (655646)—Delete line 56 and insert:

(3) This section does not apply to charter counties or to contracts executed

Pursuant to Rule 4.19, **CS for CS for HB 599** was placed on the calendar of Bills on Third Reading.

CONFEREES APPOINTED

The President appointed the following conferees for **CS for CS for SB 374, SB 376, SB 2500, SB 2502, SB 2504, SB 2506, SB 2508, SB 2510, SB 2512, SB 2514, SB 2516, SB 7022, HB 5105, HB 5203, HB 5205, HB 5301, HB 5401, HB 5403, HB 5501, and CS for HB 7069**: Appropriations Conference Committee: Senator Latvala, Chair; Senator Flores, Vice Chair; Senators Baxley, Benacquisto, Bradley, Braynon, Clemens, Galvano, Grimsley, Montford, and Simpson, At Large;

Appropriations Conference Committee on Criminal and Civil Justice: Senator Bean, Chair; Senators Baxley, Bracy, Clemens, and Perry; Appropriations Conference Committee on General Government: Senator Grimsley, Chair; Senators Bean, Broxson, Campbell, Garcia, Mayfield, Rodriguez, Rouson, and Torres; Appropriations Conference Committee on Health and Human Services: Senator Flores, Chair; Senators Baxley, Book, Passidomo, Powell, Rader, and Stargel; Appropriations Conference Committee on Higher Education: Senator Galvano, Chair; Senators Bradley, Clemens, Farmer, Lee, and Simmons; Appropriations Conference Committee on Pre-K - 12 Education: Senator Simmons, Chair; Senators Broxson, Farmer, Grimsley, Lee, Montford, Rouson, and Young; Appropriations Conference Committee on the Environment and Natural Resources: Senator Bradley, Chair; Senators Book, Braynon, Hutson, Latvala, Mayfield, and Stewart; Appropriations Conference Committee on Transportation, Tourism, and Economic Development: Senator Brandes, Chair; Senators Benacquisto, Gainer, Gibson, Passidomo, Powell, Rader, Simpson, and Thurston.

SPECIAL GUESTS

Senator Gibson recognized Takari Allen, grandson of Sherese Gainous in the Senate Minority Office, who was present in the chamber.

SPECIAL ORDER CALENDAR, continued

On motion by Senator Baxley—

CS for SB 684—A bill to be entitled An act relating to Internet identifiers; amending s. 775.21, F.S.; revising the definition of the term “Internet identifier”; defining the term “social Internet communication”; requiring a sexual predator to register each Internet identifier’s corresponding website home page or application software name with the Department of Law Enforcement through the sheriff’s office; requiring a sexual predator to report any change to certain information after initial in-person registration in a specified manner; requiring a sexual predator to register all electronic mail addresses, Internet identifiers, and Internet identifiers’ corresponding website home pages or application names with the department within 48 hours after using the addresses or identifiers, rather than before using them; providing that the department’s sexual predator registration list is a public record, unless otherwise made exempt or confidential and exempt; revising the information that a sexual predator must report to the sheriff’s office each year; conforming provisions to change made by the act; making technical changes; amending s. 943.0435, F.S.; requiring a sexual offender, upon initial registration, to report in person at the sheriff’s office; requiring the sexual offender to report any change to each Internet identifier’s corresponding website home page or application software name in person at the sheriff’s office in a specified manner; requiring a sexual offender to report any change to certain information after initial in-person registration in a specified manner; requiring a sexual offender to register all electronic mail addresses and Internet identifiers, and each Internet identifier’s corresponding website home page or application software name, with a specified period after using these addresses or identifiers, rather than before using them; making technical changes; reenacting ss. 943.0437(2), 944.606(1)(c), 944.607(1)(e), 985.481(1)(c), and 985.4815(1)(e), F.S., relating to the definition of the term “Internet identifier,” to incorporate the amendment made to s. 775.21, F.S., in references thereto; reenacting ss. 944.606(3)(a), 944.607(4)(a), (9), and (13)(c), 985.481(3)(a), and 985.4815(4)(a), (9), and (13)(b), F.S., relating to sexual offenders, notification to the Department of Law Enforcement of information on sexual offenders, notification to the department upon release of sexual offenders adjudicated delinquent, and notification to the department of information on juvenile sexual offenders, respectively, to incorporate the amendment made to s. 943.0435, F.S., in references thereto; reenacting ss. 794.056(1), 921.0022(3)(g), and 938.085, F.S., relating to the Rape Crisis Program Trust Fund, the Criminal Punishment Code offense severity ranking chart, and additional costs to fund rape crisis centers, respectively, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 684** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baxley—

CS for SB 686—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining terms; requiring that electronic mail addresses and Internet identifiers of sexual predators or sexual offenders reported pursuant to specified laws be exempt from public records requirements; providing retroactive applicability; providing construction; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a directive to the Division of Law Revision and Information; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 686** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1672** was deferred.

On motion by Senator Grimsley—

CS for CS for SB 474—A bill to be entitled An act relating to hospice care; amending s. 400.60501, F.S.; requiring the Department of Elderly Affairs, in conjunction with the Agency for Health Care Administration, to adopt national hospice outcome measures and survey data by a specified date and to make such measures available to the public; creating s. 400.6096, F.S.; authorizing certain hospice personnel to assist in the disposal of certain prescribed controlled substances; requiring a hospice that chooses to assist in the disposal of certain prescribed controlled substances to establish policies, procedures, and systems for the disposal; authorizing a hospice physician, nurse, or social worker to assist in the disposals of certain prescribed controlled substances; providing requirements for such disposals; amending s. 400.611, F.S.; requiring a hospice to maintain an up-to-date interdisciplinary record of care; revising the patient records retention period; providing for the confidentiality of the interdisciplinary record of patient care; specifying to whom and under what conditions a hospice may release a patient’s interdisciplinary record of care; defining a term; requiring a hospice to release patient statistical data to certain agencies; specifying that information from patient records is confidential and exempt from certain provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 474** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1670** was deferred.

On motion by Senator Steube—

CS for SB 616—A bill to be entitled An act relating to concealed weapons or firearms; amending s. 790.06, F.S.; authorizing a concealed weapons or concealed firearms licensee to temporarily surrender a weapon or firearm if the licensee approaches courthouse security or management personnel upon arrival and follow their instructions; defining the term “courthouse”; providing that inconsistent definitions are preempted to the Legislature; subjecting the persons or entities responsible for enacting, or causing the enforcement of, an inconsistent definition to specified penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 616** was placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

Senator Latvala recognized his son, Representative Chris Latvala, who was present in the chamber.

On motion by Senator Hutson—

CS for CS for CS for SB 596—A bill to be entitled An act relating to utilities; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce reasonable rules or regulations with reference to the placing and maintaining across, on, or within the right-of-way limits of any road or publicly owned rail corridors under their respective jurisdictions any voice or data communications services lines or wireless facilities; providing a short title; defining terms; prohibiting a county or municipality having jurisdiction and control of the rights-of-way of any public road, referred to as the “authority,” from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; authorizing an authority to require a registration process and permit fees only under certain circumstances; requiring an authority to receive and process applications for permits and to issue such permits, subject to specified requirements; prohibiting an authority from requiring approval of or imposing fees or other charges for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities; providing an exception; providing requirements for the collocation of small wireless facilities on authority utility poles; providing requirements for rates, fees, and other terms related to authority utility poles; authorizing an authority to apply current ordinances regulating placement of communications facilities in the right-of-way, including registration, permitting, insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, authority liability, or authority warranties for certain applications; providing that certain permit application requirements and small wireless facility placement requirements shall be waived by the authority; prohibiting an authority from adopting or enforcing any regulation on the placement or operation of certain communications facilities, from regulating any communications services, or from imposing or collecting any tax, fee, or charge not specifically authorized under state law; providing construction; requiring a wireless provider to comply with certain nondiscriminatory undergrounding requirements of the authority; authorizing the authority to waive any such requirements; authorizing a wireless infrastructure provider to apply to an authority to place utility poles in the public rights-of-way to support the collocation of small wireless facilities; providing requirements for such application; requiring the authority to accept and process the application, subject to certain requirements; providing construction; authorizing an authority to enforce local pending ordinances or administrative rules or regulations that are applicable to a historic area designated by the state or authority and subject to waiver by the authority if the intent to adopt regulation or zoning changes has been publicly declared on or before a specified date; providing retroactive applicability; providing an effective date.

—was read the second time by title.

Senator Hutson moved the following amendment which was adopted:

Amendment 1 (395772) (with title amendment)—Delete lines 145-538 and insert:

(IV) *Has, before July 1, 2017, received referendum approval to issue debt to finance municipality-wide underground utilities for electric transmission or distribution.*

7. *“Collocate” or “collocation” means to install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term does not include the installation of a new utility pole or wireless support structure in the public rights-of-way.*

8. *“FCC” means the Federal Communications Commission.*

9. *“Micro wireless facility” means a small wireless facility having dimensions no larger than 24 inches in length, 15 inches in width, and 12 inches in height and an exterior antenna, if any, no longer than 11 inches.*

10. *“Small wireless facility” means a wireless facility that meets the following qualifications:*

a. *Each antenna associated with the facility is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in volume; and*

b. *All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.*

11. *“Utility pole” means a pole or similar structure used in whole or in part to provide communications services or for electric distribution, lighting, traffic control, signage, or a similar function. The term includes the vertical support structure for traffic lights, but does not include any horizontal structures upon which are attached signal lights or other traffic control devices and does not include any pole or similar structure 15 feet in height or less unless an authority grants a waiver for the pole.*

12. *“Wireless facility” means equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration, and equipment associated with wireless communications. The term includes small wireless facilities. The term does not include:*

a. *The structure or improvements on, under, within, or adjacent to the structure on which the equipment is collocated;*

b. *Wireline backhaul facilities; or*

c. *Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.*

13. *“Wireless infrastructure provider” means a person who has been certificated to provide telecommunications service in the state and who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures, but is not a wireless services provider.*

14. *“Wireless provider” means a wireless infrastructure provider or a wireless services provider.*

15. *“Wireless services” means any services provided using licensed or unlicensed spectrum, whether at a fixed location or mobile, using wireless facilities.*

16. *“Wireless services provider” means a person who provides wireless services.*

17. *“Wireless support structure” means a freestanding structure, such as a monopole, a guyed or self-supporting tower, or another existing or proposed structure designed to support or capable of supporting wireless facilities. The term does not include a utility pole.*

(c) *Except as provided in this subsection, an authority may not prohibit, regulate, or charge for the collocation of small wireless facilities in the public rights-of-way.*

(d) *An authority may require a registration process and permit fees in accordance with subsection (3). An authority shall accept applications for permits and shall process and issue permits subject to the following requirements:*

1. *An authority may not directly or indirectly require an applicant to perform services unrelated to the collocation for which approval is sought, such as in-kind contributions to the authority, including reserving fiber, conduit, or pole space for the authority.*

2. An applicant may not be required to provide more information to obtain a permit than is necessary to demonstrate the applicant's compliance with applicable codes for the placement of small wireless facilities in the locations identified in the application.

3. An authority may not require the placement of small wireless facilities on any specific utility pole or category of poles or require multiple antenna systems on a single utility pole.

4. An authority may not limit the placement of small wireless facilities by minimum separation distances; however, within 14 days after the date of filing the application, an authority may request that the proposed location of a small wireless facility be moved to another location in the right-of-way and placed upon an alternative authority utility pole or support structure or placed upon a new utility pole. The authority and applicant may negotiate the alternative location, including any objective design standards, for 30 days after the date of the request. At the conclusion of the negotiation period, if the applicant accepts the alternative location, the applicant must notify the authority, and the application shall be deemed granted for any new location for which there is agreement and all other locations in the application. If no agreement is reached, the applicant must notify the authority, and the authority must grant or deny the original application within 90 days after the date the application is filed. A request for an alternative location, an acceptance of an alternative location, or any rejection of an alternative location must be in writing and provided by electronic mail.

5. An authority shall limit the height of a small wireless facility to no more than 10 feet above the utility pole or structure upon which the small wireless facility is to be collocated. Unless waived by an authority, the height for a new utility pole is limited to the tallest existing utility pole as of July 1, 2017, located in the same right-of-way, other than a utility pole for which a waiver has previously been granted, measured from grade in place within 500 feet of the proposed location of the small wireless facility. If there is no utility pole within 500 feet, the authority shall limit the height of the utility pole to 50 feet.

6. Except as provided in subparagraphs 4. and 5., the installation of a utility pole in the public rights-of-way designed to support a small wireless facility is subject to authority rules or regulations governing the placement of utility poles in the public rights-of-way and is subject to the application review timeframes in this subsection.

7. Within 14 days after receiving an application, an authority must determine and notify the applicant by electronic mail as to whether the application is complete. If an application is deemed incomplete, the authority must specifically identify the missing information. An application is deemed complete if the authority fails to provide notification to the applicant within 14 days.

8. An application must be processed on a nondiscriminatory basis. A complete application is deemed approved if an authority fails to approve or deny the application within 60 days after receipt of the application. If an authority does not use the 30-day negotiation period provided in subparagraph 4., the parties may mutually agree to extend the 60-day application review period. The authority must grant or deny the application at the end of the extended period. A permit issued pursuant to an approved application remains effective for 1 year unless extended by the authority.

9. An authority must notify the applicant of approval or denial by electronic mail. An authority must approve a complete application unless it does not meet the authority's applicable codes. If the application is denied, the authority must specify in writing the basis for denial, including the specific code provisions on which the denial was based, and send the documentation to the applicant by electronic mail on the day the authority denies the application. The applicant may cure the deficiencies identified by the authority and resubmit the application within 30 days after notice of the denial is sent to the applicant. The authority must approve or deny the revised application within 30 days after receipt or the application is deemed approved. Any subsequent review shall be limited to the deficiencies cited in the denial.

10. An applicant seeking to collocate small wireless facilities within the jurisdiction of a single authority may, at the applicant's discretion, file a consolidated application and receive a single permit for the collocation of no more than 30 small wireless facilities. If the application includes multiple small wireless facilities, an authority may remove

small wireless facility collocations from the application and treat separately small wireless facility collocations for which incomplete information has been received or which are denied.

11. An authority may deny a proposed collocation of a small wireless facility in the public rights-of-way if the proposed collocation:

a. Materially interferes with the safe operation of traffic control equipment.

b. Materially interferes with sight lines or clear zones for transportation, pedestrians, or public safety purposes.

c. Materially interferes with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement.

d. Materially fails to comply with the 2010 edition of the Florida Department of Transportation Utility Accommodation Manual.

e. Fails to comply with applicable codes.

12. An authority may adopt by ordinance provisions for registration, permitting, insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, authority liability, or authority warranties. Such provisions must be reasonable and non-discriminatory.

13. Collocation of a small wireless facility on an authority utility pole may not provide the basis for the imposition of an ad valorem tax on the authority utility pole.

14. An authority may reserve space on authority utility poles for future public safety uses. However, a reservation of space may not preclude collocation of a small wireless facility. If replacement of the authority utility pole is necessary to accommodate the collocation of the small wireless facility and the future public safety use, the pole replacement is subject to make-ready provisions, and the replaced pole shall accommodate the future public safety use.

15. Any structure granted a permit and installed pursuant to this subsection must comply with chapter 333 and federal regulations pertaining to airport airspace protections.

(e) An authority may not require approval of or impose fees or other charges for:

1. Routine maintenance;

2. Replacement of existing wireless facilities with wireless facilities that are substantially similar or of the same or smaller size; or

3. Installation, placement, maintenance, or replacement of micro wireless facilities suspended on cables strung between existing utility poles in compliance with applicable codes by a communications service provider authorized to occupy the rights-of-way and who is remitting taxes under chapter 202.

However, notwithstanding this paragraph, an authority may require a right-of-way permit for work that involves excavation, closing a sidewalk, or closing a vehicular lane.

(f) Collocation of small wireless facilities on authority utility poles is subject to the following requirements:

1. An authority may not enter into an exclusive arrangement with any person for the right to attach equipment to authority utility poles.

2. The rates and fees for collocations on authority utility poles must be nondiscriminatory, regardless of the services provided by the collocating person.

3. The rate to collocate small wireless facilities on authority utility poles may not exceed \$150 per pole annually.

4. Agreements between authorities and wireless providers which are in effect on July 1, 2017, and which relate to the collocation of small wireless facilities in the right-of-way, including the collocation of small wireless facilities on authority utility poles, remain in effect, subject to

applicable termination provisions. The wireless provider may accept the rates, fees, and terms established under this subsection for small wireless facilities and utility poles that are the subject of an application submitted after the rates, fees, and terms become effective.

5. A person owning or controlling an authority utility pole shall offer rates, fees, and other terms that comply with this subsection. By the later of January 1, 2018, or 3 months after receiving a request to collocate its first small wireless facility on a utility pole owned or controlled by an authority, the person owning or controlling the authority utility pole shall make available, through ordinance or otherwise, rates, fees, and terms for the collocation of small wireless facilities on the authority utility pole which comply with this subsection.

a. The rates, fees, and terms must be nondiscriminatory, competitively neutral, and must comply with this subsection.

b. For an authority utility pole that supports an aerial facility used to provide communications services or electric service, the parties shall comply with the process for make-ready work under 47 U.S.C. s. 224 and implementing regulations. The good faith estimate of the person owning or controlling the pole for any make-ready work necessary to enable the pole to support the requested collocation must include pole replacement if necessary.

c. For an authority utility pole that does not support an aerial facility used to provide communications services or electric service, the authority shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested collocation, including necessary pole replacement, within 60 days after receipt of a complete application. Make-ready work, including any pole replacement, must be completed within 60 days after written acceptance of the good faith estimate by the applicant. Alternatively, an authority may require the applicant seeking to collocate a small wireless facility to provide a make-ready estimate at the applicant's expense for the work necessary to support the small wireless facility, including pole replacement, and to perform the make-ready work. If pole replacement is required, the scope of the make-ready estimate is limited to the design, fabrication, and installation of a utility pole that is substantially similar in color and composition. The authority may not impose conditions on or restrict the manner in which the applicant obtains, develops, or provides the estimate or conducts the make-ready work subject to usual construction restoration standards for work in the right-of-way. The replaced or altered utility pole shall remain the property of the authority.

d. An authority may not require more make-ready work than is required to meet applicable codes or industry standards. Fees for make-ready work may not include costs related to preexisting damage or prior noncompliance. Fees for make-ready work, including any pole replacement, may not exceed actual costs or the amount charged to communications service providers other than wireless services providers for similar work and may not include any consultant fee or expense.

(g) For any applications filed before the effective dates of ordinances implementing this subsection, an authority may apply current ordinances regulating the placement of communications facilities in the right-of-way, including registration, permitting, insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, authority liability, or authority warranties. Permit application requirements and small wireless facility placement requirements, including utility pole height limits, which conflict with this subsection shall be waived by the authority.

(h) Except as provided in this section or specifically required by state law, an authority may not adopt or enforce any regulation on the placement or operation of communications facilities in the rights-of-way by a provider authorized by state law to operate in the rights-of-way and may not regulate any communications services or impose or collect any tax, fee, or charge not specifically authorized under state law. This paragraph is not intended to change state law regarding an authority's ability to regulate the relocation of facilities.

(i) A wireless provider shall, in relation to a small wireless facility, utility pole, or wireless support structure in the public rights-of-way, comply with nondiscriminatory undergrounding requirements of the authority which prohibit above-ground structures in public rights-of-way. Any such requirements may be waived by the relevant authority.

(j) A wireless infrastructure provider may apply to an authority to place utility poles in the public rights-of-way to support the collocation of small wireless facilities. The application must include an attestation that small wireless facilities will be collocated on the utility pole or structure and small wireless facilities will be used by a wireless services provider to provide service within 9 months from the date the application is granted. An authority shall accept and process the application in accordance with subparagraph (d)6. and any applicable codes and other local codes governing the placement of utility poles in the public rights-of-way.

(k) This subsection does not limit a local government's authority to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. s. 332(c)(7), the requirements for facility modifications under 47 U.S.C. s. 1455(a), or the National Historic Preservation Act of 1966, as amended, and the regulations adopted to implement these laws. An authority may enforce local codes, administrative rules, or regulations adopted by ordinance in effect on April 1, 2017, which are applicable to a historic area designated by the state or authority. An authority may enforce pending local ordinances, administrative rules, or regulations that are applicable to a historic area designated by the state if the intent to adopt such changes has been publicly declared on or before April 1, 2017. An authority may waive any ordinances or other requirements that are subject to this paragraph.

(l) This subsection does not authorize a person to collocate or attach wireless facilities, including any antenna, micro wireless facility, or small wireless facility, on a privately owned utility pole, a utility pole owned by an electric cooperative or a municipal electric utility, a privately owned wireless support structure, or other private property without the consent of the property owner.

(m) The approval of the installation, placement, maintenance, or operation of a small wireless facility pursuant to this subsection may not be construed to authorize the provision of any voice, data, or video communications services or the installation, placement, maintenance, or operation of any communications facilities other than small wireless facilities in the right-of-way.

(n) This subsection does not affect the provisions of subsection (6) relating to pass-through providers.

(o) This subsection does not authorize a person to collocate or attach small wireless facilities or micro wireless facilities on a utility pole unless otherwise permitted by federal law, or to erect a wireless support structure in the right-of-way located within a retirement community that:

1. Is deed-restricted as housing for older persons as defined in s. 760.29(4)(b);
2. Has more than 5,000 residents; and
3. Has underground utilities for electric transmission or distribution.

Nothing in this paragraph applies to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facilities, provided that once aerial facilities are converted to underground, any such collocation or construction shall be only as provided by the municipality's underground utilities ordinance.

(p) This subsection does not authorize a person to collocate or attach small wireless facilities or micro wireless facilities on a utility pole unless otherwise permitted by federal law, or to erect a wireless support structure in the right-of-way located within a municipality that:

1. Is located on a coastal barrier island as defined in s. 161.053(1)(b) 3.;
2. Has a land area of less than 5 square miles;
3. Has fewer than 10,000 residents; and
4. Which has, before July 1, 2017, received referendum approval to issue debt to finance municipality-wide undergrounding of its utilities for electric transmission or distribution.

Nothing in this paragraph applies to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facilities, provided that once aerial facilities are converted to underground, any such collocation or construction shall be only as provided by the municipality's underground utilities ordinance.

(q) This subsection does not authorize a person to collocate small wireless facilities or micro wireless facilities on an authority utility pole or erect a wireless support structure in a location subject to covenants, conditions, and restrictions; articles of incorporation; and bylaws of a home owners association. Nothing in this paragraph applies to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facilities.

And the title is amended as follows:

Delete lines 56-63 and insert: construction; authorizing an authority to enforce local codes, administrative rules, or regulations adopted by ordinance in effect on a specified date which are applicable to a historic area designated by the state or authority; authorizing an authority to enforce pending local ordinances, administrative rules, or regulations that are applicable to a historic area designated by the state if the intent to adopt such changes has been publicly declared on or before a specified date; providing retroactive applicability; authorizing an authority to waive certain ordinances or other requirements; providing an effective

Pursuant to Rule 4.19, **CS for CS for CS for SB 596**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

CS for CS for CS for SB 206—A bill to be entitled An act relating to wills and trusts; amending s. 731.201, F.S.; revising the definition of the term “will” to include electronic wills; amending s. 732.506, F.S.; excluding electronic wills from specified methods to revoke a will; creating s. 732.521, F.S.; providing a short title; creating s. 732.522, F.S.; defining terms; creating s. 732.523, F.S.; specifying requirements that must be satisfied in the execution of electronic wills; creating s. 732.524, F.S.; providing requirements for self-proof of electronic wills; creating s. 732.525, F.S.; specifying the circumstances under which a person is deemed to be in the presence of or appearing before another person; providing that an electronic record satisfies the requirement that a record be in writing; providing that an electronic signature satisfies the requirement that a document be signed; providing requirements for certain documents to be deemed executed in this state; creating s. 732.526, F.S.; authorizing an electronic will of a nonresident of this state which is properly executed in this or another state to be offered for and admitted to probate in this state; providing the venue for the probate of such electronic will; creating s. 732.527, F.S.; specifying requirements for service as a qualified custodian; requiring qualified custodians to provide access to or information concerning the electronic will, or the electronic record containing the electronic will, only to specified persons or as directed by a court; authorizing a qualified custodian to destroy the electronic record of an electronic will after a certain date; providing conditions under which a qualified custodian may cease serving as a qualified custodian; requiring a qualified custodian to cease serving in such capacity upon the written request of the testator; requiring that a successor qualified custodian agree in writing to serve in that capacity for an electronic will before succeeding to office; specifying what constitutes an affidavit of a qualified custodian; requiring a qualified custodian to deliver certain documents upon request from the testator; prohibiting a qualified custodian from charging the testator a fee for such documents under certain circumstances; providing that a qualified custodian is liable for certain damages under certain circumstances; prohibiting a qualified custodian from terminating or suspending access to, or downloads of, an electronic will by the testator; requiring a qualified custodian to deposit an electronic will with the court upon receiving information that the testator is dead; prohibiting a qualified custodian from charging a fee for certain actions taken upon the death of the testator; requiring a qualified custodian to keep certain information confidential; amending s. 733.201, F.S.; providing for the proof of electronic wills; providing requirements for admitting an electronic will that is not self-proved into probate; providing that a paper copy of an electronic will constitutes an “original” of the

electronic will subject to certain conditions; amending s. 736.0103, F.S.; redefining the term “interests of the beneficiaries”; amending s. 736.0105, F.S.; deleting a requirement that a trust be for the benefit of the trust's beneficiaries; amending s. 736.0109, F.S.; revising provisions relating to notice or sending of electronic trust documents; providing requirements for such documents to be deemed sent; requiring a certain authorization to specify documents subject to electronic posting; revising requirements for a recipient to electronically access such documents; prohibiting the termination of a recipient's electronic access to such documents from invalidating certain notice or sending of electronic trust documents; tolling specified limitations periods under certain circumstances; providing requirements for electronic access to such documents to be deemed terminated by a sender; providing applicability; amending s. 736.0110, F.S.; providing that the Attorney General has standing to assert certain rights in certain proceedings; amending s. 736.0403, F.S.; providing that, for purposes of establishing the validity of the testamentary aspects of a revocable trust, the qualified custodian of the trust instrument may not also be a trustee of the trust; amending s. 736.0404, F.S.; deleting a restriction on the purpose for which a trust is created; amending s. 736.04117, F.S.; defining and redefining terms; authorizing an authorized trustee to appoint all or part of the principal of a trust to a second trust under certain circumstances; providing requirements for the second trust and its beneficiaries; providing that the second trust may retain, omit, or create specified powers; authorizing the term of the second trust to extend beyond the term of the first trust; providing requirements for distributions to a second trust when the authorized trustee does not have absolute power; providing requirements for such second trust; providing requirements for grants of power by the second trust; authorizing a second trust created by an authorized trustee without absolute power to grant absolute power to the second trust's trustee; authorizing an authorized trustee to appoint the principal of a first trust to a supplemental needs trust under certain circumstances; providing requirements for such supplemental needs trust; prohibiting an authorized trustee from distributing the principal of a trust in a manner that would reduce specified tax benefits; prohibiting the distribution of S corporation stock from a first trust to a second trust under certain circumstances; prohibiting a settlor from being treated as the owner of a second trust if he or she was not treated as the owner of the first trust; prohibiting an authorized trustee from distributing a trust's interest in property to a second trust if it is subject to specified rules of the Internal Revenue Code; prohibiting the exercise of power to invade a trust's principal to increase an authorized trustee's compensation or relieve him or her from certain liability; specifying who an authorized trustee must notify when he or she exercises his or her power to invade the trust's principal; specifying the documents that the authorized trustee must provide with such notice; amending s. 736.0708, F.S.; providing that a cotrustee is entitled to reasonable compensation when the trust does not specify compensation; providing that reasonable compensation may be greater for multiple trustees than for a single trustee; amending s. 736.08135, F.S.; revising applicability; amending s. 736.1008, F.S.; clarifying that certain knowledge by a beneficiary does not cause a claim to accrue for breach of trust or commence the running of a period of limitations or laches; providing legislative intent; providing for retroactive application; amending s. 736.1201, F.S.; defining the term “delivery of notice”; conforming a provision to changes made by the act; amending s. 736.1205, F.S.; requiring an authorized trustee to provide certain notice to the Attorney General rather than the state attorney; providing applicability; amending ss. 736.1206, 736.1207, 736.1208, and 736.1209, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Senator Passidomo moved the following amendments which were adopted:

Amendment 1 (599332)—Delete lines 241-242 and insert: *provided in this act, s. 732.503, or the Florida Probate Rules; the execution of a living will under s. 765.302; and the acknowledgment of any*

Amendment 2 (574270) (with title amendment)—Between lines 483 and 484 insert:

Section 10. Section 732.528, Florida Statutes, is created to read:
732.528 *Liability coverage; receivership of qualified custodians.*—

(1) A qualified custodian shall:

(a) Post and maintain a blanket surety bond of at least \$250,000 to secure the faithful performance of all duties and obligations required under this act. The bond must be made payable to the Governor and his or her successors in office for the benefit of all persons who store electronic records with a qualified custodian and their estates, beneficiaries, successors, and heirs and be conditioned on the faithful performance of all duties and obligations under this act. The terms of the bond must cover the acts or omissions of the qualified custodian and each agent or employee of the qualified custodian; or

(b) Maintain a liability insurance policy that covers any losses sustained by any person who stores electronic records with a qualified custodian and their estates, beneficiaries, successors, and heirs which are caused by errors or omissions by the qualified custodian and each agent or employee of the qualified custodian. The policy must cover losses of up to at least \$250,000 in the aggregate.

(2) The Attorney General may petition a court of competent jurisdiction for the appointment of a receiver to manage the electronic records of a qualified custodian for proper delivery and safekeeping if any of the following conditions exist:

(a) The qualified custodian is ceasing operation.

(b) The qualified custodian intends to close the facility and adequate arrangements have not been made for proper delivery of the electronic records in accordance with this act.

(c) The Attorney General determines that conditions exist which present a danger that electronic records will be lost or misappropriated.

(d) The qualified custodian fails to maintain and post a surety bond or maintain insurance required by this section.

And the title is amended as follows:

Between lines 55 and 56 insert: 732.528, F.S.; requiring a qualified custodian to post and maintain a blanket surety bond, subject to certain requirements, or to maintain a certain liability insurance policy; authorizing the Attorney General to petition a court for the appointment of a receiver to manage certain records under certain conditions; amending s.

Amendment 3 (311744) (with title amendment)—Between lines 483 and 484 insert:

Section 10. Present subsection (5) of section 732.901, Florida Statutes, is redesignated as subsection (6) of that section, and a new subsection (5) is added to that section, to read:

732.901 Production of wills.—

(5) An electronic will that is filed electronically with the clerk through the Florida Courts E-Filing Portal is deemed to have been deposited with the clerk as an original of the electronic will.

And the title is amended as follows:

Between lines 55 and 56 insert: 732.901, F.S.; providing that an electronic will that is filed electronically with the clerk is deemed to have been deposited as an original of the electronic will; amending s.

Pursuant to Rule 4.19, **CS for CS for CS for SB 206**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 90—A bill to be entitled An act relating to renewable energy source devices; amending s. 193.624, F.S.; revising the definition of the term “renewable energy source device”; prohibiting the consideration of just value of property attributable to a renewable energy source device in determining the assessed value of any real property; deleting a provision relating to applicability as of a specified date; creating s. 196.182, F.S.; exempting a renewable energy source device from the tangible personal property tax; providing for expiration; re-

enacting ss. 193.155(4)(a) and 193.155(6)(a), F.S., relating to homestead assessments and nonhomestead residential property assessments, respectively, to incorporate the amendment made to s. 193.624, F.S., in references thereto; providing that specified amendments made by the act expire on a certain date; providing an effective date.

—was read the second time by title.

Senator Brandes moved the following amendment:

Amendment 1 (227886) (with title amendment)—Delete lines 22-103 and insert:

Section 1. Subsection (1) of section 24.118, Florida Statutes, is amended to read:

24.118 Other prohibited acts; penalties.—

(1) UNLAWFUL EXTENSIONS OF CREDIT.—Any retailer who extends credit or lends money to a person for the purchase of a lottery ticket is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. This subsection shall not be construed to prohibit the purchase of a lottery ticket through the use of a credit or charge card or other instrument issued by a bank, savings association, credit union, or charge card company or by a retailer pursuant to ~~part III~~ ~~part II~~ of chapter 520, provided that any such purchase from a retailer shall be in addition to the purchase of goods and services other than lottery tickets having a cost of no less than \$20.

Section 2. Section 193.624, Florida Statutes, is amended to read:

193.624 Assessment of renewable energy source devices ~~residential property~~.—

(1) As used in this section, the term “renewable energy source device” means any of the following equipment that collects, transmits, stores, or uses solar energy, wind energy, or energy derived from geothermal deposits:

- (a) Solar energy collectors, photovoltaic modules, and inverters.
- (b) Storage tanks and other storage systems, excluding swimming pools used as storage tanks.
- (c) Rockbeds.
- (d) Thermostats and other control devices.
- (e) Heat exchange devices.
- (f) Pumps and fans.
- (g) Roof ponds.
- (h) Freestanding thermal containers.
- (i) Pipes, ducts, wiring, structural supports, refrigerant handling systems, and other components ~~equipment~~ used as integral parts of ~~to~~ ~~interconnect~~ such systems; however, such equipment does not include conventional backup systems of any type or any equipment or structure that would be required in the absence of the renewable energy source device.
- (j) Windmills and wind turbines.
- (k) Wind-driven generators.

(l) Power conditioning and storage devices that store or use solar energy, wind energy, or energy derived from geothermal deposits to generate electricity or mechanical forms of energy.

(m) Pipes and other equipment used to transmit hot geothermal water to a dwelling or structure from a geothermal deposit.

The term does not include equipment that is on the distribution or transmission side of the point at which a renewable energy source device is interconnected to an electric utility's distribution grid or transmission lines.

- (2) In determining the assessed value of real property used:

(a) For residential purposes, ~~an increase in~~ the just value of the property attributable to ~~the installation of~~ a renewable energy source device may not be considered.

(b) For nonresidential purposes, 80 percent of the just value of the property attributable to a renewable energy source device may not be considered.

(3) This section applies to the installation of a renewable energy source device installed on or after January 1, 2013, to new and existing residential real property. *This section applies to a renewable energy source device installed on or after January 1, 2018, to all other real property, except when installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.*

Section 3. *The amendments made by this act to s. 193.624(2) and (3), Florida Statutes 2016, expire December 31, 2037, and the text of those subsections shall revert to that in existence on December 31, 2017, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 4. Section 196.182, Florida Statutes, is created to read:

196.182 *Exemption of renewable energy source devices.—*

(1) *Eighty percent of the assessed value of a renewable energy source device, as defined in s. 193.624, which is considered tangible personal property and which is installed on real property on or after January 1, 2018, or which was installed before January 1, 2018, if the renewable energy source device was installed to supply a municipal electric utility located entirely within a consolidated government, is exempt from ad valorem taxation.*

(2) *The exemption provided in this section does not apply to a renewable energy source device that is installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.*

(3) *Notwithstanding this section, 80 percent of the assessed value of a renewable energy source device, as defined in s. 193.624, which is affixed to property owned or leased by the United States Department of Defense for the military is exempt from ad valorem taxation, including, but not limited to, the tangible personal property tax.*

(4) *This section expires December 31, 2037.*

Section 5. Subsection (13) of section 501.604, Florida Statutes, is amended to read:

501.604 Exemptions.—The provisions of this part, except ss. 501.608 and 501.616(6) and (7), do not apply to:

(13) A commercial telephone seller licensed pursuant to chapter 516 or ~~part III~~ ~~part II~~ of chapter 520. For purposes of this exemption, the seller must solicit to sell a consumer good or service within the scope of his or her license and the completed transaction must be subject to the provisions of chapter 516 or ~~part III~~ ~~part II~~ of chapter 520.

Section 6. Parts II, III, IV, and V of chapter 520, Florida Statutes, are renumbered as Parts III, IV, V, and VI, respectively, and a new Part II, consisting of sections 520.20, 520.21, 520.22, 520.23, 520.24, 520.25, and 520.26, Florida Statutes, is created, to read:

PART II

RENEWABLE ENERGY SOURCE DEVICE SALES

520.20 *Definitions.—As used in this part, the term:*

(1) *“Agreement” means a contract executed between a buyer or lessee and a seller that leases or sells a renewable energy source device for*

installation on residential real property. As used in this part, the term includes retail installment contracts.

(2) *“Buyer” means an individual that enters into an agreement to buy or lease a renewable energy source device from a seller for installation on residential real property. As used in this subsection, the term “individual” means a single human being and does not include a firm, association of individuals, corporation, partnership, joint venture, sole proprietorship, or other entity.*

(3) *“Renewable energy source device” has the same meaning as in s. 193.624(1).*

(4) *“Lessee” means a person that enters into an agreement to lease or rent a renewable energy source device for installation on residential real property.*

(5) *“Retail installment contract” means an agreement executed in this state between a buyer and a seller in which the title to, or a lien upon, a renewable energy source device is retained or taken by the seller from the buyer as security, in whole or in part, for the buyer’s obligations to make specified payments over time.*

(6) *“Seller” means a person who is a solar contractor licensed in this state under chapter 489.*

520.21 *Applicability.—This part applies to agreements to sell or lease a renewable energy source device and is supplemental to other provisions contained in part III related to retail installment contracts. If any provision related to retail installment contract requirements for a renewable energy source device under this part conflicts with any other provision related to retail installment contracts, this part controls.*

520.22 *Safety compliance.—A seller who installs a renewable energy source device must comply with applicable safety standards established by the Department of Business and Professional Regulation pursuant to chapter 489 and part IV of chapter 553.*

520.23 *Disclosures required.—Each agreement governing the sale or lease of a renewable energy source device, as defined in s. 193.624, must include, at a minimum, the following information and disclosures, if applicable, which must be separately acknowledged by the buyer or lessee:*

(1) *The name, address, telephone number, and e-mail address of the buyer or lessee.*

(2) *The name, address, telephone number, e-mail address, and valid state contractor license number of the person responsible for installing the renewable energy source device, and the name of the renewable energy source device maintenance provider, if different from the person responsible for installing the renewable energy source device.*

(3) *A written statement indicating whether the buyer or lessee is purchasing or leasing the renewable energy source device.*

(a) *If the renewable energy source device will be leased, a disclosure must be included in substantially the following form: YOU ARE ENTERING INTO AN AGREEMENT TO LEASE A RENEWABLE ENERGY SOURCE DEVICE. YOU WILL LEASE (NOT OWN) THE SYSTEM INSTALLED ON YOUR PROPERTY.*

(b) *If the renewable energy source device will be purchased, a disclosure must be included in substantially the following form: YOU ARE ENTERING INTO AN AGREEMENT TO PURCHASE A RENEWABLE ENERGY SOURCE DEVICE. YOU WILL OWN (NOT LEASE) THE SYSTEM INSTALLED ON YOUR PROPERTY.*

(4) *If leased, the total cost to be paid by the lessee, including any interest, installation fees, document preparation fees, service fees, or other fees. If late fees may apply, the description must describe the circumstances in which such late fees apply.*

(5) *A payment schedule, including any amounts owed at the sale, at the contract signing, at the commencement of installation, and at the completion of installation, and any final payments. If the renewable energy source device is being leased, the disclosures must include the frequency and amount of each payment due under the lease and the total estimated lease payments over the term of the lease.*

(6) A description of the assumptions used to calculate any estimated savings of the renewable energy source device, and, if such estimates are provided, a statement in substantially the following form: It is important to understand that future electric utility rates are estimates only. Your future electric utility rates may vary.

(7) If leased, a description of any one-time or recurring fees, including, but not limited to, estimated device removal fees, maintenance fees, or interconnection fees. If late fees may apply, the description must describe the circumstances under which such late fees apply.

(8) If the renewable energy source device will be financed, a statement from the financing company or lender which includes a disclosure in substantially the following form: Your renewable energy source device is financed. Carefully read any agreements and/or disclosure forms provided by your lender. This statement does not contain the terms of your financing agreement. If you have any questions about your financing agreement, contact your finance provider before signing a contract.

(9) A provision notifying the buyer or lessee of the right to rescind the agreement for a period of at least 3 business days after the agreement is signed. This subsection does not apply to a contract to sell or lease a renewable energy source device in a solar community in which the entire community has been marketed as a solar community and all of the homes in the community are intended to have a renewable energy source device, or a solar community in which the developer has incorporated solar technology for purposes of meeting the Florida Building Code in s. 553.73.

(10) A description of the renewable energy source device, which must meet the standards established pursuant to s. 377.705, including the make and model of the major components, the device size, the estimated first-year energy production, and the estimated annual energy production decreases, and a statement as to whether utility compensation for excess energy generated by the device is available at the time of contract signing.

(11) If leased, a description of any performance or production guarantees of the renewable energy source device.

(12) If leased, a description of the ownership and transferability of any tax credits, rebates, incentives, or renewable energy certificates associated with the renewable energy source device, including a disclosure as to whether the lessor will assign or sell any associated renewable energy certificates to a third party.

(13) A statement in substantially the following form: You are responsible for property taxes on property that you own. Consult a tax professional to understand any tax liability or eligibility for any tax credits which may result from the purchase of your renewable energy source device.

(14) If leased, the approximate start and completion dates for the installation of the renewable energy source device.

(15) If leased, a disclosure as to whether maintenance and repairs of the renewable energy source device are included in the payment price.

(16) If purchased, a disclosure as to whether any warranty or maintenance obligations related to the renewable energy source device may be sold or transferred by the seller to a third party, and, if so, a statement in substantially the following form: Your contract may be assigned, sold, or transferred without your consent to a third party who will be bound to all the terms of the contract. If a transfer occurs, you will be notified if this will change the address or phone number to use for system maintenance or repair requests.

(17) If purchased, a disclosure notifying the buyer of the requirements for interconnecting the device to the utility system and the party responsible for obtaining interconnection approval.

(18) A description of any roof warranties.

(19) A disclosure notifying the lessee as to whether the lessor will insure a leased renewable energy source device against damage or loss, and, if applicable, the circumstances under which the lessor will not insure the device against damage or loss.

(20) A statement, if applicable, in substantially the following form: You are responsible for obtaining insurance policies or coverage for any loss of or damage to the device. Consult an insurance professional to understand how to protect the device against the risk of loss or damage.

(21) A disclosure notifying the buyer or lessee as to whether the seller or lessor will place a lien on the buyer's or lessee's home or other property as a result of entering into a purchase or lease agreement for the renewable energy source device.

(22) If leased, a disclosure notifying the lessee as to whether the lessor will file a fixture filing or a State of Florida Uniform Commercial Code Financial Statement Form (UCC-1) on the renewable energy source device.

(23) A disclosure identifying whether the agreement contains any restrictions on the buyer's or lessee's ability to modify or transfer ownership of a renewable energy source device, including whether any modification or transfer is subject to review or approval by a third party.

(24) A disclosure as to whether any lease agreement may be transferred to a purchaser upon sale of the home or real property to which the device is affixed, and any conditions for such transfer.

(25) A blank section that allows the seller to provide additional relevant disclosures or explain disclosures made elsewhere in the disclosure form.

520.24 Rulemaking authority; standard disclosure form.—

(1) The Department of Business and Professional Regulation shall adopt rules to implement and enforce this part.

(2) The Department of Business and Professional Regulation shall, by January 1, 2018, publish standard disclosure forms that may be used to comply with the disclosure requirements of this part. Disclosures provided in substantially the form published by the department are deemed to comply with the disclosure requirements of this part.

520.25 Penalties.—Any seller who willfully and intentionally violates any provision of this part commits a noncriminal violation, as defined in s. 775.08(3), punishable by a fine not to exceed the lesser of either the cost of the removal of the renewable energy source device by an independent third party or the cost of the renewable energy source device.

520.26 Exemptions.—This part does not apply to the following:

(1) A person or company, acting through its officers, employees, brokers, or agents, which markets, sells, solicits, negotiates, or enters into an agreement for the sale or financing of a renewable energy source device as part of a transaction involving the sale or transfer of the real property on which the system is or will be affixed.

(2) A transaction involving the sale or transfer of the real property on which a renewable energy source device is located.

(3) A third party, including a local government, which enters into an agreement for the financing of a renewable energy source device.

(4) The sale or lease of a renewable energy source device to be installed on nonresidential real property.

Section 7. Subsection (6) of section 520.68, Florida Statutes, is amended to read:

520.68 Persons not required to be licensed.—No home improvement finance seller's or seller's license shall be required under this act of any person when acting in any capacity or type of transaction set forth in this section:

(6) Retail establishments, including employees thereof, which are licensed under ~~part III~~ ~~part II~~ of this chapter and which engage in home improvements as an incidental part of their business. However, such retail establishments and their employees shall be governed by all other provisions contained in this act.

Section 8. Paragraph (d) of subsection (2) of section 671.304, Florida Statutes, is amended to read:

671.304 Laws not repealed; precedence where code provisions in conflict with other laws; certain statutory remedies retained.—

(2) The following laws and parts of laws are specifically not repealed and shall take precedence over any provisions of this code which may be inconsistent or in conflict therewith:

(d) Chapter 520—Retail installment sales (Part I, Motor Vehicle Sales Finance Act; *Part III Part II*, Retail Installment Sales Act; *Part IV Part III*, Installment Sales Finance Act).

Section 9. For the purpose of incorporating the amendment made by this act to section 193.624, Florida Statutes, in a reference thereto, paragraph (a) of subsection (4) of section 193.155, Florida Statutes, is reenacted to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4)(a) Except as provided in paragraph (b) and s. 193.624, changes, additions, or improvements to homestead property shall be assessed at just value as of the first January 1 after the changes, additions, or improvements are substantially completed.

Section 10. For the purpose of incorporating the amendment made by this act to section 193.624, Florida Statutes, in a reference thereto, paragraph (a) of subsection (6) of section 193.1554, Florida Statutes, is reenacted to read:

193.1554 Assessment of nonhomestead residential property.—

(6)(a) Except as provided in paragraph (b) and s. 193.624, changes, additions, or improvements to nonhomestead residential property shall be assessed at just value as of the first January 1 after the changes, additions, or improvements are substantially completed.

And the title is amended as follows:

Delete lines 3-17 and insert: amending s. 24.118, F.S.; conforming a cross-reference; amending s. 193.624, F.S.; revising the definition of the term “renewable energy source device”; prohibiting the consideration of just value of property attributable to a renewable energy source device in determining the assessed value of real property used for residential purposes; prohibiting the consideration of a specified percentage of the just value of property attributable to a renewable energy source device in determining the assessed value of real property used for non-residential purposes; revising applicability; providing for expiration and reversion of specified amendments made by the act; creating s. 196.182, F.S.; exempting a specified percentage of the assessed value of certain renewable energy source devices from ad valorem taxation; providing applicability; exempting a specified percentage of the assessed value of renewable energy source devices affixed to property owned or leased by the United States Department of Defense for the military from ad valorem taxation; providing for expiration; amending s. 501.604, F.S.; conforming cross-references; reordering ch. 520, F.S., and creating part II of ch. 520, F.S., to be entitled “Renewable Energy Source Device Sales”; creating s. 520.20, F.S.; defining terms; creating s. 520.21, F.S.; providing applicability and construction; creating s. 520.22, F.S.; requiring sellers of renewable energy source devices to comply with certain safety standards established by the Department of Business and Professional Regulation; creating s. 520.23, F.S.; specifying requirements for information and disclosures in agreements governing the sale or lease of renewable energy source devices; creating s. 520.24, F.S.; requiring the department to adopt rules; requiring the department to publish standard disclosure forms by a specified date; providing construction; creating s. 520.25, F.S.; providing a penalty for willful and intentional violations; creating s. 520.26, F.S.; providing exemptions from applicability; amending ss. 520.68 and 671.304, F.S.; conforming cross-references; reenacting ss. 193.155(4)(a) and 193.1554(6)(a), F.S., relating to homestead assessments and nonhomestead residential property assessments, respectively, to incorporate the amendment made to s. 193.624, F.S., in references thereto;

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

Senator Brandes moved the following substitute amendment which was adopted:

Amendment 2 (469934) (with title amendment)—Delete lines 22-103 and insert:

Section 1. Section 193.624, Florida Statutes, is amended to read:

193.624 Assessment of *renewable energy source devices* ~~residential property~~.—

(1) As used in this section, the term “renewable energy source device” means any of the following equipment that collects, transmits, stores, or uses solar energy, wind energy, or energy derived from geothermal deposits:

- (a) Solar energy collectors, photovoltaic modules, and inverters.
- (b) Storage tanks and other storage systems, excluding swimming pools used as storage tanks.
- (c) Rockbeds.
- (d) Thermostats and other control devices.
- (e) Heat exchange devices.
- (f) Pumps and fans.
- (g) Roof ponds.
- (h) Freestanding thermal containers.
- (i) Pipes, ducts, *wiring, structural supports*, refrigerant handling systems, and other *components equipment* used as integral parts of ~~to interconnect~~ such systems; however, such equipment does not include conventional backup systems of any type or any equipment or structure that would be required in the absence of the renewable energy source device.
- (j) Windmills and wind turbines.
- (k) Wind-driven generators.
- (l) Power conditioning and storage devices that *store or use solar energy, wind energy, or energy derived from geothermal deposits* to generate electricity or mechanical forms of energy.
- (m) Pipes and other equipment used to transmit hot geothermal water to a dwelling or structure from a geothermal deposit.

The term does not include equipment that is on the distribution or transmission side of the point at which a renewable energy source device is interconnected to an electric utility's distribution grid or transmission lines.

(2) In determining the assessed value of real property used:

(a) For residential purposes, ~~an increase in~~ the just value of the property attributable to ~~the installation of~~ a renewable energy source device may not be considered.

(b) For nonresidential purposes, 80 percent of the just value of the property attributable to a renewable energy source device may not be considered.

(3) This section applies to the installation of a renewable energy source device installed on or after January 1, 2013, to new and existing residential real property. *This section applies to a renewable energy source device installed on or after January 1, 2018, to all other real property, except when installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.*

Section 2. *The amendments made by this act to s. 193.624(2) and (3), Florida Statutes, expire December 31, 2037, and the text of those subsections shall revert to that in existence on December 31, 2017, except that any amendments to such text enacted other than by this act shall be*

preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 3. Section 196.182, Florida Statutes, is created to read:

196.182 Exemption of renewable energy source devices.—

(1) *Eighty percent of the assessed value of a renewable energy source device, as defined in s. 193.624, which is considered tangible personal property and which is installed on real property on or after January 1, 2018, or which was installed before January 1, 2018, if the renewable energy source device was installed to supply a municipal electric utility located within a consolidated government, is exempt from ad valorem taxation.*

(2) *The exemption provided in this section does not apply to a renewable energy source device that is installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.*

(3) *Notwithstanding this section, 80 percent of the assessed value of a renewable energy source device, as defined in s. 193.624, which is affixed to property owned or leased by the United States Department of Defense for the military is exempt from ad valorem taxation, including, but not limited to, the tangible personal property tax.*

(4) *This section expires December 31, 2037.*

Section 4. For the purpose of incorporating the amendment made by this act to section 193.624, Florida Statutes, in a reference thereto, paragraph (a) of subsection (4) of section 193.155, Florida Statutes, is reenacted to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4)(a) Except as provided in paragraph (b) and s. 193.624, changes, additions, or improvements to homestead property shall be assessed at just value as of the first January 1 after the changes, additions, or improvements are substantially completed.

Section 5. For the purpose of incorporating the amendment made by this act to section 193.624, Florida Statutes, in a reference thereto, paragraph (a) of subsection (6) of section 193.1554, Florida Statutes, is reenacted to read:

193.1554 Assessment of nonhomestead residential property.—

(6)(a) Except as provided in paragraph (b) and s. 193.624, changes, additions, or improvements to nonhomestead residential property shall be assessed at just value as of the first January 1 after the changes, additions, or improvements are substantially completed.

And the title is amended as follows:

Delete lines 3-17 and insert: amending s. 193.624, F.S.; revising the definition of the term “renewable energy source device”; prohibiting the consideration of just value of property attributable to a renewable energy source device in determining the assessed value of real property used for residential purposes; prohibiting the consideration of a specified percentage of the just value of property attributable to a renewable energy source device in determining the assessed value of real property used for nonresidential purposes; revising applicability; providing for expiration of specified amendments made by the act; creating s. 196.182, F.S.; exempting a specified percentage of the assessed value of certain renewable energy source devices from ad valorem taxation; providing applicability; exempting a specified percentage of the assessed value of renewable energy source devices affixed to property owned or leased by the United States Department of Defense for the military from ad valorem taxation; providing for expiration; reenacting ss. 193.155(4)(a) and 193.1554(6)(a), F.S., relating to homestead assessments and nonhomestead residential property assessments, re-

spectively, to incorporate the amendment made to s. 193.624, F.S., in references thereto;

Pursuant to Rule 4.19, **CS for SB 90**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 38—A bill to be entitled An act for the relief of L.T.; providing an appropriation to compensate L.T. for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing legislative intent regarding certain Medicaid liens; providing a limitation on the payment of attorney fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 38**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 6511** was withdrawn from the Committee on Appropriations.

On motion by Senator Benacquisto—

CS for CS for HB 6511—A bill to be entitled An act for the relief of L.T.; providing an appropriation to compensate L.T. for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing legislative intent regarding certain Medicaid liens; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 38** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 6511** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 400—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.11, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to appoint division personnel; requiring specified personnel to have Selected Exempt Service status; amending s. 561.17, F.S.; revising the entities that may issue a certificate indicating an alcoholic beverage license applicant’s place of business meets all of the sanitary requirements of the state; amending s. 561.20, F.S.; revising who may be issued a special license in counties otherwise subject to limits on the number of licenses issued; revising the requirements for retaining certain business records; amending s. 561.331, F.S.; requiring certain temporary beverage licenses to be issued by the district supervisor of a district without assessing additional fees or taxes; amending s. 564.01, F.S.; redefining the term “wine”; repealing s. 564.05, F.S., relating to limitations on the size of individual wine containers; amending s. 564.055, F.S.; authorizing the packaging, filling, refilling, or sale, of cider in growlers; amending s. 564.09, F.S.; revising provisions authorizing a restaurant to allow a patron to remove a resealed wine container from a restaurant for off-premises consumption; amending s. 565.03, F.S.; specifying the state license tax for craft distilleries; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 400** to **CS for CS for CS for HB 689**.

Pending further consideration of **CS for CS for SB 400**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 689** was withdrawn from the Committees on Regulated Industries; and Appropriations.

On motion by Senator Perry—

CS for CS for CS for HB 689—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco; amending s. 561.11, F.S.; revising the power and authority of the division to include appointment of division personnel; requiring that certain personnel be assigned to the Selected Exempt Service; amending s. 561.17, F.S.; authorizing the Agency for Health Care Administration to certify that an alcoholic beverage license applicant’s place of business meets sani-

tary requirements; amending s. 561.20, F.S.; revising provisions relating to special licenses to sell alcoholic beverages for licensed caterers; making technical changes; amending s. 561.331, F.S.; removing the fee for transferring or changing the location of a temporary beverage license; amending s. 562.13, F.S.; authorizing minors employed by specified businesses to sell beer and wine under certain circumstances; amending s. 564.01, F.S.; revising a definition; amending s. 565.03, F.S.; revising requirements for an annual state license tax for a distillery and craft distillery; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 400**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 689** was placed on the calendar of Bills on Third Reading.

BILLS ON THIRD READING

CS for CS for SB 64—A bill to be entitled An act relating to state park fees; creating s. 258.0142, F.S.; providing certain discounts on state park fees to specified foster and adoptive families; requiring the Division of Recreation and Parks within the Department of Environmental Protection to establish certain documentation standards and create a procedure for obtaining the discounts; requiring the division to continue a partnership with the Department of Children and Families to promote fostering and adoption of special needs children with certain events; providing an effective date.

—was read the third time by title.

CO-INTRODUCERS

On motion by Senator Gibson, the following Senators were recorded as co-introducers of **CS for CS for SB 64**.

The vote was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

Pending further consideration of **CS for CS for SB 64**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 185** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on the Environment and Natural Resources; and Appropriations.

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

CS for CS for CS for HB 185—A bill to be entitled An act relating to state park fees; creating s. 258.0142, F.S.; providing certain discounts on state park fees to specified foster and adoptive families; requiring the Division of Recreation and Parks within the Department of Environmental Protection, in consultation with the Department of Children and Families, to establish certain documentation standards and create a procedure for obtaining the discounts; requiring the division to continue a partnership with the Department of Children and Families to promote fostering and adoption of special needs children with certain events; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 64** and read the second time by title.

On motion by Senator Bean, by two-thirds vote, **CS for CS for CS for HB 185** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	

Nays—None

INTRODUCTION OF FORMER SENATORS

The President recognized Representative Joseph Abruzzo, a former Senator, who was present in the chamber.

RECESS

On motion by Senator Benacquisto, the Senate recessed at 11:52 a.m. to reconvene at 2:30 p.m., or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 2:30 p.m. A quorum present—31:

Mr. President	Flores	Rouson
Baxley	Gainer	Simmons
Bean	Gibson	Simpson
Benacquisto	Grimsley	Stargel
Book	Latvala	Steube
Bracy	Mayfield	Stewart
Bradley	Montford	Thurston
Brandes	Passidomo	Torres
Broxson	Perry	Young
Campbell	Powell	
Clemens	Rodriguez	

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

SPECIAL ORDER CALENDAR, continued

On motion by Senator Latvala—

CS for CS for SB 1672—A bill to be entitled An act relating to the Tampa Bay Area Regional Transit Authority; amending s. 339.175, F.S.; creating the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee to replace the Tampa Bay Area Regional Transportation Authority Metropolitan Planning Organization Chairs Coordinating Committee; providing that the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee is created within the Tampa Bay Area Regional Transit Authority; amending s. 343.90, F.S.; revising the short title to “Tampa Bay Area Regional Transit Authority Act”; amending s. 343.91, F.S.; revising the definition of the term “authority” to mean the Tampa Bay Area Regional Transit Authority and to include only Hernando, Hillsborough, Manatee, Pasco, and Pinellas Counties and any other contiguous county that is party to an agreement of participation; revising the definition of the

term “commuter rail”; amending s. 343.92, F.S.; creating the Tampa Bay Area Regional Transit Authority to replace the Tampa Bay Area Regional Transportation Authority; decreasing voting membership on the governing board of the authority; requiring the members to be appointed within a specified period; revising appointment and term requirements of such membership; revising requirements for filling vacancies on the board; requiring the Governor to appoint an initial chair of the board from one of the four members appointed by the Governor; providing that seven members of the board constitute a quorum; providing that the vote of seven members is necessary for any action to be taken by the authority; requiring the board to evaluate the abolishment, continuance, modification, or establishment of specified committees, beginning on a specified date; requiring the board to submit its recommendations for abolishment, continuance, modification, or establishment of the committees to the Legislature before a specified time; deleting requirements related to the establishment of a Transit Management Committee, a Citizens Advisory Committee, and technical advisory committees; conforming provisions to changes made by the act; amending s. 343.922, F.S.; revising the express purposes of the authority to include planning, implementing, and operating mobility improvements and expansions of certain multimodal transportation options, producing a certain regional transit development plan, and serving as the recipient of certain federal funds under certain circumstances; directing the authority to provide to the Legislature a plan to produce the regional transit development plan by a specified date; providing requirements for the regional transit development plan; requiring the authority to develop and adopt a regional transit development plan, rather than a transportation master plan; deleting obsolete provisions; conforming provisions to changes made by the act; providing that an action by the authority regarding the funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, requires approval by a majority vote of each M.P.O. serving the county or counties where such rail transit investment will be made, and the approval of the Legislature by an act of general law; prohibiting the authority from engaging in certain advocacy that seeks to approve the funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof; requiring the authority to conduct a feasibility study, through an independent third party, for any project of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, before proceeding with the development of the project and before any related contracts are issued; requiring the feasibility study to be submitted to the Governor, the Legislature, and the board of county commissioners of specified counties; amending ss. 343.94, 343.947, 343.95, 343.975, and 343.976, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (511316) (with title amendment)—Delete lines 350-470 and insert:

intercounty project or an intracounty capital project that represents a phase of an intercounty project that exists in a single county within the designated region.

(2)(a) The authority has the right to plan, develop, finance, construct, own, purchase, operate, maintain, relocate, equip, repair, and manage those public transportation projects, such as express bus services; bus rapid transit services; light rail, commuter rail, heavy rail, or other transit services; ferry services; transit stations; park-and-ride lots; transit-oriented development nodes; or feeder roads, reliever roads, connector roads, bypasses, or appurtenant facilities, that are intended to address critical transportation needs or concerns in the ~~Tampa Bay~~ region as identified by the authority ~~by July 1, 2009~~. These projects may also include all necessary approaches, roads, bridges, and avenues of access that are desirable and proper with the concurrence of the department, as applicable, if the project is to be part of the State Highway System.

(3)(a) ~~No later than July 1, 2009~~, The authority shall develop and adopt a regional *transit development* ~~transportation master~~ plan that provides a vision for a regionally integrated multimodal transportation system. The goals and objectives of the ~~master~~ plan are to identify areas of the ~~Tampa Bay~~ region where multimodal mobility, traffic safety, freight mobility, and efficient emergency evacuation alternatives need to be improved; identify areas of the region where multimodal transportation systems would be most beneficial to enhance mobility and

economic development; develop methods of building partnerships with local governments, existing transit providers, expressway authorities, seaports, airports, and other local, state, and federal entities; develop methods of building partnerships with CSX Corporation and CSX Transportation, Inc., to craft mutually beneficial solutions to achieve the authority’s objectives, and with other private sector business community entities that may further the authority’s mission, and engage the public in support of regional multimodal transportation improvements. The ~~master~~ plan shall identify and may prioritize projects that will accomplish these goals and objectives, including, without limitation, the creation of express bus and bus rapid transit services, light rail, commuter rail, and heavy rail transit services, ferry services, freight services, and any other multimodal transportation system projects that address critical transportation needs or concerns, pursuant to subsection (2); and identify the costs of the proposed projects and revenue sources that could be used to pay those costs. In developing the ~~master~~ plan, the authority shall review and coordinate with the future land use, capital improvements, and traffic circulation elements of its member local governments’ comprehensive plans and the plans, programs, and schedules of other units of government having transit or transportation authority within whose jurisdictions the projects or improvements will be located to define and resolve potential inconsistencies between such plans and the authority’s developing ~~master~~ plan. ~~By July 1, 2008, the authority, working with its member local governments, shall adopt a mandatory conflict resolution process that addresses consistency conflicts between the authority’s regional transportation master plan and local government comprehensive plans.~~

(b) The authority shall consult with the department to further the goals and objectives of the Strategic Regional Transit Needs Assessment completed by the department.

(c) Before the adoption of the *regional transit development* ~~master~~ plan, the authority shall hold at least one public meeting in each of the ~~seven~~ counties within the designated region. At least one public hearing must be held before the authority’s board.

(d) After its adoption, the *regional transit development* ~~master~~ plan shall be updated every 5 years before July 1.

(e) The authority shall present the original *regional transit development* ~~master~~ plan and updates to the governing bodies of the counties within the *designated* ~~seven-county~~ region, to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee, and to the legislative delegation members representing those counties within 90 days after adoption.

(f) The authority shall coordinate plans and projects with the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee, to the extent practicable, and participate in the regional M.P.O. planning process to ensure regional comprehension of the authority’s mission, goals, and objectives.

(g) The authority shall provide administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee as provided in s. 339.175(6)(i).

(4) The authority may undertake projects or other improvements in the *regional transit development* ~~master~~ plan in phases as particular projects or segments become feasible, as determined by the authority. The authority shall coordinate project planning, development, and implementation with the applicable local governments. The authority’s projects that are transportation oriented must be consistent to the maximum extent feasible with the adopted local government comprehensive plans at the time such projects are funded for construction. Authority projects that are not transportation oriented and meet the definition of development pursuant to s. 380.04 must be consistent with the local comprehensive plans. In carrying out its purposes and powers, the authority may request funding and technical assistance from the department and appropriate federal and local agencies, including, but not limited to, state infrastructure bank loans.

(5) The authority is granted and may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(g) To borrow money and to make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations, either in temporary or definitive form, hereinafter in this chapter sometimes called “revenue bonds” of the authority, for the purpose of financing all or part of the mobility improvements within the ~~Tampa Bay~~ **Tampa Bay** region, as well as the appurtenant facilities, including all approaches, streets, roads, bridges, and avenues of access authorized by this part, the bonds to mature not exceeding 40 years after the date of the issuance thereof, and to secure the payment of such bonds or any part thereof by a pledge of any or all of its revenues, rates, fees, rentals, or other charges.

(9)(a) *An action by the authority regarding state funding of commuter rail, heavy rail transit, or light rail transit, as defined in s. 343.91, or any combination thereof, requires approval by a majority vote of each M.P.O. serving the county or counties where such rail transit investment will be made, and the approval by an act of the Legislature.*

(b) *Subject to the requirements of s. 106.113, the authority may not engage in any advocacy regarding*

And the title is amended as follows:

Delete lines 59-68 and insert: an action by the authority regarding state funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, requires approval by a majority vote of each M.P.O. serving the county or counties where such rail transit investment will be made, and the approval by an act of the Legislature; prohibiting the authority from engaging in certain advocacy that seeks to approve the funding of commuter rail, heavy rail transit, or light rail transit, or any combination thereof, subject to specified requirements; requiring the

Pursuant to Rule 4.19, **CS for CS for SB 1672**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 1670—A bill to be entitled An act relating to juvenile justice; amending s. 382.0255, F.S.; requiring the Department of Health to waive fees for a birth certificate issued to certain juvenile offenders; amending s. 985.25, F.S.; revising terminology; requiring that a child who meets specified criteria be placed in secure detention care until the child’s detention hearing; amending s. 985.255, F.S.; revising terminology; providing an additional circumstance under which the court may order continued detention; providing criteria for a child to be a prolific juvenile offender; defining the term “arrest event”; specifying certain information and criteria that may be considered by a court only when determining whether a prolific juvenile offender should be held in secure detention; conforming provisions to changes made by the act; amending s. 985.26, F.S.; revising terminology; requiring the court to place a prolific juvenile offender in certain detention care under a special detention order until disposition; specifying time limitations for secure detention for a prolific juvenile offender; defining the term “disposition”; providing for the tolling of nonsecure detention care for an alleged violation of such detention care; providing for the retention of jurisdiction by the court over a child during the tolling period; revising the calculation of detention care days served if a child violates nonsecure detention care; amending s. 985.265, F.S.; revising terminology; amending s. 985.27, F.S.; requiring secure detention for all children awaiting placement in a residential commitment program until the placement or commitment is accomplished; deleting provisions specifying the maximum number of days a child may be placed in secure detention under certain circumstances; amending s. 985.35, F.S.; requiring the adjudicatory hearing for a child who is a prolific juvenile offender to be held within a specified period unless such child requests a delay; revising the circumstances under which an adjudication of delinquency for a felony disqualifies a person from possessing a firearm; providing a declaration of important state interest; amending s. 985.514, F.S.; revising terminology; reenacting s. 790.22(8), F.S., relating to secure detention for minors charged with an offense involving BB guns, air or gas-operated guns, or electric weapons or devices, to incorporate the amendments made by the act to ss. 985.25, 985.255, and 985.26, F.S., in references thereto; reenacting s. 985.115(2), F.S., relating to release or delivery from custody, to incorporate the amendments made by the act to ss. 985.255 and 985.26, F.S., in references

thereto; reenacting s. 985.13(2), F.S., relating to probable cause affidavits, to incorporate the amendments made by the act to ss. 985.255 and 985.26, F.S., in references thereto; reenacting s. 985.245(2)(b), F.S., relating to risk assessment instruments, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; reenacting s. 985.255(2), F.S., relating to detention criteria and hearings, to incorporate the amendment made by this act to s. 985.26, F.S., in a reference thereto; reenacting s. 985.275(1), F.S., relating to detention of an escapee or absconder, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; reenacting s. 985.319(6), F.S., relating to process and service, to incorporate the amendment made by this act to s. 985.255, F.S., in a reference thereto; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1670** was placed on the calendar of Bills on Third Reading.

BILLS ON THIRD READING, continued

Consideration of **HB 1233** was deferred.

SB 1390—A bill to be entitled An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1390**, pursuant to Rule 3.11(3), there being no objection, **HB 1169** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

HB 1169—A bill to be entitled An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **SB 1390** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote, **HB 1169** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Clemens	Powell
Baxley	Flores	Rodriguez
Bean	Gainer	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hutson	Stargel
Bradley	Latvala	Steube
Brandes	Mayfield	Stewart
Brayson	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young

Nays—None

Vote after roll call:

Yea—Galvano

Consideration of **HB 7113** was deferred.

CS for SB 102—A bill to be entitled An act relating to the payment of health care claims; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circum-

stances; providing applicability; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; providing applicability; exempting certain Medicaid managed care plans; providing an effective date.

—was read the third time by title.

SENATOR FLORES PRESIDING

On motion by Senator Steube, **CS for SB 102** was passed and certified to the House. The vote on passage was:

Yeas—33

Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Gibson	Rouson
Book	Grimsley	Simmons
Bracy	Hutson	Simpson
Bradley	Latvala	Stargel
Brandes	Mayfield	Steube
Braynon	Montford	Stewart
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Clemens	Powell	Young

Nays—None

Vote after roll call:

Yea—Farmer, Galvano

CS for CS for SB 368—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; directing the department to erect signage in specified counties to commemorate certain conflicts involving the United States Armed Forces; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

—as amended April 26, was read the third time by title.

On motion by Senator Montford, **CS for CS for SB 368**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

Baxley	Flores	Rodriguez
Bean	Gainer	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hutson	Stargel
Bradley	Latvala	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Clemens	Powell	
Farmer	Rader	

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 1338—A bill to be entitled An act relating to vessels; amending s. 253.0347, F.S.; authorizing certain grandfathered private residential multifamily docks to exceed the number of moored

boats for the number of residential units; amending s. 327.02, F.S.; providing and revising definitions; amending s. 327.391, F.S.; conforming a cross-reference; amending s. 327.4107, F.S.; providing a condition under which a vessel is at risk of becoming derelict; specifying the means by which an officer may provide notice to a vessel owner or operator; authorizing the Fish and Wildlife Conservation Commission to adopt rules; amending s. 327.4108, F.S.; removing the expiration of provisions relating to the anchoring of vessels in anchoring limitation areas; creating s. 327.4109, F.S.; prohibiting the anchoring or mooring of vessels and floating structures in certain areas; providing exceptions and a penalty; amending s. 327.44, F.S.; prohibiting mooring that unreasonably or unnecessarily constitutes a navigational hazard or interference with another vessel; amending s. 327.46, F.S.; authorizing owners of certain private submerged land to request that the commission establish boating-restricted areas to protect certain seagrass; authorizing the commission to adopt rules; providing a definition; amending s. 327.60, F.S.; authorizing a local government to enact and enforce certain regulations that prohibit or restrict mooring or anchoring of certain vessels, that require sewage disposal by certain vessels and floating structures, and that authorize the removal of certain vessels; requiring local governments with requirements for sewage disposal to provide sewage pumpout services; requiring the commission to review and approve certain ordinances; providing applicability; authorizing the commission to adopt rules; amending s. 327.70, F.S.; providing for issuance of uniform boating citations for anchoring or mooring in prohibited areas; amending s. 327.73, F.S.; providing penalties for operating a vessel with an expired registration and anchoring or mooring in prohibited areas; amending s. 328.09, F.S.; prohibiting the issuance of certificates of title for derelict vessels unless certain documentation is provided; amending s. 328.70, F.S.; providing that a commercial fishing vessel must be classified and registered as a commercial vessel; amending s. 328.72, F.S.; revising the penalties for operation, use, or storage of vessels with an expired registration; amending s. 705.103, F.S.; exempting derelict vessels from certain abandoned or lost property notice requirements; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 1338**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7043** was withdrawn from the Committee on Appropriations.

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

CS for CS for HB 7043—A bill to be entitled An act relating to vessels; amending s. 253.0347, F.S.; authorizing certain grandfathered private residential multifamily docks to moor a number of boats that exceeds the number of units within the private multifamily development; amending s. 327.02, F.S.; providing and revising definitions; amending s. 327.391, F.S.; conforming a cross-reference; amending s. 327.4107, F.S.; providing a condition under which a vessel is at risk of becoming derelict; specifying the means by which an officer may provide certain telephonic or written notice to a vessel owner or operator; authorizing the Fish and Wildlife Conservation Commission to adopt rules; amending s. 327.4108, F.S.; removing the expiration of provisions relating to anchoring vessels in anchoring limitation areas; creating s. 327.4109, F.S.; prohibiting owners and operators of vessels and floating structures from anchoring or mooring in certain areas; providing exceptions and a penalty; amending s. 327.44, F.S.; prohibiting persons from mooring vessels in a manner that constitutes certain navigational hazards or interference; amending s. 327.46, F.S.; authorizing owners of certain privately submerged land to request that the commission establish boating-restricted areas to protect certain seagrass; authorizing the commission to adopt rules; providing a definition; amending s. 327.60, F.S.; authorizing a local government to enact and enforce certain regulations that prohibit or restrict mooring or anchoring of certain vessels, that require sewage disposal by certain vessels and floating structures, and that authorize the removal of certain vessels; requiring local governments to ensure that certain sewage pumpout services and facilities are available; requiring the commission to review and approve certain ordinances; providing applicability; authorizing the commission to adopt rules; amending s. 327.70, F.S.; providing for issuance of uniform boating citations for anchoring or mooring in prohibited areas; amending s. 327.73, F.S.; providing penalties for operating a vessel with an expired registration and anchoring or mooring in prohibited areas; amending s. 328.09, F.S.; prohibiting the issuance of certificates of title for derelict vessels unless certain documentation is provided; amending

s. 328.70, F.S.; requiring commercial fishing vessels to be registered and classified as commercial vessels; amending s. 328.72, F.S.; revising the penalties for operation, use, or storage of vessels with expired registrations; amending s. 705.103, F.S.; exempting certain law enforcement officers from specified abandoned or lost property notice requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1338** and read the second time by title.

On motion by Senator Book, by two-thirds vote, **CS for CS for HB 7043** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Baxley	Flores	Rodriguez
Bean	Gainer	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hutson	Stargel
Bradley	Latvala	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Clemens	Powell	
Farmer	Rader	

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 370—A bill to be entitled An act relating to the Florida Wing of the Civil Air Patrol; amending s. 252.55, F.S.; defining terms; requiring certain employers to provide Civil Air Patrol leave; prohibiting specified public and private employers from discharging, reprimanding, or penalizing a Civil Air Patrol member because of his or her absence by reason of taking Civil Air Patrol leave; providing procedures for and requirements of employees and employers with respect to Civil Air Patrol leave and employment following such leave; specifying rights and entitlements of a Civil Air Patrol member who returns to work following Civil Air Patrol leave; providing for a civil action; specifying damages; authorizing the award of attorney fees and costs; specifying conditions under which a certification of probable cause of a violation of the act may be issued; providing a declaration of important state interest; providing an effective date.

—as amended April 26, was read the third time by title.

On motion by Senator Stargel, **CS for CS for SB 370**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Gibson	Rouson
Book	Grimsley	Simmons
Bracy	Hutson	Simpson
Bradley	Latvala	Stargel
Brandes	Mayfield	Steube
Braynon	Montford	Stewart
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Clemens	Powell	Young

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 800—A bill to be entitled An act relating to medication synchronization; creating s. 627.64196, F.S., and amending s. 641.31, F.S.; requiring health insurers and health maintenance organizations, respectively, which issue or deliver certain policies or contracts to offer medication synchronization to allow insureds and subscribers to align refill dates for certain drugs at least once in a plan year; requiring such insurers and health maintenance organizations to implement a process for aligning such dates; authorizing medical synchronization only through a network pharmacy; providing exceptions from partial filling for the purpose of aligning refill dates; requiring such insurers and health maintenance organizations to pay, except under certain circumstances, the full dispensing fee for a partial refill to align refill dates; requiring such insurers and health maintenance organizations to prorate certain cost-sharing obligations; providing applicability; providing that specified alternate processes used by health insurers and health maintenance organizations comply with medication synchronization requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Broxson, **CS for CS for SB 800** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Flores	Powell
Bean	Gainer	Rader
Benacquisto	Garcia	Rodriguez
Book	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hutson	Simpson
Brandes	Latvala	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Thurston
Clemens	Passidomo	Torres
Farmer	Perry	Young

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 890—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; requiring the Florida Endowment Foundation for Vocational Rehabilitation to maintain separate accounts for certain funds received from state sources and public or private sources; establishing restrictions regarding administrative costs of the foundation; requiring the foundation to publish specified information on its website; requiring that funds allocated for research, advertising, or consulting be subject to a competitive solicitation process; prohibiting use of state funds to fund certain events; extending the date for future review and repeal of provisions governing the Florida Endowment for Vocational Rehabilitation; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 890** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Campbell	Latvala
Bean	Clemens	Lee
Benacquisto	Farmer	Mayfield
Book	Flores	Montford
Bracy	Gainer	Passidomo
Bradley	Garcia	Perry
Brandes	Gibson	Powell
Braynon	Grimsley	Rader
Broxson	Hutson	Rodriguez

Rouson	Stargel	Thurston
Simmons	Steube	Torres
Simpson	Stewart	Young

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 896—A bill to be entitled An act relating to the Florida Prepaid College Board; amending s. 1009.971, F.S.; revising the financial disclosures required to be filed by certain Florida Prepaid College Board members; amending s. 1009.983, F.S.; extending the repeal date of the direct-support organization for the Florida Prepaid College Board; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 896** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for HB 577—A bill to be entitled An act relating to discount plan organizations; revising the titles of ch. 636, F.S., and part II of ch. 636, F.S.; amending s. 636.202, F.S.; revising definitions; amending s. 636.204, F.S.; conforming provisions to changes made by the act; amending s. 636.206, F.S.; conforming provisions to changes made by the act; providing record keeping requirements for discount plan organizations; amending s. 636.208, F.S.; conforming provisions to changes made by the act; revising a specified condition for a member to receive a reimbursement of certain charges after cancelling a membership in a discount plan organization; amending s. 636.212, F.S.; requiring discount plan organizations or marketers to provide prospective members with certain disclosures; requiring prospective members to acknowledge the receipt and acceptance of such disclosures before enrolling in a discount plan; specifying what a first page is for the purpose of a disclosure requirement on certain materials relating to a discount plan; providing requirements for disclosures made in writing, by electronic means, and by telephone; amending s. 636.214, F.S.; making a technical change; conforming provisions to changes made by the act; amending s. 636.216, F.S.; deleting provisions relating to requirements to file with and obtain approval from the Department of Financial Services of certain charges and forms; conforming provisions to changes made by the act; amending s. 636.228, F.S.; conforming provisions to changes made by the act; authorizing a discount plan organization to delegate functions to its marketers; providing that the discount plan organization is bound to acts of its marketers within the scope of delegation; amending s. 636.230, F.S.; authorizing a marketer or discount plan organization to commingle certain products on a single page of certain documents; deleting a requirement for discount medical plan fees to be provided in writing under certain circumstances; amending s. 636.232, F.S.; revising the authority for the Financial Services Commission to adopt rules; amending ss. 408.9091, 408.910, 627.64731, 636.003, 636.205, 636.207, 636.210, 636.218, 636.220, 636.222, 636.223, 636.224, 636.226, 636.234, 636.236, 636.238, 636.240, and 636.244, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 577** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Flores	Powell
Bean	Galvano	Rader
Benacquisto	Garcia	Rodriguez
Book	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hutson	Simpson
Brandes	Latvala	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Thurston
Clemens	Passidomo	Torres
Farmer	Perry	Young

Nays—None

Vote preference:

April 28, 2017: Yea to Nay—Campbell

SB 438—A bill to be entitled An act relating to out-of-school suspension; amending s. 1002.20, F.S.; authorizing a parent to give public testimony regarding a district school board's out-of-school suspension policy at a specified meeting; amending s. 1006.07, F.S.; requiring a district school board to review its rules authorizing out-of-school suspension during a specified timeframe at a district school board meeting; requiring the board to take public testimony at the meeting; providing that the rules expire under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **SB 438** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for HB 1079—A bill to be entitled An act relating to public records and public meetings; creating s. 1004.0962, F.S.; providing an exemption from public records requirements for those portions of a campus emergency response which address the response of a public postsecondary educational institution to an act of terrorism or other public safety crisis or emergency; providing for the disclosure of exempt information under certain circumstances; providing an exemption from public meeting requirements for any portion of a public meeting which would reveal those portions of a campus emergency response which address the response of a public postsecondary educational institution to an act of terrorism or other public safety crisis or emergency; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for HB 1079** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Bean	Gainer	Powell
Benacquisto	Galvano	Rader
Book	Garcia	Rodriguez
Bracy	Gibson	Rouson
Bradley	Grimsley	Simmons
Brandes	Hutson	Simpson
Braynon	Latvala	Stargel
Broxson	Lee	Steube
Campbell	Mayfield	Stewart
Clemens	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Perry	Young

Nays—None

Vote after roll call:

Yea—Baxley

CS for CS for HB 615—A bill to be entitled An act relating to professional regulation; providing a short title; amending s. 455.02, F.S.; revising the length of time that an active duty member of the Armed Forces of the United States may remain in good standing with an administrative board or program under certain circumstances; requiring that a spouse or surviving spouse be kept in good standing and be exempt from licensure renewal provisions under certain circumstances; requiring, rather than authorizing, the Department of Business and Professional Regulation to issue a professional license, rather than a temporary license, to specified applicants; revising application requirements; requiring the department to waive the applicant’s initial licensure application fee; authorizing licensure renewal; amending s. 455.219, F.S.; providing for a fee waiver for active duty members of the Armed Forces, certain spouses or surviving spouses of an active duty member, and low-income individuals; providing rulemaking authority; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 615** was passed and certified to the House. The vote on passage was:

Yeas—36

Bean	Gainer	Powell
Benacquisto	Galvano	Rader
Book	Garcia	Rodriguez
Bracy	Gibson	Rouson
Bradley	Grimsley	Simmons
Brandes	Hutson	Simpson
Braynon	Latvala	Stargel
Broxson	Lee	Steube
Campbell	Mayfield	Stewart
Clemens	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Perry	Young

Nays—None

Vote after roll call:

Yea—Baxley

SB 114—A bill to be entitled An act relating to cosmetic product registration; amending s. 499.015, F.S.; deleting the requirement that a person who manufactures, packages, repackages, labels, or relabels a cosmetic in this state register such cosmetic biennially with the De-

partment of Business and Professional Regulation; amending ss. 499.003, 499.041, and 499.051, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 114**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 211** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

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

CS for HB 211—A bill to be entitled An act relating to cosmetic product registration; amending s. 499.015, F.S.; deleting the requirement that a person who manufactures, packages, repackages, labels, or relabels a cosmetic in this state register such cosmetic biennially with the Department of Business and Professional Regulation; amending s. 499.041, F.S.; revising the annual fee for a cosmetic manufacturing permit; conforming provisions to changes made by the act; amending ss. 499.003 and 499.051, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 114** and read the second time by title.

On motion by Senator Brandes, by two-thirds vote, **CS for HB 211** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Grimsley	Rouson
Book	Hutson	Simmons
Bracy	Latvala	Simpson
Bradley	Lee	Stargel
Brandes	Mayfield	Steube
Braynon	Montford	Stewart
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Clemens	Powell	Young

Nays—None

Vote after roll call:

Yea—Galvano

CS for CS for SB 182—A bill to be entitled An act relating to consumer protection from nonmedical changes to prescription drug formularies; creating s. 627.42393, F.S.; limiting, under specified circumstances, changes to a health insurance policy prescription drug formulary during a policy year; providing construction and applicability; amending s. 627.6699, F.S.; requiring small employer carriers to limit changes to prescription drug formularies under certain circumstances; amending s. 641.31, F.S.; limiting, under specified circumstances, changes to a health maintenance contract prescription drug formulary during a contract year; providing construction and applicability; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Mayfield, **CS for CS for SB 182** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Bradley	Clemens
Bean	Brandes	Farmer
Benacquisto	Braynon	Flores
Book	Broxson	Gainer
Bracy	Campbell	Galvano

Garcia	Passidomo	Stargel
Gibson	Perry	Steube
Grimsley	Powell	Stewart
Hutson	Rader	Thurston
Latvala	Rodriguez	Torres
Lee	Rouson	Young
Mayfield	Simmons	
Montford	Simpson	

Nays—None

SB 256—A bill to be entitled An act relating to the Florida Center for the Partnerships for Arts Integrated Teaching; amending s. 1004.344, F.S.; abrogating the scheduled expiration of the center; providing an effective date.

—was read the third time by title.

On motion by Senator Steube, **SB 256** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Powell
Bean	Galvano	Rader
Benacquisto	Garcia	Rodriguez
Book	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hutson	Simpson
Brandes	Latvala	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Clemens	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Perry	Young

Nays—None

CS for HB 863—A bill to be entitled An act relating to hospice services; amending s. 408.036, F.S.; exempting certain hospice services in a not-for-profit retirement community from specified review and application requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for HB 863** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for HB 103—A bill to be entitled An act relating to public records; amending s. 382.008, F.S.; providing procedures for the registration of a nonviable birth; requiring nonviable birth certificates to contain information required for legal, social, and health research purposes; directing the Department of Health to authorize the issuance of certain

records; providing that certain information included in nonviable birth certificates is confidential and exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 103** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for CS for HB 101—A bill to be entitled An act relating to certificates of nonviable birth; creating the “Grieving Families Act”; amending s. 382.002, F.S.; providing a definition; amending 382.008, F.S.; authorizing the State Registrar of the Office of Vital Statistics of the Department of Health to electronically receive a certificate of nonviable birth; authorizing certain health care practitioners and health care facilities to electronically file a registration of nonviable birth within a specified timeframe; amending s. 382.0085, F.S.; conforming a cross-reference; creating s. 382.0086, F.S.; requiring the Department of Health to issue a certificate of nonviable birth within a specified timeframe upon the request of a parent; requiring the person registering the nonviable birth to advise the parent that a certificate of nonviable birth is available, that the certificate of nonviable birth is a public record, and that certain information is exempt from disclosure; requiring the request for a certificate of nonviable birth to be on a form prescribed by the department and to include certain information; providing requirements for the certificate of nonviable birth; authorizing a parent to request a certificate of nonviable birth regardless of the date on which the nonviable birth occurred; designating the refusal to issue a certificate of nonviable birth to certain persons as final agency action that is not subject to administrative review; prohibiting the use of certificates of nonviable birth to calculate live birth statistics; prohibiting specified provisions from being used in certain civil actions; authorizing the department to adopt rules; amending s. 382.0255, F.S.; authorizing the department to collect fees for processing and filing a new certificate of nonviable birth; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for HB 101** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Campbell	Latvala
Bean	Clemens	Lee
Benacquisto	Farmer	Mayfield
Book	Flores	Montford
Bracy	Gainer	Passidomo
Bradley	Galvano	Perry
Brandes	Gibson	Powell
Braynon	Grimsley	Rader
Broxson	Hutson	Rodriguez

Rouson	Stargel	Thurston
Simmons	Steube	Torres
Simpson	Stewart	Young

Nays—None

SB 1094—A bill to be entitled An act relating to the Forensic Hospital Diversion Pilot Program; amending s. 916.185, F.S.; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in Okaloosa County in conjunction with the First Judicial Circuit in Okaloosa County; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1094**, pursuant to Rule 3.11(3), there being no objection, **HB 1051** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

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

HB 1051—A bill to be entitled An act relating to the Forensic Hospital Diversion Pilot Program; amending s. 916.185, F.S.; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in Okaloosa County in conjunction with the First Judicial Circuit in Okaloosa County; providing an effective date.

—a companion measure, was substituted for **SB 1094** and read the second time by title.

On motion by Senator Gainer, by two-thirds vote, **HB 1051** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for CS for SB 1726—A bill to be entitled An act relating to industrial hemp pilot projects; creating s. 1004.4473, F.S.; authorizing the Department of Agriculture and Consumer Services to oversee the development of industrial hemp pilot projects for the Institute of Food and Agricultural Sciences at the University of Florida and the Florida Agricultural and Mechanical University; authorizing the universities to develop the pilot projects in partnership with public, nonprofit, and private entities; providing the purpose of the pilot projects; defining terms; providing requirements for a qualified project partner; requiring each university to obtain the authorization of its board of trustees before implementing a pilot project; requiring pilot projects to comply with rules adopted by the department; requiring the department to adopt certain rules by a specified date; requiring the universities to develop partnerships with certain entities; requiring the universities to establish guidelines for the approval, oversight, and enforcement of pilot project rules; requiring a report to the Governor and the Legislature within a specified timeframe; providing an effective date.

—as amended April 26, was read the third time by title.

On motion by Senator Montford, **CS for CS for SB 1726**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for HB 1347—A bill to be entitled An act relating to application of the Florida Deceptive and Unfair Trade Practices Act to credit unions; amending s. 501.212, F.S.; exempting credit unions from regulation under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, **CS for HB 1347** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for CS for SB 1604—A bill to be entitled An act relating to the Department of Corrections; amending s. 943.04, F.S.; authorizing the Department of Law Enforcement to issue an investigative demand seeking the production of an inmate’s protected health information, medical records, or mental health records under certain circumstances; specifying requirements for the investigative demand; amending s. 944.151, F.S.; revising legislative intent; revising membership requirements for the safety and security review committee appointed by the Department of Corrections; specifying the duties of the committee; requiring the department to direct appropriate staff to complete specified duties of the department; revising scheduling requirements for inspections of state and private correctional institutions and facilities; revising the list of institutions that must be given priority for inspection; revising the list of institutions that must be given priority for certain security audits; revising minimum audit and evaluation requirements; requiring the department to direct appropriate staff to review staffing policies and practices as needed; conforming provisions to changes made by the act; amending s. 944.17, F.S.; authorizing the department to receive specified documents electronically at its discretion; amending s. 944.275, F.S.; revising the conditions on which an inmate may be granted a one-time award of 60 additional days of incentive gain-time by the department; clarifying when gain-time can be

earned; amending s. 944.597, F.S.; revising provisions relating to training of a transport company's employees before transporting prisoners; amending s. 945.36, F.S.; exempting employees of a contracted community correctional center from certain health testing regulations for the limited purpose of administering urine screen drug tests on inmates and releasees; amending s. 958.11, F.S.; deleting a provision authorizing the department to assign 18-year-old youthful offenders to the 19-24 age group facility under certain circumstances; deleting a condition that all female youth offenders are allowed to continue to be housed together only until certain institutions are established or adapted for separation by age and custody classifications; authorizing inmates who are 17 years of age or under to be placed at an adult facility for specified purposes, subject to certain conditions; authorizing the department to retain certain youthful offenders until 25 years of age in a facility designated for 18- to 22-year-old youth offenders under certain circumstances; conforming provisions to changes made by the act; amending s. 921.002, F.S.; conforming a cross-reference; amending s. 947.149, F.S.; defining the term "inmate with a debilitating illness"; expanding eligibility for conditional medical release to include inmates with debilitating illnesses; providing criteria for eligibility; requiring the department to refer an eligible inmate for release; requiring the Commission on Offender Review to verify the referral; requiring that the department's referral for release include certain documents; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 1604**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1201** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Appropriations.

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

CS for CS for HB 1201—A bill to be entitled An act relating to the Department of Corrections; amending s. 943.04, F.S.; authorizing the Department of Law Enforcement to issue an investigative demand seeking the production of an inmate's protected health information, medical records, or mental health records under certain circumstances; specifying requirements for the investigative demand; amending s. 944.151, F.S.; revising legislative intent; revising membership requirements for the safety and security review committee appointed by the Department of Corrections; specifying the duties of the committee; requiring the department to direct appropriate staff to complete specified duties of the department; revising scheduling requirements for inspections of state and private correctional institutions and facilities; revising the list of institutions that must be given priority for inspection; revising the list of institutions that must be given priority for certain security audits; revising minimum audit and evaluation requirements; requiring the department to direct appropriate staff to review staffing policies and practices as needed; conforming provisions to changes made by the act; amending s. 944.17, F.S.; authorizing the department to receive specified documents electronically at its discretion; amending s. 944.275, F.S.; revising the conditions on which an inmate may be granted a one-time award of 60 additional days of incentive gain-time by the department; clarifying when gain-time may be earned; amending s. 944.597, F.S.; revising provisions relating to training of transport company's employees before transporting prisoners; amending s. 945.36, F.S.; exempting employees of a contracted community correctional center from certain health testing regulations for the limited purpose of administering urine screen drug tests on inmates and releasees; amending s. 958.11, F.S.; deleting a provision authorizing the department to assign 18-year-old youthful offenders to the 19-24 age group facility under certain circumstances; deleting a condition that all female youth offenders are allowed to continue to be housed together only until certain institutions are established or adapted for separation by age and custody classifications; authorizing inmates who are 17 years of age or under to be placed at an adult facility for specified purposes, subject to certain conditions; authorizing the department to retain certain youthful offenders until 25 years of age in a facility designated for 18- to 22-year-old youth offenders under certain circumstances; conforming provisions to changes made by the act; amending s. 921.002, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1604** and read the second time by title.

On motion by Senator Bracy, by two-thirds vote, **CS for CS for HB 1201** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Powell
Bean	Galvano	Rader
Benacquisto	Garcia	Rodriguez
Book	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hutson	Simpson
Brandes	Latvala	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Thurston
Clemens	Passidomo	Torres
Farmer	Perry	Young

Nays—None

Vote after roll call:

Yea—Flores

CS for CS for SB 1590—A bill to be entitled An act relating to coastal management; amending s. 161.101, F.S.; revising the criteria to be considered by the Department of Environmental Protection in determining and assigning annual funding priorities for beach management and erosion control projects; specifying tiers for such criteria; requiring tiers to be given certain weight; requiring the department to update active project lists on its website; redefining the term "significant change"; revising the department's reporting requirements; specifying allowable uses for certain surplus funds; revising the requirements for a specified summary; requiring that funding for certain projects remain available for a specified period; amending s. 161.143, F.S.; specifying the scope of certain projects; revising the list of projects that are included as inlet management projects; requiring that certain projects be considered separate and apart from other specified projects; revising the ranking criteria to be used by the department to establish certain funding priorities for certain inlet-caused beach erosion projects; revising provisions authorizing the department to spend certain appropriated funds for the management of inlets; deleting a provision authorizing the department to spend certain appropriated funds for specified inlet studies; revising the required elements of the department's report of prioritized inlet management projects; revising the funds that the department must make available to certain inlet management projects; requiring the department to include specified activities on the inlet management project list; deleting provisions requiring the department to make available funding for specified projects; deleting a requirement that the Legislature designate a project as an Inlet of the Year; requiring the department to update and maintain a report regarding the progress of certain inlet management projects; revising the requirements for the report; deleting certain temporary provisions relating to specified appropriations; amending s. 161.161, F.S.; revising requirements for the comprehensive long-term management plan; requiring the plan to include a strategic beach management plan, a critically eroded beaches report, and a statewide long-range budget plan; providing for the development and maintenance of such plans; deleting a requirement that the department submit a certain beach management plan on a certain date each year; requiring the department to hold a public meeting before finalization of the strategic beach management plan; requiring the department to submit a 3-year work plan and a related forecast for the availability of funding to the Legislature; amending s. 375.041, F.S.; requiring certain funds from the Land Acquisition Trust Fund to be used for projects that preserve and repair state beaches; providing effective dates.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 1590** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for SB 1452—A bill to be entitled An act relating to taximeters; amending s. 531.37, F.S.; revising the definition of the term “weights and measures”; amending s. 531.61, F.S.; deleting a provision exempting certain taximeters from specified permit requirements; amending s. 531.63, F.S.; deleting a provision prohibiting the annual permit fees for taximeters from exceeding \$50; providing an effective date.

—was read the third time by title.

On motion by Senator Book, **CS for SB 1452** was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Gainer	Powell
Benacquisto	Galvano	Rader
Book	Garcia	Rodriguez
Bracy	Gibson	Rouson
Bradley	Grimsley	Simmons
Brandes	Hutson	Simpson
Braynon	Latvala	Stargel
Broxson	Lee	Steube
Campbell	Mayfield	Stewart
Clemens	Montford	Torres
Farmer	Passidomo	Young
Flores	Perry	

Nays—None

Vote after roll call:

Yea—Bean

CS for CS for CS for SB 660—A bill to be entitled An act relating to bankruptcy matters in foreclosure proceedings; creating s. 702.12, F.S.; authorizing lienholders to use certain documents as an admission in an action to foreclose a mortgage; providing that submission of certain documents in a foreclosure action creates a rebuttable presumption that the defendant has waived any defenses to the foreclosure; requiring a court to take judicial notice of final orders entered in bankruptcy cases; providing construction; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for CS for CS for SB 660** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Benacquisto	Bracy
Bean	Book	Bradley

Brandes	Grimsley	Rodriguez
Braynon	Hutson	Rouson
Campbell	Latvala	Simmons
Clemens	Lee	Simpson
Farmer	Mayfield	Stargel
Flores	Montford	Steube
Gainer	Passidomo	Stewart
Galvano	Perry	Thurston
Garcia	Powell	Torres
Gibson	Rader	Young

Nays—None

Vote after roll call:

Yea—Broxson

CS for CS for HB 209—A bill to be entitled An act relating to medical faculty and medical assistant certification; amending s. 456.013, F.S.; requiring the Department of Health to process certain applications for a temporary certificate using a personal identification number in lieu of a social security number under specified circumstances; amending s. 458.3137, F.S.; revising the circumstances under which a visiting physician may be issued a temporary certificate to obtain limited medical privileges for instructional purposes; amending s. 458.3145, F.S.; revising the list of schools at which certain faculty members are eligible to receive a medical faculty certificate; authorizing a certificateholder to practice at certain specialty-licensed children’s hospitals; revising provisions to allow the medical director of certain specialty-licensed children’s hospitals to request the provision of medical care and treatment in connection with education; amending s. 458.3485, F.S.; providing a requirement to earn a certified medical assistant credential; amending s. 483.291, F.S.; revising qualifications for employment as a medical assistant in a multiphasic health testing center; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 209** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

CS for SB 1108—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding an exemption from public records requirements for the personal identifying and location information of certain firefighters and their spouses and children to include the personal identifying and location information of former firefighters and their spouses and children, and the names of spouses and children of current and former firefighters; specifying the application of s. 24(a), Article I of the State Constitution to the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Steube, **CS for SB 1108** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

HB 1233—A bill to be entitled An act relating to cottage food operations; amending s. 500.80, F.S.; increasing the annual gross sales limitation for exempting cottage food operations from certain food and building permitting requirements; authorizing cottage food products to be advertised, sold, and paid for over the Internet; requiring such products to be delivered in person directly to the consumer or to a specific event venue; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **HB 1233** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

HB 7113—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 265.7015, F.S., which provides an exemption from public record requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **HB 7113** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Bradley	Clemens
Bean	Brandes	Farmer
Benacquisto	Braynon	Flores
Book	Broxson	Gainer
Bracy	Campbell	Galvano

Garcia	Passidomo	Stargel
Gibson	Perry	Steube
Grimsley	Powell	Stewart
Hutson	Rader	Thurston
Latvala	Rodriguez	Torres
Lee	Rouson	Young
Mayfield	Simmons	
Montford	Simpson	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hutson, by two-thirds vote, **SB 746** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and **CS for CS for SB 1018** and **SB 1622** 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 Thursday, April 27, 2017: SCR 1360, CS for SB 686, CS for CS for SB 198, SB 762, CS for SCR 920, CS for CS for SB 766, SB 914, CS for CS for SB 1018, CS for SB 1520, SB 1622, CS for SB 494, CS for CS for SB 534, CS for SB 684, CS for CS for SB 1672, CS for CS for SB 474, CS for SB 1670, CS for SB 616, CS for CS for CS for SB 596, CS for CS for CS for SB 206.

Respectfully submitted,
Lizbeth Benacquisto, Rules Chair
Wilton Simpson, Majority Leader
Oscar Braynon II, Minority Leader

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 1552

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

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 498; CS for SB 590; SB 814; CS for SB 1012; SB 1398; CS for SB 1468; CS for SB 1562

The Committee on Rules recommends committee substitutes for the following: CS for CS for SB 188; CS for CS for SB 200; SB 7018; SB 7020

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; Community Affairs; and Regulated Industries; and Senators Steube and Perry—

CS for CS for CS for SB 188—A bill to be entitled An act relating to vacation rentals; amending s. 509.032, F.S.; revising applicability for a preemption of certain local laws, ordinances, or regulations regarding vacation rentals; authorizing certain ordinances to be submitted for ratification by electors at a referendum; providing that, upon approval by the electors, the effective date of the ordinance is retroactive to the initial date of adoption by the governing body of the municipality; providing an effective date.

By the Committees on Rules; Judiciary; and Children, Families, and Elder Affairs; and Senators Passidomo and Torres—

CS for CS for CS for SB 200—A bill to be entitled An act relating to temporary respite care for a child; creating s. 409.1761, F.S.; providing legislative findings; providing definitions; authorizing qualified non-profit organizations to establish programs to provide temporary respite care for children; providing duties and recordkeeping requirements for such organizations; providing screening requirements for certain persons; requiring notification to the Department of Children and Families under certain circumstances; authorizing a volunteer respite family to enter into a contract for care to provide temporary respite care for a child; specifying the duration of a contract for care; specifying the form and execution of the contract; specifying that a parent may revoke or withdraw the contract for care at any time; requiring the child to be returned immediately to the custody of the parent if the contract is revoked or withdrawn; specifying that the contract expires after a specified timeframe; prohibiting the contract from operating to deprive a parent of certain authority or from superseding certain court orders; providing notification requirements; providing applicability; providing an effective date.

By the Committees on Appropriations; Judiciary; and Commerce and Tourism; and Senator Young—

CS for CS for CS for SB 498—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 288.1175, F.S.; specifying that applications for funding for certain agriculture education and promotion facilities must be postmarked or electronically submitted by a certain date; amending s. 472.003, F.S.; specifying that certain persons under contract with registered or certified surveyors and mappers are not subject to the provisions of ch. 472, F.S.; amending s. 472.005, F.S.; redefining the terms “practice of surveying and mapping” and “subordinate”; amending s. 472.013, F.S.; revising the standards for applicant eligibility to take the licensure examination to practice as a surveyor or mapper; amending s. 472.015, F.S.; revising the qualifications for licensure by endorsement; amending s. 472.018, F.S.; authorizing the board to provide by rule for the carryover hours of continuing education requirements up to a specified maximum; deleting a requirement that the board approve course content for continuing education courses; requiring the board to adopt rules to establish criteria for continuing education providers; authorizing the board to provide by rule the method of delivery and criteria that may be used to satisfy continuing education requirements; deleting a requirement that the board must issue cease and desist orders and enact certain penalties for continuing education providers offering services that fail to conform to approved course material; amending s. 472.025, F.S.; deleting a requirement that registrant seals be of impression-type metal; amending s. 472.0366, F.S.; revising the requirements for copies of evaluation certificates that must be submitted to the Division of Emergency Management within the Executive Office of the Governor; requiring that certain copies of evaluation certificates be retained in the surveyor and mapper’s records; amending s. 487.2041, F.S.; requiring the department to adopt by rule certain United States Environmental Protection Agency regulations relating to labeling requirements for pesticides and devices; amending s. 493.6101, F.S.; specifying that a manager of a private investigative agency may manage up to three offices, subject to certain requirements; amending s. 493.6105, F.S.; exempting certain partners and corporate officers from fingerprint retention requirements; revising the submission requirements for applications for Class “K” licenses; amending s. 493.6107, F.S.; deleting a specification that license fees are biennial; amending s. 493.6108, F.S.; providing an authorization to the Department of Law Enforcement to release certain mental health and substance abuse history of Class “G” or Class “K” applicants and licensees for the purpose of determining licensure eligibility; requiring licensees to notify their employer of an arrest within a specified period; amending s. 493.6112, F.S.; revising the notification requirements for changes of certain partners, officers, and employees of private investigative, security, and recovery agencies; amending s. 493.6113, F.S.; specifying that Class “G” licensees must complete requalification training for each type and caliber of firearm carried in the course of performing regulated duties; conforming terminology; amending s. 493.6115, F.S.; conforming a cross-reference; revising the circumstances under which certain licensees may carry a concealed firearm; revising the conditions under which the department may issue a temporary Class “G” license; amending s. 493.6118, F.S.;

providing that failure of a licensee to timely notify his or her employer of an arrest is grounds for disciplinary action by the department; requiring the department to temporarily suspend specified licenses of a licensee arrested or formally charged with certain crimes until disposition of the case; requiring the department to notify a licensee of administrative hearing rights; specifying that any hearing must be limited to a determination as to whether the licensee has been arrested or charged with a disqualifying crime; providing that the suspension may be lifted under certain circumstances; requiring the department to proceed with revocation under certain circumstances; amending s. 493.6202, F.S.; deleting a specification that license fees are biennial; amending s. 493.6203, F.S.; deleting a requirement that certain training be provided in two parts; amending s. 493.6302, F.S.; deleting a specification that license fees are biennial; amending s. 493.6303, F.S.; deleting a requirement that certain training be provided in two parts; deleting obsolete provisions; making technical changes; specifying that re-applicants for a license expired for 1 year or more are considered initial applicants and must submit proof of certain training before issuance of a new license; amending s. 493.6304, F.S.; making technical changes; amending s. 493.6402, F.S.; deleting a specification that license fees are biennial; amending s. 493.6403, F.S.; requiring that applicants for Class “E” and “EE” licenses submit proof of successful completion of certain training, rather than just completion of such training; amending s. 501.013, F.S.; providing that a program or facility offered by an organization for the exclusive use of its employees and their family members is not subject to certain health studio regulations; amending s. 501.059, F.S.; removing a limitation on the length of time for which the department must place certain persons on a no sales solicitation list; amending s. 507.04, F.S.; making a technical change; amending s. 531.37, F.S.; redefining the term “weights and measures” to exclude taximeters and transportation measurement systems; amending s. 531.61, F.S.; deleting certain taximeters from permitting requirements for commercially operated or tested weights or measures instruments or devices; repealing s. 531.63(2)(g), F.S.; relating to maximum permit fees for taximeters; amending s. 534.021, F.S.; specifying that a detailed drawing, rather than a facsimile, of a brand must accompany an application for the recording of certain marks and brands; amending s. 534.041, F.S.; extending the registration and renewal period for certain mark or brand certificates; eliminating a renewal fee; repealing s. 534.061, F.S., relating to the transfer of ownership of cattle; amending s. 570.07, F.S.; authorizing the department to perform certain food safety inspection services relating to raw agricultural commodities; amending s. 573.118, F.S.; specifying that the Division of Fruit and Vegetables, rather than the Division of Marketing and Development, must file a specified certification; amending s. 590.02, F.S.; specifying that the department has exclusive authority to enforce the Florida Building Code as it relates to Florida Forest Service facilities under the jurisdiction of the department; amending s. 597.004, F.S.; authorizing certain saltwater products dealers to sell certain aquaculture products without restriction under a specified circumstance; amending s. 604.16, F.S.; specifying that dealers in agricultural products who pay by credit card are exempt from certain dealer requirements; amending s. 790.06, F.S.; revising the requirements to obtain a license to carry a concealed weapon or firearm; revising the requirements of the application form; revising the license fees to obtain or renew such license; providing an effective date.

By the Committees on Appropriations; and Judiciary; and Senators Brandes, Stargel, and Gibson—

CS for CS for SB 590—A bill to be entitled An act relating to child support and parenting time plans; amending s. 409.2551, F.S.; providing legislative intent to encourage frequent contact between a child and each parent; amending s. 409.2554, F.S.; defining terms; amending s. 409.2557, F.S.; authorizing the Department of Revenue to establish parenting time plans agreed to by both parents in Title IV-D child support actions; amending s. 409.2563, F.S.; requiring the department to mail a Title IV-D Standard Parenting Time Plan with proposed administrative support orders; providing requirements for including parenting time plans in certain administrative orders; creating s. 409.25633, F.S.; providing the purpose and requirements for a Title IV-D Standard Parenting Time Plan; requiring the department to refer parents who do not agree on a parenting time plan to a circuit court; requiring the department to create and provide a form for a petition to establish a parenting time plan under certain circumstances; specifying that the parents are not required to pay a fee to file the petition; requiring the enforcement or modification of an established parenting

time plan to be sought through a court of appropriate jurisdiction; authorizing the department to adopt rules; amending s. 409.2564, F.S.; authorizing the department to incorporate either a signed, agreed-upon parenting time plan or a signed Title IV-D Standard Parenting Time Plan in a child support order; amending ss. 409.256 and 409.2572, F.S.; conforming cross-references; requiring the department to submit a report to the Governor and Legislature by a specified date; specifying requirements for the report; providing an appropriation; providing an effective date.

By the Committee on Appropriations; and Senator Broxson—

CS for SB 814—A bill to be entitled An act relating to the Florida Life and Health Insurance Guaranty Association; amending s. 631.713, F.S.; revising applicability of the Florida Life and Health Insurance Guaranty Association Act as to specified annuity contracts; amending s. 631.717, F.S.; revising the association's maximum aggregate liability for the contractual obligations of an insolvent insurer with respect to one life; specifying the association's maximum liability as to certain health insurance policies beginning on a specified date; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senators Brandes and Young—

CS for CS for SB 1012—A bill to be entitled An act relating to insurance fraud; reordering and amending s. 626.9891, F.S.; defining and revising definitions; requiring every insurer to designate at least one primary anti-fraud employee for certain purposes; requiring insurers to adopt an anti-fraud plan; revising insurer requirements in providing anti-fraud information to the Department of Financial Services; requiring specified information to be filed annually with the department; revising the information to be provided by insurers who write workers' compensation insurance; requiring each insurer to provide annual anti-fraud education and training; requiring insurers who submit an application for a certificate of authority after a specified date to comply with the section; providing penalties for the failure to comply with requirements of the section; requiring the Division of Investigative and Forensic Services of the department to create, by a specified date, a report detailing best practices for the detection, investigation, prevention, and reporting of insurance fraud and other fraudulent insurance acts; requiring such report to be updated at certain intervals; specifying required information in the report; requiring the department to adopt rules relating to insurers' annual reporting of certain data; creating s. 626.9896, F.S.; providing legislative intent; creating a grant program to fund the Insurance Fraud Dedicated Prosecutor Program within the department; requiring moneys that are appropriated for the program be used to fund specific attorney and paralegal positions; specifying procedures to be used by state attorneys' offices when applying for biennial grants; specifying that grants are for 2 years but authorizing the division to renew the grants; specifying procedures to be used by the department in awarding grant funds; requiring the Division of Investigative and Forensic Services to provide an annual report to the Executive Office of the Governor, the Speaker of the House of Representatives, and the Senate President; specifying information to be contained in the report; authorizing the department to adopt rules to administer and implement the insurance fraud dedicated prosecutor program; amending s. 626.9911, F.S.; defining the terms "fraudulent viatical settlement act" and "stranger-originated life insurance practice" for purposes of provisions relating to the Viatical Settlement Act; amending ss. 626.9924 and 626.99245, F.S.; conforming cross-references; amending s. 626.99275, F.S.; providing additional prohibited acts related to viatical settlement contracts; amending s. 626.99287, F.S.; providing that a viatical settlement contract is void and unenforceable by either party if the viatical settlement policy is subject, within a specified timeframe, to a loan secured by an interest in the policy; revising conditions and requirements in which viatical settlement contracts entered into within specified timeframes are valid and enforceable; deleting provisions related to the transfer of insurance policies or certificates to viatical settlement providers; creating s. 626.99289, F.S.; providing that certain contracts, agreements, arrangements, or transactions relating to stranger-originated life insurance practices are void and unenforceable; creating s. 626.99291, F.S.; authorizing a life insurer to contest policies obtained through such practices; creating s. 626.99292, F.S.; requiring life insurers to provide a specified statement

to individual life insurance policyholders; authorizing such statements to accompany or be included in notices or mailings provided to the policyholders; requiring such statements to include contact information; amending s. 627.744, F.S.; deleting a provision that provides construction; authorizing insurers to opt out of the preinsurance inspection requirements for private passenger motor vehicles; requiring insurers opting out to file a certain manual rule with the Office of Insurance Regulation; authorizing such insurers to establish their own preinsurance inspection requirements, which must be included in the filed manual rule; prohibiting such insurers from requiring applicants to pay for the cost of inspections; deleting an obsolete provision; amending s. 641.3915, F.S.; deleting obsolete provisions; providing effective dates.

By the Committee on Appropriations; and Senators Stewart, Baxley, and Young—

CS for SB 1398—A bill to be entitled An act relating to the accessibility of places of public accommodation; creating s. 553.5141, F.S.; providing definitions; authorizing qualified experts to advise and provide certain inspections for places of public accommodation relating to the Americans with Disabilities Act; authorizing an owner of a place of public accommodation to request that his or her facility be inspected for specified purposes; authorizing an owner of a place of public accommodation to file a certification of conformity or remediation plan with the Department of Business and Professional Regulation; requiring a court to consider certain information in specified actions; requiring the department to develop and maintain a website for specified purposes; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Galvano—

CS for CS for SB 1468—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to conduct annual audits of the Florida School for the Deaf and the Blind; amending s. 413.011, F.S.; providing that a client of the Division of Blind Services of the Department of Education is considered an employee of the state for purposes of workers' compensation coverage; creating s. 413.209, F.S.; providing that a specified client of the Division of Vocational Rehabilitation of the Department of Education is considered an employee of the state for purposes of workers' compensation coverage; amending s. 1001.10, F.S.; authorizing the Commissioner of Education to coordinate with specified entities to assess needs for resources and assistance in an emergency situation; amending s. 1002.31, F.S.; revising available controlled open enrollment options to include virtual charter schools and district virtual programs; amending ss. 1002.37 and 1002.45, F.S.; revising student eligibility requirements for the Florida Virtual School and virtual instruction programs; repealing s. 1002.455, F.S., relating to student eligibility for K-12 virtual instruction; creating s. 1003.481, F.S.; creating the Early Childhood Music Education Incentive Pilot Program within the Department of Education for a specified period; providing for school district eligibility; providing comprehensive music education program requirements; providing for school district selection, funding, and program payments; requiring selected school districts to annually provide a specified certification to the Commissioner of Education; requiring a selected school district to return funds under certain circumstances; requiring the University of Florida's College of Education to perform an evaluation; authorizing the State Board of Education to adopt rules; providing for expiration of the pilot program; amending s. 1004.345, F.S.; extending the timeframe by which the Florida Polytechnic University must meet specified criteria established by the Board of Governors of the State University System; amending ss. 1002.33, 1003.498, and 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Simmons—

CS for CS for SB 1552—A bill to be entitled An act relating to K-12 education; amending s. 1001.42, F.S.; revising provisions relating to school improvements plans; requiring only specified schools to submit a school improvement plan; deleting a requirement that certain information be included in the improvement plans of certain schools; revising the grade levels required to implement an early warning system; revising the required content of an early warning system; requiring a

specified team to monitor specified data; revising what constitutes an educational emergency and establishing duties of district school boards relating to such emergency; amending s. 1002.33, F.S.; revising the criteria a charter school must meet to require corrective action; revising requirements for corrective action by charter schools; revising criteria for waiver of automatic charter termination; amending s. 1002.332, F.S.; conforming a cross-reference; amending s. 1008.33, F.S.; providing that intervention and support services apply consistently to any school meeting specified criteria; revising the required timeline for the implementation of a district-managed turnaround plan; providing turnaround options available to school districts meeting specified criteria; amending s. 1008.345, F.S.; revising the criteria a school must meet to have a community assessment team; revising the duties of a community assessment team; creating s. 1012.732, F.S.; creating the Florida Best and Brightest Teacher and Principal Scholar Award Program to be administered by the Department of Education; providing the intent and purpose of the program; providing eligibility requirements for classroom teachers and school administrators to participate in the program; providing timelines and requirements for program implementation; providing funding priorities; defining the term "school district"; requiring the State Board of Education to adopt rules; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senator Garcia—

CS for CS for SB 1562—A bill to be entitled An act relating to limited access and toll facilities; amending s. 338.166, F.S.; authorizing the Department of Transportation to require the use of an electronic transponder interoperable with the department's electronic toll collection system for the use of high-occupancy toll lanes or express lanes; requiring, as of a specified date, that a customer be charged the minimum express lane toll if his or her average travel speed for a trip in an express lane falls below a specified rate; providing measurement of a customer's express lane average travel speed; amending s. 338.2216, F.S.; authorizing the Florida Turnpike Enterprise to require the use of an electronic transponder interoperable with the department's electronic toll collection system for the use of express lanes on the turnpike system; prohibiting variable pricing from being implemented in express lanes when the level of service in the express lane, determined in accordance with specified criteria, is equal to level of service A; specifying that variable pricing in express lanes when the level of service in the express lane is level of service B may only be implemented by charging the general toll lane toll amount plus an amount set by department rule; providing that pricing in express lanes when the level of service is other than level of service A or level of service B may vary in the manner established by the Florida Turnpike Enterprise to manage congestion in the express lanes; requiring, as of a specified date, that a customer be charged a general toll lane toll amount plus an amount set by department rule if his or her average travel speed for a trip in an express lane falls below a specified rate; providing for measurement of a customer's express lane average travel speed; amending s. 338.231, F.S.; extending the timeframe during which the department must program sufficient funds in the tentative work program such that the percentage of turnpike toll and bond financed commitments in Miami-Dade County, Broward County, and Palm Beach County are at least a specified percent of a certain share of certain net toll collections; amending s. 348.0004, F.S.; providing applicability; requiring toll increases by authorities in certain counties to be justified by an independent study by a third party; providing an exception for an increase to adjust for inflation pursuant to a specified procedure for toll rate adjustments; requiring toll increases to be approved by a specified margin in a vote of the expressway authority board; prohibiting the amount of toll revenues used for administrative expenses by the authority from being greater than a specified percentage above the annual state average of administrative costs; requiring the Florida Transportation Commission to determine the annual state average of administrative costs based on the annual administrative expenses of all the expressway authorities of this state; authorizing the commission to adopt certain rules; requiring a specified distance between main through-lane tolling points on transportation facilities constructed after a specified date; providing applicability; conforming a cross-reference; requiring authorities in certain counties to reduce toll charges by a specified amount at the time that any toll is incurred for certain SunPass registrants, subject to certain requirements; prohibiting such authorities from imposing additional requirements for receipt of the reduced toll amount; requiring an authority in certain counties to determine its surplus revenues and ded-

icate a certain amount of the annual surplus revenues to transportation- and transit-related expenses for projects in the area served by the authority; requiring the metropolitan planning organization for certain counties to annually select a project or projects within the counties to be funded by the authority's dedicated surplus revenues and provide to the authority a list reflecting the selected project or projects; requiring the authority to select from the list for funding from the authority's dedicated surplus revenues transportation- and transit-related expenses that have a rational nexus to the transportation facilities of the authority; requiring a rational nexus to demonstrate that the proposed transportation expenditure makes a substantial impact on the capacity or use of the transportation facilities of the authority or that the proposed transit expenditure complements the operation of, or expands the access to, the transportation facilities of the authority; requiring certain counties to have a financial audit of the revenues and expenditures of the county's transportation plan conducted by an independent third party not less than biennially and to post the audits on the counties' websites to be eligible to receive the dedicated surplus revenues; requiring that an authority established in certain counties have an audit conducted by an independent third party not less than biennially; requiring the audit report be made publicly available on the authority's website; providing an effective date.

By the Committees on Rules; and Governmental Oversight and Accountability—

CS for SB 7018—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides exemptions from public record requirements for certain personal identifying and location information of specified agency personnel, and the spouses and children thereof; revising the exemptions; removing redundant exemptions for social security numbers; providing an exemption from public record requirements for the names of the spouses and children of certain agency personnel; providing an exemption from public record requirements for the dates of birth for certain agency personnel and their spouses and children; removing the scheduled repeal of certain exemptions; providing for retroactive application; providing for future legislative review and repeal of certain exemptions; providing statements of public necessity; providing an effective date.

By the Committees on Rules; and Children, Families, and Elder Affairs—

CS for SB 7020—A bill to be entitled An act relating to the ratification of a Department of Elder Affairs rule and a Department of Health rule; ratifying a specific rule relating to the practice for professional guardians; ratifying a specific rule adopted by the Board of Medicine relating to the standard of care for office surgery for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HJR 7105 by the required Constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Ways & Means Committee and Representative(s) La Rosa, Jaquet, Metz—

HJR 7105—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 37 of Article XII of the State Constitution to increase the homestead exemption by exempting the assessed valuation of homestead property greater than \$75,000 and up

to \$100,000 for all levies other than school district levies, and to provide an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7107 by the required Constitutional two-thirds vote of the membership and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Ways & Means Committee and Representative(s) La Rosa—

HB 7107—A bill to be entitled An act relating to homestead exemption implementation; amending s. 196.031, F.S.; increasing the homestead exemption from all taxes other than school district taxes; amending s. 200.065, F.S.; specifying calculation of the rolled-back rate for purposes of the 2019 tax roll; providing a repeal date; amending s. 218.125, F.S.; requiring the Legislature to appropriate moneys to offset reductions in tax revenues in certain fiscally constrained counties resulting from increased exemptions; providing a contingent effective date.

—was referred to the Committee on Rules.

HOUSE CONFEREES APPOINTED

The Honorable Joe Negron, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the Conference Committee on CS for CS for SB 374, SB 376, SB 2500, SB 2502, SB 2504, SB 2506, SB 2508, SB 2510, SB 2512, SB 2514, SB 2516, SB 7022, HB 5105, HB 5203, HB 5205, HB 5301, HB 5401, HB 5403, HB 5501, and CS for HB 7069 to serve with Rep. Trujillo, Chair; Managers At-Large: Reps. Moraitis, Berman, Bileca, Boyd, Caldwell, Cruz, Cummings, J. Diaz, DuBose, McGhee, Metz, Moskowitz, Nuñez, Oliva, Sprowls, Stafford, and Stark; House Agriculture & Natural Resources/Senate Environment and Natural Resources—Rep. Albritton, Chair; Reps. Ausley, Clemons, Combee, Diamond, Goodson, Harrison, Henry,

Jacobs, Raschein, Roth, Slosberg, Stone, and Williamson; House Governmental Operations and Technology/Senate General Government—Rep. Ingoglia, Chair; Reps. Altman, Avila, J. Cortes, Davis, DuBose, Eagle, J. Grant, Hahnfeldt, Peters, Plasencia, Raulerson, Shaw, and Willhite; House Health Care/Senate Health and Human Services—Rep. Brodeur, Chair; Reps. Baez, Burgess, Burton, Duran, Grall, Harrell, Jones, Magar, Mercado, Pigman, Richardson, Rommel, Stevenson, and White; House Higher Education/Senate Higher Education—Rep. Ahern, Chair; Reps. Alexander, B. Cortes, Edwards, Gonzalez, Lee, Leek, Mariano, A. Miller, Ponder, Porter, Rodrigues, Silvers, and Smith; House Justice/Senate Criminal and Civil Justice—Rep. Hager, Chair; Reps. Asencio, Byrd, Daniels, Eisnaugle, Fitzenhagen, Gruters, M. Miller, Plakon, Pritchett, Spano, Toledo, Williams, and Yarborough; House Pre K-12 Education/Senate PreK-12 Education—Rep. M. Diaz, Chair; Reps. Antone, Brown, Donalds, Fine, Fischer, Hardemon, Latvala, Lee, Massullo, McClain, Newton, Raburn, Renner, Russell, and Sullivan; House Transportation & Tourism/Senate Transportation, Tourism and Economic Development—Rep. Ingram, Chair; Reps. Beshars, Drake, Fant, Geller, M. Grant, Jacquet, Jenne, Killebrew, La Rosa, McGhee, Payne, Santiago, Trumbull, and B. Watson.

Portia Palmer, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 26 was corrected and approved.

CO-INTRODUCERS

Senators Campbell—CS for CS for SB 368, SB 1056, CS for CS for SB 1562, CS for SB 1678, CS for CS for SB 1682; Grimsley—CS for CS for SB 1330; Powell—CS for CS for SB 766; Young—CS for SB 360, SB 468, CS for CS for SB 1672

ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 3:20 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, April 28 or upon call of the President.