



Journal of the Senate

Number 23—Regular Session

Thursday, March 8, 2018

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CALL TO ORDER

The Senate was called to order by President Negron at 12:00 noon. A quorum present—35:

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

PRAYER

The following prayer was offered by Dr. Joedreka Brown Speights, Senior Pastor, University Ministries International, Tallahassee:

Dear Heavenly Father—the God of Abraham, Isaac, and Jacob—we come humbly before your throne of grace. We invoke your presence, Holy Spirit, and cry, “Abba Father.” Holy, holy, holy is your name. We lift you up and worship you. Let your glory come. Thy kingdom come; thy will be done. We thank you, Heavenly Father, for life, health, and strength; we thank you for our leaders and Senators; we thank you for your love that bears all things, believes all things, hopes all things, and endures all things. For without love, we are nothing. We pray that we experience love so we can walk in patience and kindness. God help us not to be envious, dishonoring, self-seeking, easily angered, or attentive to wrongs. Help us, through love, to rejoice in the truth and always protect, always trust, always hope, always persevere because love never fails. We thank you for your grace and forgiveness. We repent and turn from our wicked ways and thank you for saving us from sin, sickness, poverty, and from lack. Thank you for giving us a way of escape and translating us out of the kingdom of darkness, into the kingdom of your dear son.

We love you, Heavenly Father. Your word says, “In all thy ways acknowledge you, and you would direct our paths.” God, we need your direction. We seek you today and acknowledge you first. Lead us, guide us, and direct us in the paths of righteousness for your name’s sake. For the sake of those who are depending on our decisions, guide us in your holy way. We decree and declare the strongholds and barriers to your perfect will are disintegrated. We call this place holy ground. We need you like never before to give us peace that passes all understanding. Your word says to seek wisdom and search for it like precious stones. Give us wisdom. Give us peace and wisdom in times of trouble, hurt, violence, and turmoil. Let love abide and overcome hatred. Let us love one another as you have loved us; let us love ourselves.

As we deliberate today, give us this day our daily bread. Everything we need to please you and walk in your perfect will, provide it for us, dear Lord. Not only do we need direction in the Senate—and in our discussions and decisions today—but we need healing in our bodies, our families, our relationships, our communities, our state, and our nation. Please make us whole. We thank you for your joy, comfort, shelter, direction, and salvation. We thank you for this auspicious occasion for prayer and praise. We need you every step of the way. Come now, Lord, order our steps, make our ways prosperous, and our enemies to be at peace with us. I pray your peace and perfect resolve for everyone today. In your sweet, matchless name we pray. Amen.

PLEDGE

Senate Pages, Paul “P.J.” Diaz of Maitland; James “Jimmy” Grammig of Tampa; and Alexis Poppell of Tallahassee, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jeffrey Block of Miami, sponsored by Senator Taddeo, as the doctor of the day. Dr. Block specializes in anesthesiology.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Joe Negron
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
March 8, 2018

Dear President Negron:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Accountancy		
Appointees:	Keegan, Tracy L.	10/31/2021
	Maingot, Michelle	10/31/2021
	Platau, Steven M.	10/31/2021
Board of Acupuncture		
Appointees:	Heine, Raymond David, III	10/31/2020
	Veon, Kathy	10/31/2021

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design Appointees: Jernigan, Gerald Steven Nolen, Timothy Rivers, E. Dylan Toppe, Jonathan R.	10/31/2021 10/31/2020 10/31/2020 10/31/2021	Board of Medicine Appointees: Haridopolos, Stephanie E. London, Robert Adam TerKonda, Sarvam P.	10/31/2020 10/31/2020 10/31/2020
Barbers' Board Appointees: Munchalfen, Antonett Nibaldi, Michelino G. Smith, Monica Schuloff Whitfield, Robert Paul Wold, Veronica F.	10/31/2020 10/31/2020 10/31/2021 10/31/2021 10/31/2021	Board of Nursing Appointees: Glymph, Derrick C. Johnson, Diane Johnson, Lisa R. Paschall, Francine Whitson, Kathryn L.	10/31/2020 10/31/2020 10/31/2019 10/31/2020 10/31/2019
Florida State Boxing Commission Appointees: Mallare-Pike, Christina Marie Williams, Mark M.	09/30/2019 09/30/2018	Board of Occupational Therapy Practice Appointee: German, Tameka R.	10/31/2020
Board of Chiropractic Medicine Appointees: Heagy, Danita Thomas Hunt, Julie Mayer Licata, Paul V. Weingarten, Mindy A.	10/31/2020 10/31/2021 10/31/2019 10/31/2020	Board of Orthotists and Prosthetists Appointee: Weott, Paul	10/31/2020
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointees: Buller, Jamie Gillespy, Susan J.	10/31/2020 10/31/2020	Board of Osteopathic Medicine Appointee: Mendez, Michelle R.	10/31/2020
Regulatory Council of Community Association Managers Appointee: Pyott, Gary Lee	10/31/2020	Board of Pharmacy Appointees: Hickman, Jonathan M. Mesaros, Jeffrey J. Montgomery, Richard E. Philip, Jeenu Rivera, Blanca R. Wright, David	10/31/2021 10/31/2020 10/31/2018 10/31/2020 10/31/2019 10/31/2019
Construction Industry Licensing Board Appointees: Cawthon, Franklin Hill, Jr. Feaster, Ted W. Laney, Edgar L., Jr. Lawson, Keith O., II Strickland, Michael W., Sr.	10/31/2018 10/31/2019 10/31/2019 10/31/2020 10/31/2020	Board of Physical Therapy Practice Appointee: Tasso, Kay H.	10/31/2020
Board of Dentistry Appointees: Andrade, Fabio A. Cabanzon, Catherine Kavouklis, Nicholas M.	10/31/2020 10/31/2020 10/31/2018	Board of Pilot Commissioners Appointees: Benson, Robert W. Seuter, Brian J.	10/31/2020 10/31/2021
Electrical Contractors' Licensing Board Appointees: Botknecht, David H. Echarri, Rafael Krak, Kathleen Meagher	10/31/2021 10/31/2021 10/31/2020	Florida Real Estate Appraisal Board Appointees: del Valle, Armando Recca, Justin	10/31/2021 10/31/2020
Board of Employee Leasing Companies Appointees: Collier, Zach Kiracofe, Richard B. Komuroji, Raja Shekhar Swamy	10/31/2019 10/31/2020 10/31/2020	Florida Real Estate Commission Appointees: Fryer, Richard T. Sanchez, Guy, Jr. Schwartz, Randy James	10/31/2021 10/31/2021 10/31/2020
Board of Professional Engineers Appointees: Shah, Pankaj Varghese, Babu	10/31/2020 10/31/2020	Board of Respiratory Care Appointee: Hom, Janelle	10/31/2021
Board of Funeral, Cemetery, and Consumer Services Appointees: Brandenburg, Joseph A. Hall, Lewis Knopke, Keenan Lacy	09/30/2021 09/30/2021 09/30/2021	Board of Speech-Language Pathology and Audiology Appointee: Jordan, Sherry S.	10/31/2019
Board of Professional Geologists Appointees: Dale, Mervin W. DeNeve, Michael Joseph Warden, Stanley M.	10/31/2021 10/31/2020 10/31/2021	Board of Veterinary Medicine Appointees: Johnson, Connie M. Leonard, Robert B., Jr.	10/31/2021 10/31/2021
Board of Hearing Aid Specialists Appointee: Hollern, Thomas M.	10/31/2021	The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Landscape Architecture Appointees: Conant, Richard R. Delate, Joseph F. Kroll, Michael D. Kulich, Michael A. Smith, Phillip J.	10/31/2021 10/31/2019 10/31/2020 10/31/2018 10/31/2021	<i>Office and Appointment</i>	<i>For Term Ending</i>
		Fish and Wildlife Conservation Commission Appointees: Kellam, Joshua D. Lester, Gary L. Nicklaus, Gary T. Rood, Sonya A. Sole, Michael W. Spottswood, Robert A.	01/05/2019 08/01/2022 08/01/2022 01/06/2022 08/01/2021 01/06/2023

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2018 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Keith Perry, Chair

On motion by Senator Perry, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices for the terms indicated in accordance with the recommendation of the committee, with the exception of Gary T. Nicklaus; Sonya A. Rood; and Gary L. Lester.

The vote was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Thurston

MOTIONS

On motion by Senator Stewart, the following nominees, Gary T. Nicklaus; Sonya A. Rood; and Gary L. Lester, were considered and voted on separately.

As previously moved by Senator Stewart, the Senate separately considered the appointment of Gary T. Nicklaus to the Fish and Wildlife Conservation Commission for a term ending August 1, 2022.

The vote was:

Yeas—23

Mr. President	Gainer	Passidomo
Baxley	Galvano	Perry
Bean	Grimsley	Simmons
Benacquisto	Hukill	Simpson
Bradley	Hutson	Stargel
Brandes	Lee	Steube
Broxson	Mayfield	Young
Flores	Montford	

Nays—14

Book	Gibson	Stewart
Bracy	Powell	Taddeo
Braynon	Rader	Thurston
Campbell	Rodriguez	Torres
Farmer	Rouson	

As previously moved by Senator Stewart, the Senate separately considered the appointment of Sonya A. Rood to the Fish and Wildlife Conservation Commission for a term ending January 6, 2022.

The vote was:

Yeas—25

Mr. President	Gainer	Perry
Baxley	Galvano	Simmons
Bean	Gibson	Simpson
Benacquisto	Grimsley	Stargel
Bracy	Hukill	Steube
Bradley	Hutson	Stewart
Brandes	Lee	Young
Broxson	Mayfield	
Flores	Passidomo	

Nays—12

Book	Montford	Rouson
Braynon	Powell	Taddeo
Campbell	Rader	Thurston
Farmer	Rodriguez	Torres

As previously moved by Senator Stewart, the Senate separately considered the appointment of Gary L. Lester to the Fish and Wildlife Conservation Commission for a term ending August 1, 2022.

The vote was:

Yeas—24

Mr. President	Flores	Montford
Baxley	Gainer	Passidomo
Bean	Galvano	Perry
Benacquisto	Grimsley	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Stargel
Brandes	Lee	Steube
Broxson	Mayfield	Young

Nays—13

Book	Powell	Taddeo
Braynon	Rader	Thurston
Campbell	Rodriguez	Torres
Farmer	Rouson	
Gibson	Stewart	

The Honorable Joe Negron
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

March 8, 2018

Dear President Negron:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Eastern Florida State College Appointee: Landman, Alan H.	05/31/2021
Board of Trustees of College of Central Florida Appointee: Brancato, Joyce	05/31/2018
Board of Trustees of Chipola College Appointees: Dean, James R. Ryals, Daniel E., III Young, Brandon J.	05/31/2021 05/31/2021 05/31/2021

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Daytona State College Appointees: Davidson, Robert Dougherty, Sarah Haas, Mary Ann	05/31/2021 05/31/2021 05/31/2021	Board of Trustees of Santa Fe College Appointees: Fletcher, G.W. Blake Goldwire, Michael M.	05/31/2021 05/31/2021
Board of Trustees of Florida SouthWestern State College Appointees: Laishley, Bruce Nix, Danny Gene, Jr.	05/31/2018 05/31/2018	Board of Trustees of Seminole State College Appointee: Lockhart, Amy L.	05/31/2021
Board of Trustees of Florida State College at Jacksonville Appointees: Bell, Michael M. Hawkins, David Hunt Majdanics, Thomas J. McGehee, Thomas R., Jr.	05/31/2021 05/31/2019 05/31/2021 05/31/2019	Board of Trustees of South Florida State College Appointees: Bryan, Derren J. Wright, Patrick Joseph "Joe"	05/31/2019 05/31/2019
Board of Trustees of Florida Keys Community College Appointees: Domenech, John Madok, Kevin Scuderi, Stephanie S. Suga, Sheldon	05/31/2020 05/31/2020 05/31/2021 05/31/2021	Board of Trustees of Valencia College Appointees: Johnson, Rosene Stockwell, Tracey	05/31/2019 05/31/2021
Board of Trustees of Gulf Coast State College Appointees: Crisp, Donald R. Kirvin, Elizabeth M. Millaway, Steve D. Warriner, David P.	05/31/2021 05/31/2020 05/31/2021 05/31/2021	Education Practices Commission Appointees: Ameerally, Aadil Bassett, Christine Lowe, James Garry Pietkiewicz, Nicholas Rose, Jillian Rowe, Kevin Trop-Roberts, Elizabeth	07/13/2021 09/30/2020 08/18/2020 09/30/2020 09/30/2020 11/27/2021 07/31/2020
Board of Trustees of Hillsborough Community College Appointees: Diehl, Arthur F., III Reid, Randall H.	05/31/2021 05/31/2021	Florida Prepaid College Board Appointees: Rood, John Darrell Starkey, Adria D.	06/30/2020 06/30/2019
Board of Trustees of Indian River State College Appointees: Davis, Vicki Krischke, Sandra J.	05/31/2021 05/31/2021	The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Trustees of Florida Gateway College Appointees: Crawford, John David McInnis, Kathryn Land Norris, Suzanne M. Randolph, Athena	05/31/2021 05/31/2021 05/31/2021 05/31/2019	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Lake-Sumter State College Appointees: Blaise, Bryn Butler, Marcia M. Jones, Bret Morris, Timothy "Tim"	05/31/2019 05/31/2021 05/31/2021 05/31/2021	State Board of Education Appointees: Gibson, Benjamin J. Johnson, Marva Brown Olenick, Michael H. Tuck, Andy York, Joseph S.	12/31/2020 12/31/2021 12/31/2020 12/31/2021 12/31/2021
Board of Trustees of State College of Florida, Manatee-Sarasota Appointees: DiMaio, Dominic A., Jr. Dorfman, Richard Knight, Tracy	05/31/2020 05/31/2020 05/31/2019	Board of Governors of the State University System Appointees: Cerio, Timothy M. Frost, Patricia Jordan, Darlene L. Kitson, Sydney William Lautenbach, Ned C. Levine, Alan M. Patel, Jayprakash S. Zachariah, Zachariah P., M.D.	01/06/2024 01/06/2024 01/06/2024 01/06/2024 01/06/2020 01/06/2024 01/06/2019 01/06/2019
Board of Trustees of North Florida Community College Appointees: Lyons, Ricky Williams, Michael R.	05/31/2021 05/31/2021	Board of Trustees, Florida A & M University Appointees: Carter, Matthew M., II Moore, Kimberly Ann	01/06/2023 01/06/2023
Board of Trustees of Northwest Florida State College Appointees: Abbott, Shane G. Pennington, Brian S.	05/31/2021 05/31/2019	Board of Trustees, Florida Atlantic University Appointees: Burns, Brent D. Levine, Bradley M. McDonald, Mary Beth	01/06/2023 01/06/2023 01/06/2021
Board of Trustees of Pasco-Hernando State College Appointees: Harrington, Jeffrey E. Hernandez, Alvaro A. Pearson-Adams, Marilyn	05/31/2019 05/31/2018 05/31/2021	Board of Trustees, University of Central Florida Appointees: Gaekwad, Digvijay "Danny" Lord, John Stanley Seay, Beverly Jo	01/06/2023 01/06/2020 01/06/2023
Board of Trustees of St. Johns River State College Appointee: Garrison, Samuel P.	05/31/2018	Board of Trustees, Florida State University Appointees: Ballard, Kathryn S. Gonzalez, Jorge Henderson, Jim W.	01/06/2023 01/06/2021 01/06/2023
Board of Trustees of St. Petersburg College Appointees: Bello, Bridgette Cole, Katherine E.	05/31/2019 05/31/2021	Board of Trustees, Florida Gulf Coast University Appointees: Eide, Richard P., Jr. Gable, Robert Blakeslee Smith, Stephen Moore	01/06/2023 01/06/2023 01/06/2021

Office and Appointment

*For Term
Ending*

Board of Trustees, Florida International University	
Appointees: Alvarez, Cesar L.	01/06/2023
Colson, Dean C.	01/06/2021
Tovar, Rogelio "Roger"	01/06/2023
Board of Trustees, New College of Florida	
Appointee: Skestos, George A.	01/06/2023
Board of Trustees, Florida Polytechnic University	
Appointees: Saco, Louis S.	11/07/2022
Wendt, Gary C.	06/30/2022
Board of Trustees, University of Florida	
Appointees: Kuntz, Thomas G.	01/06/2023
O'Keefe, Daniel T.	01/06/2023
Board of Trustees, University of North Florida	
Appointees: Bryan, Thomas A.	01/06/2023
Egan, Anne T.	01/06/2023
Board of Trustees, University of South Florida	
Appointees: Horton, Oscar J.	01/06/2023
Muma, Leslie M.	01/06/2023
Tokarz, Charles	01/06/2021
Board of Trustees, University of West Florida	
Appointees: Collins, Adrienne	01/06/2020
Lewis, Suzanne	01/06/2023

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2018 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Keith Perry, Chair

On motion by Senator Perry, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices for the terms indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—37

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

Nays—None

BILLS ON THIRD READING

HB 7095—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.0713, F.S., which provides an exemption from public records requirements for proprietary confidential business information held by a local government electric utility; conforming a cross-reference; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **HB 7095** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Hutson, Simpson, Stargel

HB 7075—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 560.312, F.S., relating to an exemption from public record requirements for certain payment instrument transaction information held by the Office of Financial Regulation; extending the repeal date; providing that the Office of Financial Regulation may release certain information in the aggregate; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **HB 7075** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hutson

HB 7097—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 627.3518, F.S., which provides an exemption from public records requirements for

certain proprietary business information provided by insurers to the Citizens Property Insurance Corporation policyholder eligibility clearinghouse; conforming a cross-reference; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **HB 7097** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hutson

HB 7077—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public record requirements for a complaint of misconduct against an agency employee and all information obtained pursuant to an investigation of such a complaint; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **HB 7077** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hutson

HB 359—A bill to be entitled An act relating to state investments; amending s. 215.471, F.S.; requiring the State Board of Administration to divest specified investments and prohibiting it from investing in specified investments of institutions or companies doing business in or with the government of Venezuela or any of its agencies or instrumentalities in violation of federal law; defining the term “government of Venezuela”; authorizing the Governor to waive the investment prohibitions if certain conditions exist; prohibiting the State Board of Administration from voting in favor of any proxy resolution advocating

expanded United States trade with the government of Venezuela; amending s. 215.472, F.S.; prohibiting state agencies from investing in specified financial entities that extend credit, trade or buy goods or services with the government of Venezuela or investing in any company doing business with Venezuela in violation of federal law; defining the term “government of Venezuela”; authorizing the Governor to waive the investment prohibitions under specific circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **HB 359** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Brandes, Hutson

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SB 538**, the companion bill to **HB 359**.

Yeas—31

Mr. President	Gibson	Simmons
Baxley	Grimsley	Simpson
Bean	Hukill	Stargel
Benacquisto	Lee	Steube
Book	Mayfield	Stewart
Bracy	Montford	Taddeo
Braynon	Passidomo	Thurston
Campbell	Perry	Torres
Farmer	Powell	Young
Flores	Rader	
Galvano	Rouson	

HB 7045—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2020 Regular Session of the Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **HB 7045** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Campbell	Hukill
Baxley	Farmer	Hutson
Bean	Flores	Lee
Benacquisto	Gainer	Mayfield
Book	Galvano	Montford
Bracy	Garcia	Passidomo
Bradley	Gibson	Perry
Broxson	Grimsley	Powell

Rader	Stargel	Torres
Rouson	Steube	Young
Simmons	Stewart	
Simpson	Taddeo	

Nays—3

Braynon	Rodriguez	Thurston
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HB 283—A bill to be entitled An act relating to cardiac programs; amending s. 408.0361, F.S.; granting an exception from volume requirements for diagnostic cardiac catheterization procedures and ischemic heart disease diagnoses for certain hospitals providing adult cardiovascular services; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **HB 283** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Bradley, Flores, Gibson

CS for CS for HB 21—A bill to be entitled An act relating to controlled substances; creating s. 456.0301, F.S.; authorizing certain boards to require practitioners to complete a specified board-approved continuing education course to obtain authorization to prescribe controlled substances as part of biennial renewal; providing exceptions; providing course requirements; prohibiting the department from renewing a license of a prescriber under specified circumstances; requiring a licensee to submit confirmation of course completion; providing for each licensing board requiring such continuing education course to include hours of completion with the total hours of continuing education required in certain circumstances; authorizing rulemaking; amending s. 456.072, F.S.; authorizing disciplinary action against practitioners for violating specified provisions relating to controlled substances; amending s. 456.44, F.S.; providing definitions; providing exclusions; providing for the adoption of standards of practice for the treatment of acute pain; providing that failure of a practitioner to follow specified guidelines is grounds for disciplinary action; limiting opioid prescriptions for the treatment of acute pain to a specified period under certain circumstances; authorizing prescriptions for such opioids for an extended period if specified requirements are met; providing requirements for opioid prescriptions for pain other than acute pain; amending ss. 458.3265 and 459.0137, F.S.; requiring certain pain management clinic owners to register approved exemptions with the department; requiring certain clinics to obtain certificates of exemption; providing requirements for such certificates; authorizing rulemaking relating to specified exemptions; amending s. 465.0155, F.S.; providing requirements for pharmacists for the dispensing of controlled substances to persons not known to them; defining the term “proper identification”; amending s. 465.0276, F.S.; prohibiting the dispensing of certain controlled substances in an amount that exceeds a 3-day supply or a medically necessary 7-day supply if certain criteria are met; providing an exception for the dispensing of certain controlled substances by a practitioner to the practitioner’s own patients for the medication-assisted treatment of

opiate addiction; providing requirements for practitioners for the dispensing of controlled substances to persons not known to them; defining the term “proper identification”; amending s. 893.03, F.S.; conforming the state controlled substances schedule to the federal controlled substances schedule; amending s. 893.04, F.S.; authorizing pharmacist to dispense controlled substances upon receipt of an electronic prescription if certain conditions are met; amending s. 893.055, F.S.; revising and providing definitions; revising requirements for the prescription drug monitoring program; authorizing rulemaking; requiring the department to maintain an electronic system for certain purposes to meet specified requirements; requiring certain information to be reported to the system by a specified time; providing exceptions; specifying direct access to system information; authorizing department to enter into one or more reciprocal agreements or contracts to share prescription drug monitoring information with certain entities; providing requirements for such agreements; authorizing the department to enter into agreements or contracts for secure connections with practitioner electronic systems; requiring specified persons to consult the system for certain purposes within a specified time; providing exceptions to the duty of specified persons to consult the system under certain circumstances; authorizing the department to issue nondisciplinary citations to specified entities for failing to meet certain requirements for the initial instance and to discipline specified entities for subsequently failing to meet such requirements; providing applicability; prohibiting the failure to report the dispensing of a controlled substance as required; providing penalties; authorizing the department to enter into agreements or contracts for specified purposes; providing for the release of information obtained by the system; allowing specified persons to have direct access to information for the purpose of reviewing the controlled drug prescription history of a patient; providing prescriber or dispenser immunity from liability for review of patient history when acting in good faith; providing construction; prohibiting the department from specified uses of funds; authorizing the department to conduct or participate in studies for specified purposes; requiring an annual report to be submitted to the Governor and Legislature by a specified date; providing report requirements; providing exemptions; establishing direct-support organizations for specified purposes; defining the term “direct-support organization”; requiring a direct-support organization to operate under written contract with the department; providing contract requirements; requiring the direct-support organization to obtain written approval from the department for specified purposes; authorizing rulemaking; providing for an independent annual financial audit by the direct-support organization; providing that copies of such audit be provided to specified entities; providing for future repeal of provisions relating to the direct-support organization; amending s. 893.0551, F.S.; revising provisions concerning release of information held by the prescription drug monitoring program; amending s. 893.13, F.S.; correcting cross-references; conforming provisions to changes made by the act; increasing the penalty for an offense; amending s. 893.147, F.S.; prohibiting the use, possession, manufacture, delivery, transportation, advertisement, or retail sale of specified paraphernalia, machines, and counterfeiting materials; providing definitions; providing exceptions to the prohibition; providing penalties; amending ss. 458.331, 459.015, 463.0055, 782.04, 893.135, and 921.0022, F.S.; correcting cross-references; conforming provisions to changes made by the act; providing effective dates.

—as amended March 7, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Benacquisto, the Senate reconsidered the vote by which **Amendment 1 (397172)** was adopted March 7.

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

Senator Benacquisto moved the following amendment to **Amendment 1 (397172)** which was adopted by two-thirds vote:

Amendment 1B (211430)—Delete lines 320-321 and insert:

2. *The prescriber indicates “ACUTE PAIN EXCEPTION” on the prescription; and*

Amendment 1 (397172), as amended, was adopted by two-thirds vote.

On motion by Senator Benacquisto, **CS for CS for HB 21**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Stewart

CS for HB 6509—A bill to be entitled An act for the relief of C.M.H.; providing an appropriation to compensate C.M.H. for injuries and damages sustained as a result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; requiring certain funds to be placed into an irrevocable trust; providing a limitation on fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Braynon, **CS for HB 6509** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Perry

Vote after roll call:

Yea—Brandes

HB 6049—A bill to be entitled An act relating to medical marijuana growers; amending s. 381.986, F.S.; deleting a requirement that the Department of Health grant a medical marijuana treatment center license to a member of a specified association; providing an effective date.

—was read the third time by title.

On motion by Senator Rouson, further consideration of **HB 6049** was deferred.

CS for CS for CS for HB 1073—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.64, F.S.; providing that electronic images of warrants, vouchers, or checks in the Division of Treasury are deemed to be original records; revising the applicable medium, from film or print to electronic, in provisions relating to copies and reproductions of records and documents of the division; amending s. 20.121, F.S.; renaming the Bureau of Fire and Arson Investigations within the Division of Investigative and Forensic Services as the Bureau of Fire, Arson, and Explosives Investigations; creating the Bureau of Insurance Fraud and the Bureau of Workers' Compensation Fraud within the division; amending s. 39.6035, F.S.; requiring child transition plans to address financial literacy by providing specified information; amending s. 218.32, F.S.; providing legislative intent to create the Florida Open Financial Statement System; authorizing the Chief Financial Officer to choose contracts to build eXtensible Business Reporting language taxonomies; requiring that local governmental financial statements be filed in XBRL format; amending s. 284.40, F.S.; authorizing the department to disclose certain personal identifying information of injured or deceased employees which is exempt from disclosure under the Workers' Compensation Law to department-contracted vendors for certain purposes; amending s. 284.50, F.S.; requiring safety coordinators of state governmental departments to complete, within a certain timeframe, safety coordinator training offered by the department; requiring certain agencies to report certain return-to-work information to the department; requiring agencies to provide certain risk management program information to the Division of Risk Management for certain purposes; specifying requirements for agencies in reviewing and responding to certain information and communications provided by the division; amending s. 409.1451, F.S.; conforming a provision to changes made by the act; amending s. 414.411, F.S.; replacing the Department of Economic Opportunity with the Department of Education in a list of entities to which a public assistance recipient may be required to provide written consent for certain investigative inquiries and to which the department must report investigation results; amending s. 624.317, F.S.; authorizing the department to conduct investigations of any, rather than specified, agents subject to its jurisdiction; amending s. 624.34, F.S.; conforming a provision to changes made by the act; amending s. 624.4073, F.S.; prohibiting certain officers or directors of insolvent insurers from having direct or indirect control over certain selection or appointment of officers or directors, except under certain circumstances; amending ss. 624.4094, 624.501, 624.509, and 625.071, F.S.; conforming provisions to changes made by the act; amending s. 626.112, F.S.; requiring a managing general agent to hold a currently effective producer license rather than a managing general agent license; amending s. 626.171, F.S.; deleting applicability of licensing provisions as to managing general agents; making a technical change; amending s. 626.202, F.S.; providing that certain applicants are not required to resubmit fingerprints to the department under certain circumstances; authorizing the department to require these applicants to file fingerprints under certain circumstances; amending s. 626.207, F.S.; conforming a provision to changes made by the act; amending s. 626.221, F.S.; adding a designation that exempts applicants for licensure as an all-lines adjuster from an examination requirement; amending s. 626.451, F.S.; deleting a requirement for law enforcement agencies and state attorney's offices to notify the department or the Office of Insurance Regulation of certain felony dispositions; deleting a requirement for the state attorney to provide the department or office a certified copy of an information or indictment against a managing general agent; conforming a provision to changes made by the act; amending s. 626.521, F.S.; revising requirements for credit and character reports secured and kept by insurers or employers appointing certain insurance representatives; providing applicability; amending s. 626.731, F.S.; deleting a certain qualification for licensure as a general lines agent; amending s. 626.7351, F.S.; revising a qualification for licensure as a customer representative; amending s. 626.744, F.S.; conforming a provision to changes made by the act; amending s. 626.745, F.S.; revising conditions under which service representatives and managing general agents may engage in certain activities; amending ss. 626.7451 and 626.7455, F.S.; conforming provisions to changes made by the act; amending s. 626.752, F.S.; revising a requirement for the Brokering Agent's Register maintained by brokering agents; revising the limit on certain personal lines risks an insurer may receive from an agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.793, F.S.; revising the limit on certain risks that certain insurers may receive from a life agent within a specified timeframe before the insurer must comply with certain reporting requirements for

that agent; amending s. 626.798, F.S.; prohibiting specified life agents from modifying the life insurance coverage on the life of a person who is not a family member, except as described; prohibiting a life agent or family member of such agent from serving in specified fiduciary capacities unless such agent or family member meets certain fiduciary conditions; revising definitions; amending s. 626.837, F.S.; revising the limit on certain risks that certain insurers may receive from a health agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.8732, F.S.; deleting a requirement for a licensed nonresident public adjuster to submit a certain annual affidavit to the department; amending s. 626.8734, F.S.; deleting a requirement for a nonresident independent adjuster to submit a certain annual affidavit to the department; amending s. 626.88, F.S.; conforming a provision to changes made by the act; amending s. 626.927, F.S.; revising conditions under which an individual may be licensed as a surplus lines agent solely for the purpose of placing certain coverages with surplus lines insurers; amending s. 626.930, F.S.; revising a requirement relating to the location of a surplus lines agent's surplus lines business records; amending s. 626.9892, F.S.; authorizing the department to pay a specified amount of rewards under the Anti-Fraud Reward Program for information leading to the arrest and conviction of persons guilty of arson; amending s. 633.302, F.S.; revising the duration of the terms of members of the Florida Fire Safety Board; amending s. 633.304, F.S.; revising circumstances under which an inactive fire equipment dealer license is void; specifying the timeframe when an inactive license must be reactivated; specifying that permittees performing certain work on fire equipment may be contracted rather than employed; revising a requirement for a certain proof-of-insurance form to be provided by the insurer rather than the State Fire Marshal; amending s. 633.314, F.S.; authorizing fire extinguisher serial numbers to be permanently affixed rather than stamped to the manufacturer's identification plate; amending s. 633.318, F.S.; revising a requirement for a certain proof-of-insurance form to be provided by the insurer rather than the State Fire Marshal; amending s. 633.408, F.S.; specifying prerequisites and retention requirements for a Special Certificate of Compliance that authorizes an individual to serve as an administrative and command head of a fire service provider; amending s. 633.444, F.S.; deleting a requirement for the Division of State Fire Marshal to develop a staffing and funding formula for the Florida State Fire College; amending s. 648.27, F.S.; revising conditions under which a managing general agent must also be licensed as a bail bond agent; conforming a provision to changes made by the act; amending s. 648.34, F.S.; providing that certain individuals applying for bail bond agent licensure are not required to resubmit fingerprints to the department under certain circumstances; authorizing the department to require such individuals to file fingerprints under certain circumstances; reenacting s. 626.8734(1)(b), F.S., relating to nonresident all-lines adjuster license qualifications, to incorporate the amendment made to s. 626.221, F.S., in a reference thereto; providing legislative findings; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for CS for CS for HB 1073** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 547—A bill to be entitled An act relating to reports concerning seized or forfeited property; amending s. 932.7061, F.S.; revising the deadline for an annual report by law enforcement agencies concerning property seized or forfeited under the Florida Contraband Forfeiture Act; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 547** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hutson, Simmons

CS for CS for HB 1373—A bill to be entitled An act relating to medication administration; amending s. 393.506, F.S.; revising training requirements for unlicensed direct service providers to assist with the administration of or to supervise the self-administration of medication under certain circumstances; providing validation requirements for the competency and skills of unlicensed direct service providers; requiring unlicensed direct service providers to complete an annual inservice training course in medication administration and medication error prevention developed by the Agency for Persons with Disabilities; providing construction; requiring the validation and revalidation of competency for certain medication administrations to be performed with an actual client; requiring the agency to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for CS for HB 1373** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hutson

CS for HB 6527—A bill to be entitled An act for the relief of Christopher Cannon; providing an appropriation to compensate him for injuries and damages sustained as a result of the alleged negligence of the City of Tallahassee; providing that the appropriation satisfies all present and future claims arising out of the alleged negligent acts; providing a limitation on the payment of fees & costs; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for HB 6527** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Perry

Vote after roll call:

Yea—Hutson, Simmons

CS for HB 495—A bill to be entitled An act relating to education; amending s. 1002.33, F.S.; revising the criteria for denying high-performing charter school system applications; revising the requirements for the term of a charter; revising provisions for the modification of a charter; revising the student populations for which a charter school is authorized to limit the enrollment process; revising the process for resolving contractual disputes; amending s. 1002.331, F.S.; revising the criteria for designation as a high-performing charter school; revising the calculation used to determine facility capacity for such charter schools; revising the number of schools that may be established by a high-performing charter school; amending s. 1002.333, F.S.; providing for certain funds for the Schools of Hope Program to be carried forward for a specified number of years; amending s. 1007.2616, F.S.; providing a definition; providing requirements for specified instruction relating to computer science; requiring certain computer science courses to be included in the Course Code Directory and published on the Department of Education’s website by a specified date; requiring the Florida Virtual School to offer certain computer science courses; requiring school districts to provide access to computer science courses offered by the Florida Virtual school or by other means under certain circumstances; providing funds for school districts to provide professional development for classroom teachers; providing Department of Education responsibilities for the distribution of such funds; requiring high school students to be provided opportunities to take certain courses to certain meet graduation requirements; providing funds for bonuses for certain classroom teachers; requiring, rather than authorizing, the State Board of Education to adopt rules; amending s. 1011.62, F.S.; renaming the “supplemental academic instruction categorical fund” as the “supplemental academic instruction allocation”; requiring certain school districts to use the allocation for specified purposes; deleting an obsolete date; deleting a provision authorizing the Florida State University School to expend specified funds for certain purposes; revising provisions for the transfer of categorical funds; amending s. 1011.6202, F.S.; renaming the “Principal Autonomy Pilot Program” as the “Principal Autonomy Program”; providing that any school district may apply to participate in the program; providing that a school shall retain its exemption from specified laws under specified circumstances; requiring a designated leadership team at a participating school to complete a certain turnaround program; deleting a provision providing a specified

amount of funds to a participating school district that completes the turnaround program; authorizing certain principals to manage additional schools as part of a district innovation academy or zone; providing requirements for such zones; authorizing the principal to allocate resources and personnel between the schools; deleting reporting requirements; providing for funding; revising the principal eligibility criteria for a salary supplement through the program; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; providing an exception for specified funds; amending s. 1011.71, F.S.; prohibiting a school district from withholding charter school administrative fees under certain circumstances; creating s. 1011.79, F.S.; requiring the Department of Education to issue a competitive solicitation for a review of the Florida Price Level Index methodology; requiring subsequent reviews every 10 years; requiring the department to provide the results of all reviews to the Legislature and the Executive Office of the Governor; amending s. 1012.2315, F.S.; requiring school districts to negotiate a memorandum of understanding with certified collective bargaining units to address certain personnel issues; amending s. 1012.28, F.S.; conforming a provision to changes made by the act; amending s. 1012.32, F.S.; requiring a district school board to reimburse certain costs if it fails to notify a charter school of the eligibility status of certain persons; amending s. 1013.28, F.S.; requiring school districts to provide charter schools access to certain property on the same basis as public schools; prohibiting certain actions by a charter school without the written permission of the school district; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school districts; amending s. 1013.62, F.S.; revising requirements for charter school capital outlay funding; requiring each district to certify certain information to the department by October 1 each year; conforming provisions to changes made by the act; providing effective dates.

—as amended March 7, was read the third time by title.

On motion by Senator Passidomo, further consideration of **CS for HB 495** was deferred.

The Senate resumed consideration of—

HB 6049—A bill to be entitled An act relating to medical marijuana growers; amending s. 381.986, F.S.; deleting a requirement that the Department of Health grant a medical marijuana treatment center license to a member of a specified association; providing an effective date.

—which was previously considered this day.

On motion by Senator Rouson, **HB 6049** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Baxley

Vote after roll call:

Yea—Brandes

Nay—Gibson

HB 185—A bill to be entitled An act relating to redirection of fees to tax collectors; amending s. 322.12, F.S.; providing for allocation of fees from certain driver license examinations administered by tax collectors; amending s. 322.21, F.S.; providing for allocation of fees from certain driver license reinstatement services performed by tax collectors; providing an effective date.

—was read the third time by title.

On motion by Senator Book, **HB 185** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Consideration of **CS for HB 6545** was deferred.

CS for CS for SB 774—A bill to be entitled An act relating to dependency proceedings; amending s. 63.092, F.S.; requiring the Department of Children and Families to provide specified records to entities conducting preliminary home studies; limiting certain training requirements to persons who adopt children from the department; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 774** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for HB 6545—A bill to be entitled An act for the relief of Ramiro Companioni, Jr., by the City of Tampa; providing for an appropriation to compensate Mr. Companioni for injuries sustained as a result of the negligence of the City of Tampa; providing a limitation on the payment of fees and costs; extinguishing certain lien interests; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for HB 6545** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Perry

HB 37—A bill to be entitled An act relating to direct primary care agreements; creating s. 624.27, F.S.; providing definitions; specifying that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to the code; providing that a certificate of authority is not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **HB 37** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for HB 351—A bill to be entitled An act relating to prescription drug pricing transparency; amending s. 465.0244, F.S.; requiring pharmacists to inform customers of certain generically equivalent drug products and whether cost-sharing obligations to such customers exceed the retail price of the prescription; repealing s. 465.1862, F.S., relating to pharmacy benefit manager contracts; creating s. 624.490, F.S.; defining the term “pharmacy benefit manager”; requiring registration of pharmacy benefit managers with the Office of Insurance Regulation; providing registration requirements; requiring the registrant to report changes to certain information by a specified date; requiring the office to issue a registration certificate upon receipt of a completed registration form; providing for expiration of a registration certificate; requiring rulemaking; creating ss. 627.64741, 627.6572, and 641.314, F.S.; defining the terms “maximum allowable cost” and “pharmacy benefit manager”; requiring certain terms in health insurer or health maintenance organization contracts with pharmacy benefit managers; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for CS for HB 351** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Steube

HB 7043—A bill to be entitled An act relating to state assumption of federal section 404 dredge and fill permitting authority; creating s. 373.4146, F.S.; defining the term “state assumed waters”; providing the Department of Environmental Protection with the power and authority to adopt rules to assume and implement the section 404 dredge and fill permitting program pursuant to the federal Clean Water Act; specifying that certain rules, standards, or other requirements are not effective or enforceable until such assumption is approved; providing legislative intent; providing applicability of other state law regulating discharges; specifying the applicability of certain exemptions; specifying department authority upon assumption of the section 404 dredge and fill permitting program; specifying certain procedures for permit applications; exempting the department from certain permitting timeframe limitations upon such assumption; specifying the maximum dredge and fill permit period for activities in state assumed waters; specifying certain procedures for permit reissuance; requiring the department to adopt rules to create an expedited permit review process; specifying applicability of certain administrative procedures; authorizing the department to delegate certain activities; specifying that the department must retain the authority to review, modify, revoke, or rescind any permit authorizing activities in state assumed waters which is issued by a delegated entity; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **HB 7043** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Rodriguez

Vote after roll call:

Yea—Benacquisto, Stargel

Yea to Nay—Farmer

CS for SJR 792—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to revise the duties and responsibilities of the Chief Financial Officer.

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

That the following amendment to Section 4 of Article IV of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV

EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, and a commissioner of agriculture. In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting or has affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as otherwise provided by general law.

(c) The chief financial officer shall serve as the chief fiscal officer of the state, and shall:

(1) Settle and approve accounts against the state; ~~and shall~~

(2) Keep all state funds and securities;

(3) *Participate as a principal in consensus economic, demographic, and revenue estimating conferences; and*

(4) *As prescribed by general law, review and certify, before execution, that each proposed contract of a state agency, entity, or officer of the executive branch requiring a payment or aggregate payments in excess of ten million dollars from funds appropriated to the state agency, entity, or officer:*

a. *Complies with general laws relating to procurement;*

b. *Includes all provisions required by general law for state agency contracts; and*

c. *Does not require payments by the state agency, entity, or officer in any fiscal year in excess of the amount appropriated for that fiscal year or the amount authorized by general law, for the purpose of the contract.*

The legislature shall enact legislation to implement this paragraph, including the adjustment, to be adjusted at least every four years, of the contract amount threshold to reflect the rate of inflation or deflation as indicated in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or a successor index, as calculated by the United States Department of Labor Bureau of Labor Statistics, or its successor agency.

(d) The commissioner of agriculture shall have supervision of matters pertaining to agriculture except as otherwise provided by law.

(e) The governor as chair, the chief financial officer, and the attorney general shall constitute the state board of administration, which shall succeed to all the power, control, and authority of the state board of administration established pursuant to Article IX, Section 16 of the Constitution of 1885, and which shall continue as a body at least for the life of Article XII, Section 9(c).

(f) The governor as chair, the chief financial officer, the attorney general, and the commissioner of agriculture shall constitute the trustees of the internal improvement trust fund and the land acquisition trust fund as provided by law.

(g) The governor as chair, the chief financial officer, the attorney general, and the commissioner of agriculture shall constitute the agency head of the Department of Law Enforcement.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IV, SECTION 4

DUTIES OF THE CHIEF FINANCIAL OFFICER.—Expands the Chief Financial Officer’s duties to require that he or she participate as a principal in consensus economic, demographic, and revenue estimating conferences and review and certify certain state contracts above a threshold dollar amount to ensure compliance with certain laws and that such contracts do not require payments in any fiscal year which exceed the amount appropriated or the amount authorized by law. Requires the Legislature to enact legislation to implement the amendment.

—was read the third time by title.

On motion by Senator Lee, **CS for SJR 792** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Passidomo

CS for HB 6523—A bill to be entitled An act for the relief of Ashraf Kamel and Marguerite Dimitri by the Palm Beach County School Board; providing for an appropriation to compensate Ashraf Kamel and Marguerite Dimitri for the wrongful death of their minor child, Jean A. Pierre Kamel, as a result of the negligence of the Palm Beach County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for HB 6523** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Bean	Bracy
Baxley	Book	Bradley

Brandes	Grimsley	Simmons
Braynon	Hukill	Simpson
Broxson	Hutson	Stargel
Campbell	Mayfield	Stewart
Farmer	Montford	Taddeo
Flores	Passidomo	Thurston
Gainer	Powell	Torres
Galvano	Rader	Young
Garcia	Rodriguez	
Gibson	Rouson	

Nays—1

Perry

Vote after roll call:

Yea—Benacquisto, Steube

CS for HB 63—A bill to be entitled An act relating to students with disabilities in public schools; amending s. 1003.573, F.S., relating to the seclusion and restraint of students with disabilities; providing definitions; providing requirements for the use of restraint; prohibiting specified physical restraint techniques; providing requirements for the use of exclusionary and nonexclusionary time; providing requirements for school districts to report and publish training procedures; providing for student-centered followup; providing requirements for documenting, reporting, and monitoring the use of restraint and seclusion; revising school district policies and procedures relating to restraint and seclusion; amending s. 1012.582, F.S.; requiring continuing education and inservice training for teaching students with emotional or behavioral disabilities; conforming provisions; providing an effective date.

—as amended March 7, was read the third time by title.

On motion by Senator Book, **CS for HB 63**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Steube

CS for HB 1265—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.02, F.S.; removing certain liquor bottle size restrictions for operators of intrastate railroads or sleeping cars; removing a requirement that operators of intrastate railroads and sleeping cars keep separate the alcoholic beverages intended for sale on passenger trains and the alcoholic beverages intended for sale in the railroad transit station; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 1265** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Hukill

Consideration of **CS for HB 667** was deferred.

CS for CS for HB 1091—A bill to be entitled An act relating to early learning; amending s. 1002.81, F.S.; revising the definition of “at-risk child”; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning; revising the requirements for certain assessments; revising the standard statewide contract for providers; providing that failing to meet certain measures for a specified period is cause for termination of a provider; providing for the development of a program assessment for school readiness providers; providing program assessment requirements; requiring the office to set a payment differential for certain providers; providing requirements for such payment differential; revising requirements for a certain single statewide information system; revising the requirement for an analysis of early learning activities throughout the state; amending s. 1002.84, F.S.; conforming a cross-reference; amending s. 1002.85, F.S.; revising the required contents of the school readiness program plan each early learning coalition must submit; amending s. 1002.87, F.S.; revising the priority criteria for participation in the school readiness program; amending s. 1002.88, F.S.; revising school readiness provider requirements for program participation; conforming cross-references; amending s. 1002.89, F.S.; providing for the use of specified funds for a required assessment; amending s. 1002.92, F.S.; conforming a cross-reference; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for CS for HB 1091** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Rouson

Vote after roll call:

Yea—Brandes

The Senate resumed consideration of—

CS for HB 495—A bill to be entitled An act relating to education; amending s. 1002.33, F.S.; revising the criteria for denying high-performing charter school system applications; revising the requirements for the term of a charter; revising provisions for the modification of a charter; revising the student populations for which a charter school is authorized to limit the enrollment process; revising the process for resolving contractual disputes; amending s. 1002.331, F.S.; revising the criteria for designation as a high-performing charter school; revising the calculation used to determine facility capacity for such charter schools; revising the number of schools that may be established by a high-performing charter school; amending s. 1002.333, F.S.; providing for certain funds for the Schools of Hope Program to be carried forward for a specified number of years; amending s. 1007.2616, F.S.; providing a definition; providing requirements for specified instruction relating to computer science; requiring certain computer science courses to be included in the Course Code Directory and published on the Department of Education’s website by a specified date; requiring the Florida Virtual School to offer certain computer science courses; requiring school districts to provide access to computer science courses offered by the Florida Virtual school or by other means under certain circumstances; providing funds for school districts to provide professional development for classroom teachers; providing Department of Education responsibilities for the distribution of such funds; requiring high school students to be provided opportunities to take certain courses to certain meet graduation requirements; providing funds for bonuses for certain classroom teachers; requiring, rather than authorizing, the State Board of Education to adopt rules; amending s. 1011.62, F.S.; renaming the “supplemental academic instruction categorical fund” as the “supplemental academic instruction allocation”; requiring certain school districts to use the allocation for specified purposes; deleting an obsolete date; deleting a provision authorizing the Florida State University School to expend specified funds for certain purposes; revising provisions for the transfer of categorical funds; amending s. 1011.6202, F.S.; renaming the “Principal Autonomy Pilot Program” as the “Principal Autonomy Program”; providing that any school district may apply to participate in the program; providing that a school shall retain its exemption from specified laws under specified circumstances; requiring a designated leadership team at a participating school to complete a certain turnaround program; deleting a provision providing a specified amount of funds to a participating school district that completes the turnaround program; authorizing certain principals to manage additional schools as part of a district innovation academy or zone; providing requirements for such zones; authorizing the principal to allocate resources and personnel between the schools; deleting reporting requirements; providing for funding; revising the principal eligibility criteria for a salary supplement through the program; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; providing an exception for specified funds; amending s. 1011.71, F.S.; prohibiting a school district from withholding charter school administrative fees under certain circumstances; creating s. 1011.79, F.S.; requiring the Department of Education to issue a competitive solicitation for a review of the Florida Price Level Index methodology; requiring subsequent reviews every 10 years; requiring the department to provide the results of all reviews to the Legislature and the Executive Office of the Governor; amending s. 1012.2315, F.S.; requiring school districts to negotiate a memorandum of understanding with certified collective bargaining units to address certain personnel issues; amending s. 1012.28, F.S.; conforming a provision to changes made by the act; amending s. 1012.32, F.S.; requiring a district school board to reimburse certain costs if it fails to notify a charter school of the eligibility status of certain persons; amending s. 1013.28, F.S.; requiring school districts to provide charter schools access to certain property on the same basis as public schools; prohibiting certain actions by a charter school without the written permission of the school district; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school districts; amending s. 1013.62, F.S.; revising requirements for charter school capital outlay funding; requiring each district to certify certain information to the department by October 1 each year; conforming provisions to changes made by the act; providing effective dates.

—which was previously considered this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Passidomo, the Senate reconsidered the vote by which engrossed **Amendment 2 (802062)** was adopted March 7.

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

Senator Garcia moved the following amendment to **Amendment 2 (802062)** which was adopted by two-thirds vote:

Amendment 2A (755160) (with title amendment)—Delete lines 971-1109 and insert:
assessments constitutes 30 percent of a student's final course grade.

5. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).

6. *A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit, as identified in s. 1007.27(2), meets the requirements of this paragraph and does not have to take the EOC assessment for the corresponding course.*

Section 15. Except for section 3 of this act, which shall take effect upon this act becoming a law, and except for sections 4 and 5 of this act, which shall take effect October 1, 2018, this act shall take effect July 1, 2018.

And the title is amended as follows:

Delete lines 1115-1193 and insert: An act relating to K-12 public education; amending s. 121.091, F.S.; revising limitations on the maximum length of participation in the Deferred Retirement Option Program for certain instructional personnel and administrative personnel; requiring an employer to notify the Division of Retirement of the Department of Management Services regarding any change in termination date and program participation for each affected member; providing a statement of important state interest; amending s. 1007.2616, F.S.; providing a definition; providing requirements for specified instruction relating to computer science; requiring certain computer science courses to be included in the Course Code Directory and published on the Department of Education's website by a specified date; requiring the Florida Virtual School to offer certain computer science courses; requiring school districts to provide access to computer science courses offered by the Florida Virtual School or by other means under certain circumstances; providing funds for school districts to provide professional development for classroom teachers; providing Department of Education responsibilities for the distribution of such funds; requiring high school students to be provided opportunities to take certain courses to meet certain graduation requirements; providing funds for bonuses for certain classroom teachers; requiring, rather than authorizing, the State Board of Education to adopt rules; creating s. 800.101, F.S.; providing definitions; prohibiting certain conduct with students by authority figures; providing penalties; providing exceptions; amending s. 810.097, F.S.; including school buses within the definition of the term "school" for purposes of trespass upon grounds or facilities of a school; amending s. 1001.42, F.S.; requiring school districts to adopt certain standards of ethical conduct; requiring the district school superintendent to report certain misconduct to law enforcement agencies; amending s. 1001.51, F.S.; providing for the forfeiture of a district school superintendent's salary for a specified period for failure to report certain misconduct to law enforcement agencies; amending s. 1012.27, F.S.; requiring the district school superintendent to notify a parent of specified information relating to allegations of misconduct by instructional personnel or school administrators; amending s. 1012.31, F.S.; requiring a resignation or termination before an investigation of certain misconduct is concluded to be indicated in a personnel file; specifying that legally sufficient complaints of certain misconduct must be reported to the Department of Education; amending s. 1012.315, F.S.; expanding the scope of provisions requiring the disqualification of persons convicted of certain offenses to apply to all persons who are required to have contact with students; providing an additional offense that disqualifies such persons from employment; amending s. 1012.56, F.S.; authorizing the Department of Education to deny applicants for certification if the applicant could be disciplined by the Education Practices Commission; authorizing the commission to approve an ap-

plication with certain conditions; amending s. 1012.795, F.S.; authorizing the commission to take certain actions against persons who meet specified criteria; revising reporting requirements concerning specified misconduct by certified personnel; amending s. 1012.796, F.S.; requiring a school district to file certain complaints with the Department of Education even if the subject of the complaint is no longer employed by the district; requiring certain information be included on an educator's certificate file; requiring certified educators who are placed on probation to immediately notify a specified office upon separation from, rather than termination of, employment; amending s. 1008.22, F.S.; specifying that certain students enrolled in specified courses do not have to take the corresponding end-of-course assessment; providing effective dates.

Amendment 2 (802062), as amended, was adopted by two-thirds vote.

On motion by Senator Passidomo, **CS for HB 495**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Campbell, Hutson

CS for HB 961—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; authorizing a malt beverage distributor to give branded glassware to vendors licensed to sell malt beverages for on-premises consumption; requiring that the glassware bear certain branding; providing an annual limit on the amount of glassware a distributor may give to a vendor; prohibiting a vendor from selling the branded glassware or returning it to a distributor for cash, credit, or replacement; requiring manufacturers, importers, distributors, and vendors to maintain certain records; defining the terms "case" and "glassware"; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 961** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1009—A bill to be entitled An act relating to the Closing the Gap grant program; amending s. 381.7355, F.S.; providing an additional priority area for Closing the Gap grant proposals that addresses racial and ethnic disparities in morbidity and mortality rates relating to Lupus; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **HB 1009** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for CS for HB 1435—A bill to be entitled An act relating to child welfare; creating s. 39.4015, F.S.; providing legislative findings and intent; providing definitions; requiring the Department of Children and Families, in collaboration with sheriffs' offices that conduct child protective investigations and community-based care lead agencies, to develop a statewide family-finding program; providing strategies to engage relatives and fictive kin; providing for the department and community-based care lead agencies to use diligent efforts in family finding; providing that certain actions do not constitute family finding; authorizing the department to adopt rules; amending s. 39.402, F.S.; requiring the court to request that parents consent to providing access to additional records; creating s. 39.5086, F.S.; providing the purpose and service components of a kinship navigator program; providing definitions; authorizing each community-based care lead agency to establish a kinship navigator program, subject to available resources; authorizing the department to adopt rules; amending s. 39.521, F.S.; conforming provisions to changes made by the act; amending s. 39.6012, F.S.; revising the types of records that must be attached to a case plan and updated throughout the judicial review process; amending s. 39.604, F.S.; revising enrollment and attendance requirements for children under protective supervision or out-of-home care enrolled in an early education or child care program; providing requirements and procedures for maintaining the educational stability of a child during the child's placement in out-of-home care or subsequent changes in out-of-home placement; requiring that a child's transition from an early education or child care program be pursuant to a plan that meets certain requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for CS for HB 1435** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Campbell	Mayfield
Baxley	Farmer	Montford
Bean	Flores	Passidomo
Benacquisto	Gainer	Perry
Book	Galvano	Powell
Bracy	Garcia	Rader
Bradley	Gibson	Rodriguez
Brandes	Grimsley	Rouson
Braynon	Hukill	Simmons
Broxson	Hutson	Simpson

Stargel	Taddeo	Young
Steube	Thurston	
Stewart	Torres	

Nays—None

CS for CS for HB 1079—A bill to be entitled An act relating to child welfare; amending s. 39.01, F.S.; revising and providing definitions; amending s. 39.0138, F.S.; requiring the Department of Children and Families to establish rules for granting exemptions from criminal history and certain other records checks required for persons being considered for placement of a child; requiring level 1 screening for persons granted such exemption; prohibiting placement of a child with persons convicted of a certain felony; amending s. 39.521, F.S.; authorizing the court to make certain determinations regarding placement of a child with a guardian; conforming a cross-reference; amending s. 39.5085, F.S.; authorizing the department to recover financial assistance provided to nonrelative caregivers under certain circumstances; amending s. 39.6012, F.S.; requiring parents to make proactive contact with case managers at regular intervals; conforming a cross-reference; amending s. 39.6013, F.S.; requiring the court to consider certain case details before amending a case plan; amending s. 39.621, F.S.; requiring the court, during permanency hearings, to determine case plan compliance; amending s. 39.6221, F.S.; providing an additional condition for court placement of a child in permanent guardianship; creating s. 39.6225, F.S.; requiring the department to establish and operate a Guardianship Assistance Program to provide guardianship assistance payments to certain guardians beginning on a specified date; providing definitions; providing eligibility requirements; authorizing guardians to receive such payments for certain siblings; requiring the department to annually redetermine eligibility; providing conditions for termination of benefits; requiring the department to provide guardianship non-recurring payments for certain expenses; authorizing the use of certain state and federal funds to operate the program; providing that children receiving assistance under the program are eligible for Medicaid coverage until they reach a certain age; requiring case plans to include certain information; requiring the department to adopt rules; requiring the Florida Institute for Child Welfare to evaluate the implementation of the Guardianship Assistance Program; requiring the institute to submit a report by a certain date; specifying the process for and elements of the evaluation; requiring the department to develop and implement a comprehensive communications strategy in support of relatives and fictive kin who are prospective caregivers; specifying information that shall be provided to such prospective caregivers; amending s. 39.6251, F.S.; requiring the case manager for a young adult in foster care to consult the young adult when updating case or the transition plans and arrangements; deleting a provision authorizing case management reviews to be conducted by telephone under certain circumstances; amending s. 39.701, F.S.; requiring the court, during judicial review hearings, to determine case plan compliance; amending s. 63.092, F.S.; requiring the department to release specified records to entities conducting preliminary home studies; providing that certain specified training is not required for certain home studies; amending s. 322.09, F.S.; providing that a caregiver who signs for a minor's learner's driver license does not assume any obligation or liability for damages under certain circumstances; amending s. 402.305, F.S.; revising minimum requirements for child care personnel related to screening and fingerprinting; requiring child care facilities to provide information to parents intended to prevent children from being left in vehicles; specifying the minimum standards the department must adopt regarding transportation of children by child care facilities; amending ss. 402.313 and 402.3131, F.S.; requiring family day care homes and large family child care homes to provide information to parents intended to prevent children from being left in vehicles; amending s. 409.145, F.S.; revising rates for room and board reimbursement of certain family foster homes; revising provisions relating to supplemental payments by community-based care lead agencies; amending s. 409.166, F.S.; providing definitions; providing conditions for the department to provide adoption assistance payments to adoptive parents of certain children; providing that children and young adults receiving benefits through the adoption assistance program are ineligible for specified other benefits and services; providing additional conditions for eligibility for adoption assistance; amending s. 409.1678, F.S.; eliminating certain requirements for residential treatment centers that provide services to commercially sexually exploited children; amending s. 409.175, F.S.; revising and providing definitions; requiring a guardian to apply for a

license with the department to be eligible for the program; classifying family foster homes by licensure type; exempting certain household members from specified fingerprinting requirements; authorizing the department to adopt rules relating to certain summer camps; deleting references to preservice training requirements for emergency shelter parents; providing inservice training requirements for certain foster parents; amending s. 409.991, F.S.; revising the equity allocation formula for community-based care lead agencies; amending s. 435.07, F.S.; revising the offenses that disqualify certain child care personnel from specified employment; amending s. 627.746, F.S.; prohibiting insurers that issue insurance policies for private passenger motor vehicles from charging an additional premium for a minor who operates his or her caregiver's vehicle, during the time that the minor has a learner's driver's license; amending ss. 39.302, 394.495, 402.30501, 409.1676, 960.065, 1002.55, 1002.57, and 1002.59, F.S.; conforming cross-references; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the third time by title.

On motion by Senator Broxson, **CS for CS for HB 1079** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 6059—A bill to be entitled An act relating to the Department of Corrections' direct-support organization; amending s. 944.802, F.S.; abrogating the scheduled repeal of provisions governing a direct-support organization that is permitted use of fixed properties and facilities of the state correctional system by the Department of Corrections; providing an effective date.

—was read the third time by title.

On motion by Senator Bracy, **HB 6059** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of **CS for HB 365** was deferred.

CS for SB 502—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; adopting the 2018 version of the Internal Revenue Code; amending s. 220.13, F.S.; revising the definition of the term “adjusted federal income” relating to adjustments related to federal acts; providing legislative findings; requiring the Department of Revenue to establish a workgroup for certain purposes; specifying the composition of the workgroup; requiring the workgroup to consult with the Revenue Estimating Conference and seek and consider comments from the private sector; requiring the workgroup to submit a specified report to the Governor and Legislature by a specified date; requiring the workgroup to submit status reports to appropriate legislative committees on specified dates; providing for retroactive operation; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 502**, pursuant to Rule 3.11(3), there being no objection, **HB 7093** was withdrawn from the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Stargel, the rules were waived, and by two-thirds vote—

HB 7093—A bill to be entitled An act relating to corporate income taxation; amending s. 220.03, F.S.; adopting the Internal Revenue Code as amended and in effect on January 1, 2018; creating s. 220.1105, F.S.; providing definitions; providing for the adjustment of the corporate tax rate based on net collections exceeding adjusted forecasted collections for fiscal years 2018-2019 through 2020-2021; specifying the treatment of net collections amounts that exceed adjusted forecasted net collections for fiscal years 2018-2019 through 2020-2021; amending s. 220.11, F.S.; revising the adjustment of the tax rate imposed; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term “adjusted federal income”; revising the calculation of certain taxable income based on changes to federal law; amending s. 220.63, F.S.; revising the adjustment of franchise tax rate imposed on banking and savings associations; providing emergency rulemaking authority; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 502** and read the second time by title.

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

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (903866) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (n) of subsection (1) and paragraph (c) of subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) **SPECIFIC TERMS**.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) “Internal Revenue Code” means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, 2018 ~~2017~~, except as provided in subsection (3).

(2) **DEFINITIONAL RULES**.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code has the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, 2018 ~~2017~~. However, if subsection (3) is implemented, the meaning of a term shall be taken at the time the term is applied under this code.

Section 2. Paragraph (e) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(e) *Adjustments related to federal acts.*—Taxpayers shall be required to make the adjustments prescribed in this paragraph for Florida tax purposes with respect to certain tax benefits received pursuant to the Economic Stimulus Act of 2008, the American Recovery and Reinvestment Act of 2009, the Small Business Jobs Act of 2010, the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, the American Taxpayer Relief Act of 2012, the Tax Increase Prevention Act of 2014, ~~and~~ the Consolidated Appropriations Act, 2016, and the Tax Cuts and Jobs Act of 2017.

1. There shall be added to such taxable income an amount equal to 100 percent of any amount deducted for federal income tax purposes as bonus depreciation for the taxable year pursuant to ss. 167 and 168(k) of the Internal Revenue Code of 1986, as amended by s. 103 of Pub. L. No. 110-185, s. 1201 of Pub. L. No. 111-5, s. 2022 of Pub. L. No. 111-240, s. 401 of Pub. L. No. 111-312, s. 331 of Pub. L. No. 112-240, s. 125 of Pub. L. No. 113-295, ~~and~~ s. 143 of Division Q of Pub. L. No. 114-113, and s. 13201 of Pub. L. No. 115-97, for property placed in service after December 31, 2007, and before January 1, 2027 ~~2021~~. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income an amount equal to one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

2. There shall be added to such taxable income an amount equal to 100 percent of any amount in excess of \$128,000 deducted for federal income tax purposes for the taxable year pursuant to s. 179 of the Internal Revenue Code of 1986, as amended by s. 102 of Pub. L. No. 110-185, s. 1202 of Pub. L. No. 111-5, s. 2021 of Pub. L. No. 111-240, s. 402 of Pub. L. No. 111-312, s. 315 of Pub. L. No. 112-240, and s. 127 of Pub. L. No. 113-295, for taxable years beginning after December 31, 2007, and before January 1, 2015. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

3. There shall be added to such taxable income an amount equal to the amount of deferred income not included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5. There shall be subtracted from such taxable income an amount equal to the amount of deferred income included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5.

4. Subtractions available under this paragraph may be transferred to the surviving or acquiring entity following a merger or acquisition and used in the same manner and with the same limitations as specified by this paragraph.

5. The additions and subtractions specified in this paragraph are intended to adjust taxable income for Florida tax purposes, and, notwithstanding any other provision of this code, such additions and subtractions shall be permitted to change a taxpayer’s net operating loss for Florida tax purposes.

Section 3. *The Legislature recognizes that the Tax Cuts and Jobs Act of 2017 will have significant effects on the state corporate income tax and on corporate taxpayers when it is fully implemented. To better understand these effects, the Legislature finds the following actions are necessary:*

(1) *The Department of Revenue shall examine how the Tax Cuts and Jobs Act of 2017 will affect the state corporate income tax as a result of the state’s adoption of the Internal Revenue Code by this act.*

(2) *The Department of Revenue shall monitor guidance provided by the Internal Revenue Service and other tax authorities and advisory groups, and shall conduct at least two public workshops to gather public input. In addition, the department shall develop a process outside of the public workshops for receiving public input regarding the Tax Cuts and Jobs Act of 2017 and its potential effects on the state corporate income tax and the businesses that pay the tax.*

(3) *By February 1, 2019, the Department of Revenue shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate legislative committees. At a minimum, the report must include the following:*

(a) *A comprehensive discussion of the potential effects of the Tax Cuts and Jobs Act of 2017 on the state corporate income tax structure and revenues.*

(b) *Options for changes the Legislature could make to state tax law which may be needed to integrate state law with federal law.*

(c) *An estimate of the potential fiscal impact of each option.*

(d) *A compilation of the input received from the public through the public workshops and otherwise.*

(e) *Any other information the Department of Revenue determines will assist the Legislature in evaluating the impact of the Tax Cuts and Jobs Act of 2017 on the state corporate income tax structure and revenues.*

(4) *The Department of Revenue shall submit status reports to the chairs of appropriate legislative committees on August 3, 2018, and November 16, 2018. At a minimum, the status reports must include a brief description of the department’s activities and any relevant guidance issued by the Internal Revenue Service.*

(5) *The Department of Revenue shall consult with the Revenue Estimating Conference on the development of the required reports.*

Section 4. This act shall take effect upon becoming a law and operate retroactively to January 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; adopting the 2018 version of the Internal Revenue Code; amending s. 220.13, F.S.; revising the definition of the term “adjusted federal income” relating to adjustments related to federal acts; providing legislative findings; requiring the Department of Revenue to make a certain examination, monitor guidance by the Internal Revenue Service, conduct workshops, and develop a certain process regarding the Tax Cuts and Jobs Act of 2017; requiring the department to submit a specified report to the Governor and Legislature by a certain date; requiring the department to provide certain status reports to the Legislature on specified dates; requiring the department to consult with the Revenue Estimating Conference in developing required reports; providing for retroactive operation; providing an effective date.

On motion by Senator Stargel, by two-thirds vote, **HB 7093**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Campbell	Mayfield
Baxley	Farmer	Montford
Bean	Flores	Passidomo
Benacquisto	Galvano	Perry
Book	Garcia	Rader
Bracy	Gibson	Rodriguez
Bradley	Grimsley	Rouson
Brandes	Hukill	Simmons
Braynon	Hutson	Simpson
Broxson	Lee	Stargel

Steube Taddeo Torres
Stewart Thurston Young

Nays—1

Gainer

Consideration of **CS for HB 55** and **CS for SB 1048** was deferred.

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

LOCAL BILL CALENDAR

MOTIONS

On motion by Senator Benacquisto, the rules were waived and **CS for HB 395, HB 869, HB 889, HB 891, CS for CS for HB 901, HB 1015, CS for HB 1017, CS for HB 1071, HB 1089, HB 1093, HB 1113, HB 1115, CS for HB 1117, CS for HB 1119, CS for CS for HB 1137, HB 1139, CS for HB 1141, CS for HB 1239, CS for HB 1395, CS for HB 1397, CS for CS for HB 1423, HB 1447, CS for CS for HB 1449, CS for HB 1451, and CS for HB 1393** on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

CS for HB 395—A bill to be entitled An act relating to Martin County; creating the Town of Hobe Sound; providing a charter; providing legislative intent; providing for a council-manager form of government; providing boundaries; providing municipal powers; providing for a town council and composition thereof; providing for eligibility, terms, duties, compensation, and reimbursement of expenses of council members; providing for a mayor and vice mayor; providing scheduling requirements of council meetings; prohibiting interference with town employees; providing for filling of vacancies and forfeiture of office; providing for the appointment of a town manager and town attorney and the qualifications, removal, powers, and duties thereof; providing for the establishment of town departments, agencies, personnel, and boards; providing for an annual independent audit; providing that the state is not liable for financial shortfalls of the town; providing for nonpartisan elections and matters relating thereto; providing for town council districts; providing for the recall of council members; providing for initiative and referenda; providing for a code of ethics; providing for future amendments to the charter; providing severability; providing a town transition schedule and procedures for the first election; providing for first-year expenses; providing for adoption of comprehensive plans and land development regulations; providing for accelerated entitlement to state-shared revenues; providing for entitlement to all local revenue sources authorized by general law; providing for the sharing of communications services tax revenues; providing for receipt and distribution of local option gas tax revenues; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote, **CS for HB 395** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 869—A bill to be entitled An act relating to Ranger Drainage District, Orange County; amending ch. 99-453, Laws of Florida, as amended; revising district boundaries; providing an effective date.

—was read the second time by title. On motion by Senator Stewart, by two-thirds vote, **HB 869** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 889—A bill to be entitled An act relating to the West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending ch. 24981 (1947), Laws of Florida, as amended; revising retirement pension calculation; conforming terminology; providing an effective date.

—was read the second time by title. On motion by Senator Powell, by two-thirds vote, **HB 889** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 891—A bill to be entitled An act relating to St. Lucie County; repealing ch. 67-1990, Laws of Florida, relating to the issuance of alcoholic beverage licenses; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote, **HB 891** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Gibson
Baxley	Broxson	Grimsley
Bean	Campbell	Hukill
Benacquisto	Farmer	Hutson
Book	Flores	Lee
Bracy	Gainer	Mayfield
Bradley	Galvano	Montford
Brandes	Garcia	Passidomo

Perry	Simmons	Taddeo
Powell	Simpson	Thurston
Rader	Stargel	Torres
Rodriguez	Steube	Young
Rouson	Stewart	

Nays—None

CS for CS for HB 901—A bill to be entitled An act relating to the Acme Improvement District and the Pine Tree Water Control District, Palm Beach County; transferring certain land from the Acme Improvement District to the Pine Tree Water Control District; amending ch. 2009-270, Laws of Florida; providing boundaries of the Pine Tree Water Control District; amending ch. 2003-330, Laws of Florida, as amended; providing boundaries of the Acme Improvement District; providing purpose; providing an effective date.

—was read the second time by title. On motion by Senator Powell, by two-thirds vote, **CS for CS for HB 901** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1015—A bill to be entitled An act relating to the Florida Keys Mosquito Control District, Monroe County; amending ch. 2002-346, Laws of Florida, as amended; providing term limits for board members; providing an effective date.

—was read the second time by title. On motion by Senator Flores, by two-thirds vote, **HB 1015** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1017—A bill to be entitled An act relating to Seminole County; providing an exception to general law; providing for approval of cardroom gaming within Seminole County under the requirements of the county charter; providing definitions; providing an effective date.

—was read the second time by title. On motion by Senator Simmons, by two-thirds vote, **CS for HB 1017** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1071—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending ch. 11050, Laws of Florida (1925), as amended; removing a restriction against carnivals and shows on certain lands conveyed from the state to the city; providing an effective date.

—was read the second time by title. On motion by Senator Brandes, by two-thirds vote, **CS for HB 1071** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1089—A bill to be entitled An act relating to the East Mulloch Drainage District, Lee County; providing an exception to general law; creating the East Mulloch Water Control District as a dependent special district; providing that the charter of the district shall be subject to amendment or repeal by the county commission; providing the district charter; providing boundaries; providing powers; providing for the county commission to appoint the board of supervisors; providing for staggered terms; providing authority and duties of the board; providing for compensation; providing for assessments by the district; repealing chs. 63-930, 65-912, 83-443, 83-455, 84-464, 86-425, and 88-480, Laws of Florida; dissolving the East Mulloch Drainage District; transferring all assets and liabilities of the East Mulloch Drainage District to the East Mulloch Water Control District; providing that liabilities of the district are not liabilities of the county; providing construction; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **HB 1089** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1093—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; providing that the Loxahatchee Groves Water Control District, an independent special district, shall become a dependent district of the Town of Loxahatchee Groves; providing boundaries; providing that members of the town council shall assume the offices of the board of supervisors of said district; providing for dissolution of the Loxahatchee Groves Water Control District as an independent special district; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Powell, by two-thirds vote, **HB 1093** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1113—A bill to be entitled An act relating to the Palm Beach County Housing Authority; providing exceptions to general law; authorizing the governing body of Palm Beach County to appoint two additional commissioners to the housing authority and remove or suspend such commissioners; providing an effective date.

—was read the second time by title. On motion by Senator Powell, by two-thirds vote, **HB 1113** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Campbell	Lee
Baxley	Farmer	Mayfield
Bean	Flores	Montford
Benacquisto	Gainer	Passidomo
Book	Galvano	Perry
Bracy	Garcia	Powell
Bradley	Gibson	Rader
Brandes	Grimsley	Rodriguez
Braynon	Hukill	Rouson
Broxson	Hutson	Simmons

Simpson	Stewart	Torres
Stargel	Taddeo	Young
Steube	Thurston	

Nays—None

HB 1115—A bill to be entitled An act relating to the Indian River Farms Water Control District, Indian River County; removing the 99-year term limitation of the district originally provided by court decree; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **HB 1115** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1117—A bill to be entitled An act relating to the Sebastian Inlet Tax District, Indian River and Brevard Counties; amending ch. 2003-373, Laws of Florida, as amended; authorizing the district to enter into interlocal agreements, memoranda of understanding, or other agreements with local and state authorities to provide security for district facilities; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **CS for HB 1117** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1119—A bill to be entitled An act relating to the Lakewood Ranch Stewardship District, Manatee and Sarasota Counties; amending ch. 2005-338, Laws of Florida, as amended; revising the boundaries of the Lakewood Ranch Stewardship District; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Galvano, by two-thirds vote, **CS for HB 1119** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Steube

CS for CS for HB 1137—A bill to be entitled An act relating to the Pinellas County Construction Licensing Board; amending ch. 75-489, Laws of Florida, as amended; revising the composition of the Pinellas County Construction Licensing Board; revising the terms of the board members; providing for termination of members; providing for the election and terms of a chair and vice chair; providing that board staff are employees of Pinellas County; providing that the board is a dependent agency of the Board of County Commissioners of Pinellas County; authorizing the board of county commissioners to adopt rules; requiring the board to provide an annual report on finances and administrative activities; subjecting the board to periodic audits; requiring members of the board to file financial disclosure statements; specifying the board is eligible for state funding to support its operations during transition to the county; providing for dissolution of board upon approval at referendum; providing an effective date.

—was read the second time by title. On motion by Senator Rouson, by two-thirds vote, **CS for CS for HB 1137** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1139—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to increase the amount of pension received by a widow or widower should a member lose his or her life or later die from injuries or causes occurring while in the discharge of duties; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Young, by two-thirds vote, **HB 1139** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1141—A bill to be entitled An act relating to the Firefighters' Relief and Pension Fund of the City of Pensacola, Escambia County; amending ch. 21483, Laws of Florida (1941), as amended; creating a defined contribution plan as required by general law; providing an effective date.

—was read the second time by title. On motion by Senator Broxson, by two-thirds vote, **CS for HB 1141** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1239—A bill to be entitled An act relating to the South Lake County Hospital District, Lake County; prohibiting the district from incurring certain additional obligations or indebtedness; requiring the district to wind down its affairs, liquidate its assets, and satisfy its obligations and indebtedness by a specified date; providing for disposition of certain taxes collected; repealing ch. 2001-290, Laws of Florida; dissolving the district on a specified date; transferring certain district responsibilities and assets and liabilities to the Board of County Commissioners of Lake County; providing an effective date.

—was read the second time by title. On motion by Senator Stargel, by two-thirds vote, **CS for HB 1239** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Campbell	Lee
Baxley	Farmer	Mayfield
Bean	Flores	Montford
Benacquisto	Gainer	Passidomo
Book	Galvano	Perry
Bracy	Garcia	Powell
Bradley	Gibson	Rader
Brandes	Grimsley	Rodriguez
Braynon	Hukill	Rouson
Broxson	Hutson	Simmons

Simpson	Stewart	Torres
Stargel	Taddeo	Young
Steube	Thurston	

Nays—None

CS for HB 1395—A bill to be entitled An act relating to the City of Marco Island, Collier County; providing an exception to general law; authorizing the Department of Health to grant a license to the City of Marco Island to provide certain emergency medical transportation services upon the city meeting certain criteria; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **CS for HB 1395** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1397—A bill to be entitled An act relating to the Hardee County Economic Development Authority, Hardee County; amending chapter 2004-394, Laws of Florida, as amended; revising membership of the authority; providing that members shall not be reimbursed for travel and per diem expenses; providing an effective date.

—was read the second time by title. On motion by Senator Grimsley, by two-thirds vote, **CS for HB 1397** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for HB 1423—A bill to be entitled An act relating to Tohopekaliga Water Authority, Osceola County; amending ch. 2003-368, Laws of Florida, as amended; revising legislative findings; providing a definition; providing for the Polk County Board of County Commissioners to appoint one member of the board under an interlocal agreement; providing for a fifth member of the board to be appointed under certain circumstance; providing for additional members of the board in certain circumstances; providing for term limits; providing for

the Governor to appoint a fifth member of the board under certain circumstance; requiring board members to elect a chairperson; deleting compensation and reimbursement for board members; updating cross references; providing additional powers of the authority; revising authority power to increase rates and acquire water or wastewater facilities or systems; requiring the board to adopt or update a master plan every 4 years; providing an effective date.

—was read the second time by title. On motion by Senator Torres, by two-thirds vote, **CS for CS for HB 1423** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 1447—A bill to be entitled An act relating to the City of Orlando, Orange County; providing an exception to general law; providing space, seating, and minimum gross revenues requirements for special alcoholic beverage licenses for restaurants in a described area; providing an effective date.

—was read the second time by title. On motion by Senator Stewart, by two-thirds vote, **HB 1447** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for HB 1449—A bill to be entitled An act relating to the Campbellton-Graceville Hospital District, Jackson County; providing an exception to general law; authorizing the sale of assets by the district; providing for district to wind down its affairs after such sale; repealing certain parts of ch. 61-2290, Laws of Florida; terminating district authority to impose ad valorem taxes; providing an effective date.

—was read the second time by title. On motion by Senator Gainer, by two-thirds vote, **CS for CS for HB 1449** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Book
Baxley	Benacquisto	Bracy

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

Nays—None

CS for HB 1451—A bill to be entitled An act relating to the Charlotte County Tourist Development Council, Charlotte County; providing an exception to general law; revising membership of the council; providing an effective date.

—was read the second time by title. On motion by Senator Grimsley, by two-thirds vote, **CS for HB 1451** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for HB 1393—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; creating the Water Street Tampa Improvement District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; providing district boundaries; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for election of the board; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for future ad valorem taxation; providing for special assessments; providing for authority to borrow money; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amendment to the charter; providing for required notices to purchasers of units within the district; defining district public property; providing for construction; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Young moved the following amendments which were adopted:

Amendment 1 (878498)—Delete lines 322-633 and insert:

(bb) “Water Street Tampa Improvement District” means the special and limited purpose independent special district unit of local government created and chartered by this act, and limited to the performance of those general and special powers authorized by its charter under this act, the boundaries of which are set forth by the act, the governing board of which is created and authorized to operate with legal existence by this act, and the purpose of which is as set forth in this act.

(cc) “Water system” means any plant, system, facility, or property, and any addition, extension, or improvement thereto at any future time constructed or acquired as a part thereof, useful, necessary, or having the present capacity for future use in connection with the development of sources, treatment, purification, or distribution of water. The term includes dams, reservoirs, storage tanks, mains, lines, valves, hydrants, pumping stations, chilled water distribution systems, laterals, and pipes for the purpose of carrying water to the premises connected with such system, and all rights, easements, and franchises of any nature relating to any such system and necessary or convenient for the operation thereof.

(3) **POLICY.**—Based upon its findings, ascertainments, determinations, intent, purpose, and definitions, the Legislature states its policy expressly:

(a) The district and the district charter, with its general and special powers, as created in this act, are essential and the best alternative for the residential, commercial, office, hotel, industrial, and other community uses, projects, or functions in the included portion of the City of Tampa and Hillsborough County consistent with the effective comprehensive plan and designed to serve a lawful public purpose.

(b) The district, which is a special purpose local government and a political subdivision, is limited to its special purpose as expressed in this act, with the power to provide, plan, implement, construct, maintain, and finance as a local government management entity systems, facilities, services, improvements, infrastructure, and projects, and possessing financing powers to fund its management power over the long term and with sustained levels of high quality.

(c) The creation of the Water Street Tampa Improvement District by and pursuant to this act, and its exercise of its management and related financing powers to implement its limited, single, and special purpose, is not a development order and does not trigger or invoke any provision within the meaning of chapter 380, Florida Statutes, and all applicable governmental planning, environmental, and land development laws, regulations, rules, policies, and ordinances apply to all development of the land within the jurisdiction of the district as created by this act.

(d) The district shall operate and function subject to, and not inconsistent with, the applicable comprehensive plan of the City of Tampa and any applicable development orders (e.g. detailed specific area plan development orders), zoning regulations, and other land development regulations.

(e) The special and limited purpose Water Street Tampa Improvement District does not have the power of a general-purpose local government to adopt a comprehensive plan or related land development regulation as those terms are defined in the Community Planning Act pursuant to s. 163.3164, Florida Statutes.

(f) This act may be amended, in whole or in part, only by special act of the Legislature.

Section 3. Minimum charter requirements; creation and establishment; jurisdiction; construction; charter.—

(1) Pursuant to s. 189.031(3), Florida Statutes, the Legislature sets forth that the minimum requirements in paragraphs (3)(a) through (o) of that section have been met in the identified provisions of this act as follows:

(a) The purpose of the district is stated in the act in subsection (4) of this section and in section 2.

(b) The powers, functions, and duties of the district regarding ad valorem taxation, bond issuance, other revenue-raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements are set forth in section 6.

(c) *The provisions for methods for establishing the district are in this section.*

(d) *The methods for amending the charter of the district are set forth in this section.*

(e) *The provisions for the membership and organization of the governing body and the establishment of a quorum are in section 5.*

(f) *The provisions regarding maximum compensation of each board member are in section 5.*

(g) *The provisions regarding the administrative duties of the governing body are found in sections 5 and 6.*

(h) *The provisions applicable to financial disclosure, noticing, and reporting requirements generally are set forth in sections 5 and 6.*

(i) *The provisions regarding procedures and requirements for issuing bonds are set forth in section 6.*

(j) *The provisions regarding elections or referenda and the qualifications of an elector of the district are in sections 2 and 5.*

(k) *The provisions regarding methods for financing the district are generally in section 6.*

(l) *Other than taxes levied for the payment of bonds and taxes levied for periods not longer than 2 years when authorized by vote of the electors of the district, the provisions for the authority to levy ad valorem tax and the authorized millage rate are in section 6.*

(m) *The provisions for the method or methods of collecting non-ad valorem assessments, fees, or service charges are in section 6.*

(n) *The provisions for planning requirements are in this section and section 6.*

(o) *The provisions for geographic boundary limitations of the district are set forth in sections 4 and 6.*

(2) *The Water Street Tampa Improvement District is created and incorporated as a public body corporate and politic, an independent special and limited purpose local government, an independent special district, under s. 189.031, Florida Statutes, and as defined in this act and in s. 189.012, Florida Statutes, in and for portions of Hillsborough County and the City of Tampa. All notices for the enactment by the Legislature of this special act have been provided pursuant to the State Constitution, the Laws of Florida, and the rules of the House of Representatives and the Senate. No referendum subsequent to the effective date of this act is required as a condition of establishing the district. Therefore, the district, as created by this act, is established on the property described in this act.*

(3) *The territorial boundary of the district shall embrace and include all of that certain real property described in section 4.*

(4) *The jurisdiction of the district, in the exercise of its general and special powers, and in the carrying out of its special and limited purposes, is both within the external boundaries of the legal description of this district and extraterritorial when limited to, and as authorized expressly elsewhere in, the charter of the district as created in this act or applicable general law. This special and limited purpose district is created as a public body corporate and politic, and local government authority and power is limited by its charter, this act, and subject to the provisions of other general laws, including chapter 189, Florida Statutes, except that an inconsistent provision in this act shall control and the district has jurisdiction to perform such acts and exercise such authorities, functions, and powers as shall be necessary, convenient, incidental, proper, or reasonable for the implementation of its special and limited purpose regarding the sound planning, provision, acquisition, development, operation, maintenance, and related financing of those public systems, facilities, services, improvements, projects, and infrastructure works as authorized herein, including those necessary and incidental thereto.*

(5) *The exclusive charter of the Water Street Tampa Improvement District is this act and, except as otherwise provided in subsection (2), may be amended only by special act of the Legislature.*

Section 4. *Legal description of the Water Street Tampa Improvement District.—The metes and bounds legal description of the district, within which there are no parcels of property owned by those who do not wish their property to be included within the district, is as follows:*

That part of Section 24, Township 29 South, Range 18 East, and Section 19, Township 29 South, Range 19 East, all lying within the City of Tampa, Hillsborough County, Florida, lying within the following described boundaries to wit:

Begin at the intersection of the Centerline of Morgan Street and the Centerline of Garrison Avenue as shown on HENDRY & KNIGHT'S MAP OF THE GARRISON, per map or plat thereof as recorded in Plat Book 2, page 73, of the Public Records of Hillsborough County, Florida; run thence Easterly, along the centerline of said Garrison Avenue, (the same being an un-named street shown on REVISED MAP OF BELL'S ADDITION TO TAMPA per map or plat thereof as recorded in Plat Book 1, page 96 of the Public Records of Hillsborough County, Florida), to the Southerly projection of the Easterly boundary of the Tampa South Crosstown Expressway; run thence Northerly and Northeasterly, along said Easterly boundary as established by Official Record Book 3530, page 157, City of Tampa Ordinance 97-240, Official Record Book 3510, page 1148, Official Record Book 3509, page 108, City of Tampa Ordinance 2001-128, and Official Record Book 3826, page 184, of the Public Records of Hillsborough County, Florida, to the Northern-most corner of said Official Record Book 3826, page 184, said point lying on the West boundary of Nebraska Avenue as shown on aforementioned REVISED MAP OF BELL'S ADDITION TO TAMPA; run thence Easterly to the Centerline of said Nebraska avenue, the same being shown as Governor Avenue on MAP OF FINLEY AND CAESAR SUBDIVISION per map or plat thereof as recorded in Plat Book 1, page 84, of the Public Records of Hillsborough County, Florida; run thence Northerly to the Centerline of Finley Street as shown on said MAP OF FINLEY AND CAESAR SUBDIVISION; run thence East to the West boundary of Tangent Avenue (being shown as on un-named Avenue on said MAP OF FINLEY AND CAESAR SUBDIVISION; run thence Southerly, along said West boundary, to the Southeast corner of Lot 13, Block 15 of said Subdivision; run thence Southerly to the Northeast corner of Lot 6, Block 1 of A.W. GILCHRIST'S OAK GROVE ADDITION TO TAMPA per map or plat thereof as recorded in Plat Book 2, page 31, of the Public Records of Hillsborough County, Florida); run thence South, along the East boundary of Lots 6 and 16, Block 1, Lots 6 and 16, Block 4, and Lot 6, Block 5, and the projections thereof to the Easterly projection of the Centerline of Carew Avenue (also formerly known as Platt Street), as shown on CHAMBERLINS SUBDIVISION per map or plat thereof as recorded in Plat Book 1, page 104, of the Public Records of Hillsborough County, Florida; (the same being shown on HENDRY & KNIGHT'S MAP OF CHAMBERLAINS per map or plat thereof as recorded in Plat Book 5, page 10, of the Public Records of Hillsborough County, Florida); thence Easterly along said Centerline projection, to the Northeasterly projection of the Easterly boundary of Water Lot 70 of aforementioned HENDRY & KNIGHT'S MAP OF CHAMBERLAINS; run thence Southwesterly along said projection, Easterly boundary, and its Southwesterly projection, to the Centerline of Garrison Channel per the Tampa Port Authority Bulkhead Lines as established by Hillsborough County Port Authority on September 15, 1960, December 5, 1961, and April 5, 1963, and filed for record in Plat Book 42, page 37, of the Public Records of Hillsborough County, Florida; run thence Southwesterly along said Centerline to the Southerly projection of the Centerline of Franklin Street as shown on aforementioned HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northwesterly along said projection, and said Centerline, to the centerline of Water Street as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northeasterly along said Centerline to the Centerline of Florida Avenue as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northwesterly along said Centerline to the Centerline of Carew Avenue as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northeasterly along said Centerline to the Centerline of Morgan Street as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northwesterly along said Centerline to a point of intersection with the Southwesterly projection of the Southwesterly boundary of those lands described in Official Record Book 3166, page 225 of the Public Records of Hillsborough County, Florida; run thence along said projection and said Southwesterly boundary, to the Northwest corner of said lands; run thence along the Northerly boundary of said lands, and its Northeasterly projection, to the Centerline of aforementioned

Morgan Street; run thence Northwesterly along said Centerline to the Centerline of Hampton Avenue (now known as Brorein Street) as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Southwesterly along said Centerline to the Southerly projection of the Easterly boundary of those lands described in Official Record Book 22204, page 1038 of the Public Records of Hillsborough County, Florida; run thence Northwesterly along said projection and said Easterly Boundary, to the Northeast corner of said lands; run thence Southwesterly along the Northerly boundary of said lands, and its Westerly projection, to the Centerline of Florida Avenue as shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON; run thence Northwesterly along said Centerline to the Westerly projection of the Southerly boundary of those lands shown on map of survey prepared by Curtis G. Humphreys (Sullivan, Humphreys & Sullivan), dated November 13, 1958 (Order No. C2592), said map being on file with the City Tampa Survey Department, said boundary, being the some line as the North boundary of those lands described in Official Record Book 3565, page 1895, and Official Record Book 4041, page 1405, of the Public Records of Hillsborough County, Florida; run thence Northeasterly, along said boundary and its Easterly projection, to the Centerline of Morgan Street as shown on aforementioned REVISED MAP OF BELL'S ADDITION TO TAMPA; run thence Southeasterly along said Centerline to the centerline of aforementioned Garrison Avenue; run thence East, 2.0 feet, more or less, to the Point of Beginning.

LESS AND EXCEPT THEREFROM:

Block 99 of HENDRY & KNIGHT'S MAP OF THE GARRISON, per map or plat thereof as recorded in Plat Book 2, page 73, of the Public Records of Hillsborough County, Florida, less that portion thereof conveyed to Tampa-Hillsborough County Expressway Authority by deed recorded in Official Record Book 3036, page 1173, of the Public Records of Hillsborough County, Florida.

ALSO LESS AND EXCEPT THEREFROM:

Lots 6, 8, and 10 through 15, inclusive, of Block 11, MAP OF FINLEY AND CAESAR SUBDIVISION per map or plat thereof as recorded in Plat Book 1, page 84, of the Public Records of Hillsborough County, Florida, together with those portions of Finley Street and vacated alleys abutting thereon.

Notwithstanding anything herein to the contrary, the boundary of the district shall not include any residential unit subjected to condominium ownership, as created by recording a condominium declaration in the public records of Hillsborough County.

Amendment 2 (485058)—Delete lines 1145-1146 and insert: *district to provide electric or natural gas service to retail customers or otherwise act to impair electric or natural gas utility service territories or*

On motion by Senator Young, by two-thirds vote, **CS for HB 1393**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Steube

SPECIAL ORDER CALENDAR

SENATOR GARCIA PRESIDING

CS for CS for SB 536—A bill to be entitled An act relating to limitations of actions other than for the recovery of real property; amending s. 95.11, F.S.; authorizing the commencement, within a specified time-frame, of counterclaims, cross-claims, and third-party claims that arise out of the conduct, transaction or occurrence set out or attempted to be set out in a pleading for which such claims relate; specifying that certain corrections and repairs do not extend the period of time within which an action must be commenced; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 536**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 875** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Passidomo—

CS for CS for HB 875—A bill to be entitled An act relating to limitations of actions other than for the recovery of real property; amending s. 95.11, F.S.; authorizing the commencement, within a specified time-frame, of counterclaims, cross-claims, and third-party claims after the pleading to which such claims relate; specifying that certain corrections and repairs do not extend the period of time within which an action must be commenced; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 536** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 875** was placed on the calendar of Bills on Third Reading.

SB 720—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; creating the Tampa Sulphur Springs Neighborhood of Promise Success Zone within the City of Tampa in Hillsborough County and the Overtown Children and Youth Coalition within the City of Miami in Miami-Dade County; providing for the projects to be managed by not-for-profit corporations that are not subject to control, supervision, or direction by any department of the state; providing legislative intent; requiring the corporations to be subject to public records and public meeting requirements and to requirements for the procurement of commodities and contractual services; providing that the success zone and the coalition are designed to encompass areas large enough to include certain components but small enough to allow programs and services to reach participants; providing implementation of the coalition and the success zone; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 720**, pursuant to Rule 3.11(3), there being no objection, **HB 449** was withdrawn from the Committees on Children, Families, and Elder Affairs; Community Affairs; and Rules.

On motion by Senator Young—

HB 449—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; creating the Tampa Sulphur Springs Neighborhood of Promise Success Zone within the City of Tampa in Hillsborough County and the Overtown Children and Youth Coalition within the City of Miami in Miami-Dade County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; providing legislative intent; requiring the corporations to be subject to public records and public meeting requirements and to requirements for the procurement of commodities and contractual services; providing that the success zone and the coalition are designed to encompass areas large enough to include certain components but small enough to allow programs and services to reach participants; providing implementation of the coalition and the success zone; providing an effective date.

—a companion measure, was substituted for **SB 720** and read the second time by title.

Pursuant to Rule 4.19, **HB 449** was placed on the calendar of Bills on Third Reading.

CS for SB 614—A bill to be entitled An act relating to the Participant Local Government Advisory Council; amending s. 218.409, F.S.; abolishing the Participant Local Government Advisory Council; amending ss. 218.421 and 218.422, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 614**, pursuant to Rule 3.11(3), there being no objection, **HB 6003** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Montford—

HB 6003—A bill to be entitled An act relating to the Participant Local Government Advisory Council; amending s. 218.409, F.S.; abolishing the Participant Local Government Advisory Council; amending ss. 218.421 and 218.422, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 614** and read the second time by title.

Pursuant to Rule 4.19, **HB 6003** was placed on the calendar of Bills on Third Reading.

CS for SB 746—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.202, F.S.; requiring that door-step refuse and recycling collection containers be allowed in exit corridors of certain apartment occupancies under certain circumstances; authorizing authorities having jurisdiction to approve certain alternative containers and storage arrangements; prohibiting such authorities from enforcing specified provisions until a specified date; providing legislative intent; providing for expiration; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 746**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 529** was withdrawn from the Committees on Banking and Insurance; Regulated Industries; and Rules.

On motion by Senator Bean—

CS for HB 529—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.202, F.S.; requiring that door-step refuse and recycling collection containers be allowed in exit access corridors of certain apartment occupancies under certain circumstances; authorizing authorities having jurisdiction to approve certain alternative containers and storage arrangements; requiring such authorities to allow apartment occupancies a phase-in period until a specified date to comply; providing for future repeal; providing an effective date.

—a companion measure, was substituted for **CS for SB 746** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 529** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 762—A bill to be entitled An act relating to permissible insurance acts; amending s. 626.9541, F.S.; revising the types, value, and frequency of advertising and promotional gifts that licensed insurers or their agents may give to insureds, prospective insureds, or others; authorizing such insurers and agents to make specified charitable contributions on behalf of insureds or prospective insureds; providing that title insurance agents, title insurance agencies, or title insurers may give insureds, prospective insureds, or others advertising

gifts up to a specified value; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 762**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 483** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Mayfield—

CS for CS for HB 483—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; revising the types, value, and frequency of advertising and promotional gifts that licensed insurers or their agents may give to insureds, prospective insureds, or others; authorizing such insurers and agents to make specified charitable contributions on behalf of insureds or prospective insureds; prohibiting title insurance agents, title insurance agencies, or title insurers from giving insureds, prospective insureds, or others any article of merchandise in excess of a specified value; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 762** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 483** was placed on the calendar of Bills on Third Reading.

SB 582—A bill to be entitled An act relating to write-in candidate qualifying; repealing s. 99.0615, F.S., relating to write-in candidate residency requirements; repealing a requirement that all write-in candidates must reside within the district represented by the office sought at the time of qualification; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 582**, pursuant to Rule 3.11(3), there being no objection, **HB 6009** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

On motion by Senator Rader—

HB 6009—A bill to be entitled An act relating to write-in candidates; repealing s. 99.0615, F.S., relating to write-in candidate residency requirements; providing an effective date.

—a companion measure, was substituted for **SB 582** and read the second time by title.

Pursuant to Rule 4.19, **HB 6009** was placed on the calendar of Bills on Third Reading.

CS for SB 1128—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.004, F.S.; revising the membership of the Board of Pharmacy; amending s. 465.019, F.S.; establishing Class III institutional pharmacies; providing requirements for such pharmacies; conforming provisions to changes made by the act; amending s. 465.0252, F.S.; revising notice requirements to conform to changes made by the act; amending s. 499.003, F.S.; providing and revising definitions; amending s. 499.01, F.S.; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions; deleting a provision exempting certain drug repackagers from specified permit requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1128**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 675** was withdrawn from the Committees on Health Policy; Regulated Industries; and Rules.

On motion by Senator Stargel—

CS for HB 675—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.004, F.S.; revising the membership of the Board of Pharmacy;

amending s. 465.019, F.S.; establishing Class III institutional pharmacies; providing requirements for such pharmacies; conforming provisions to changes made by the act; amending s. 465.0252, F.S.; revising notice requirements to conform to changes made by the act; amending s. 499.003, F.S.; providing and revising definitions; amending s. 499.01, F.S.; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions; deleting a provision exempting certain drug repackagers from specified permit requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 1128** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 675** was placed on the calendar of Bills on Third Reading.

SB 40—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as a result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from unappropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing a limitation on the payment of attorney fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 40**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 6535** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Thurston—

CS for CS for HB 6535—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as a result of the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **SB 40** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 6535** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

CS for CS for SB 1262—A bill to be entitled An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which initial and runoff elections for municipal office are held and providing options therefor; requiring counties that have established certain dates for the election of municipal officers through a special act to conduct municipal elections on specified dates; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1262**, pursuant to Rule 3.11(3), there being no objection, **HB 7037** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

On motion by Senator Hutson—

HB 7037—A bill to be entitled An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which an initial and runoff election for municipal office are held and providing options

therefor; requiring counties that have established certain dates for the election of municipal officers through a special act to conduct municipal elections on specified dates; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date.

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

Senator Lee moved the following amendment which was adopted:

Amendment 1 (281426)—Delete lines 37-38 and insert:
Tuesday in March, or any combination thereof.

Senator Hutson moved the following amendment which was adopted:

Amendment 2 (976690)—Delete line 54 and insert:
the Tuesday 7 weeks before the third Tuesday in March and the

Pursuant to Rule 4.19, **HB 7037**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 138—A bill to be entitled An act relating to perinatal mental health; providing a short title; creating s. 383.014, F.S.; requiring the Department of Health to establish and maintain a toll-free hotline accessible to the general public and a toll-free hotline accessible to health care providers; requiring the department to create public service announcements to educate the public on perinatal mental health care; requiring the department to encourage certain health care providers to attend continuing medical education courses on perinatal mental health care; amending s. 383.318, F.S.; revising components that are included in the postpartum evaluation and followup care required to be provided by birth centers to include a mental health screening and the provision of certain information on postpartum depression; amending s. 395.1053, F.S.; requiring hospitals that provide birthing services to provide the same postpartum evaluation and followup care that is required to be provided by birth centers; providing an appropriation, providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 138**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 937** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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

CS for CS for HB 937—A bill to be entitled An act relating to perinatal mental health; providing a short title; creating s. 383.014, F.S.; requiring the Department of Health to offer perinatal mental health care information through the Family Health Line toll-free hotline accessible to the general public; amending s. 383.318, F.S.; revising components that are included in the postpartum evaluation and followup care provided by birth centers to include a mental health screening and the provision of certain information on postpartum depression; providing an appropriation; providing an effective date.

—a companion measure substituted for **CS for SB 138** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 937** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1104** was deferred.

SB 42—A bill to be entitled An act for the relief of Vonshelle Brothers on behalf of her daughter Iyonna Hughey; providing an appropriation to compensate Iyonna Hughey for injuries and damages sustained as a result of the alleged negligence of the Brevard County Health Department, an agency of the Department of Health; providing that certain payments and the appropriation satisfy all present and future claims

related to the alleged negligent acts; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 42**, pursuant to Rule 3.11(3), there being no objection, **HB 6505** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Rodriguez—

HB 6505—A bill to be entitled An act for the relief of Vonshelle Brothers, as the natural parent and legal guardian of Iyonna Hughey; providing an appropriation to compensate her daughter for injuries and damages sustained as a result of the alleged negligence of the Brevard County Health Department, an agency of the Department of Health; providing that certain payments and the appropriation satisfy all present and future claims related to the alleged negligent acts; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—a companion measure, was substituted for **SB 42** and read the second time by title.

Pursuant to Rule 4.19, **HB 6505** was placed on the calendar of Bills on Third Reading.

SB 738—A bill to be entitled An act relating to public records and public meetings; amending s. 119.071, F.S.; providing an exemption from public records requirements for firesafety system plans held by an agency; amending s. 281.301, F.S.; providing an exemption from public records and public meetings requirements for information relating to firesafety systems for certain properties and meetings relating to such systems and information; amending s. 286.0113, F.S.; providing an exemption from public meetings requirements for portions of meetings that would reveal firesafety system plans held by an agency; providing for retroactive application; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 738**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 411** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

On motion by Senator Perry—

CS for HB 411—A bill to be entitled An act relating to public records and public meetings; amending s. 119.071, F.S.; providing an exemption from public records requirements for firesafety system plans held by an agency; amending s. 281.301, F.S.; providing an exemption from public records and public meetings requirements for information relating to firesafety systems for certain properties and meetings relating to such systems and information; amending s. 286.0113, F.S.; providing an exemption from public meetings requirements for portions of meetings that would reveal firesafety system plans held by an agency; providing for retroactive application; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **SB 738** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 411** was placed on the calendar of Bills on Third Reading.

CS for SB 808—A bill to be entitled An act relating to public records; amending s. 373.089, F.S.; providing an exemption for valuations, certain records, and sales offers for sales related to surplus lands; authorizing disclosure of such records under certain circumstances; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 808**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 705** was withdrawn from the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

On motion by Senator Baxley—

CS for CS for CS for HB 705—A bill to be entitled An act relating to a public records; amending s. 373.089, F.S.; providing an exemption for valuations, certain records, and sales offers for sales related to surplus lands; authorizing disclosure of such records under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 808** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 705** was placed on the calendar of Bills on Third Reading.

CS for SB 298—A bill to be entitled An act relating to criminal history records; amending s. 943.0585, F.S.; revising the elements that must be attested to by a petitioner in a statement submitted in support of the expunction of a criminal history record; revising the circumstances under which the Department of Law Enforcement must issue a certificate of eligibility for expunction of a criminal history record; amending s. 943.059, F.S.; revising the elements that must be attested to by a petitioner in a statement submitted in support of the sealing of a criminal history record; revising the circumstances under which the Department of Law Enforcement must issue a certificate of eligibility for sealing of a criminal history record; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 298** to **CS for HB 1065**.

Pending further consideration of **CS for SB 298**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1065** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

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

CS for HB 1065—A bill to be entitled An act relating to expunction of criminal history records; amending s. 943.0585, F.S.; providing that a person receiving a judgment of acquittal or not guilty verdict is eligible to have his or her criminal record expunged; amending s. 943.059, F.S.; revising the circumstances under which the Department of Law Enforcement must issue a certificate of eligibility for the sealing of a criminal history record; providing an effective date.

—a companion measure, was substituted for **CS for SB 298**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1065** was placed on the calendar of Bills on Third Reading.

CS for SB 806—A bill to be entitled An act relating to water management district surplus lands; amending s. 373.089, F.S.; requiring a water management district to publish its notice of intention to sell surplus lands on its website; revising the circumstances when a water management district must publish its intention to sell surplus lands; revising the process for selling certain lower valued surplus lands; defining the term “adjacent property owners”; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 806**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 703** was withdrawn from

the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

On motion by Senator Baxley—

CS for HB 703—A bill to be entitled An act relating to water management district surplus lands; amending s. 373.089, F.S.; requiring a water management district to publish a notice of intention to sell surplus lands on its website; revising the circumstances when a water management district must publish the first notice of intention to sell surplus lands; revising the process for selling certain lower valued surplus lands; defining the term “adjacent property owners”; providing an effective date.

—a companion measure, was substituted for **CS for SB 806** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 703** was placed on the calendar of Bills on Third Reading.

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

BILLS ON THIRD READING, continued

CS for HB 667—A bill to be entitled An act relating to the Beverage Law; amending s. 561.57, F.S.; providing for electronic orders received at a vendor’s licensed place of business to be construed as a sale actually made at the vendor’s licensed place of business; authorizing a vendor to make certain deliveries in a third-party vehicle under certain circumstances; requiring that the recipient’s identity and age be verified and documented at the time of delivery; requiring that deliveries comply with age requirements for selling, giving, or serving alcoholic beverages; providing an effective date.

—was read the third time by title.

On motion by Senator Young, **CS for HB 667** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Gainr

Vote after roll call:

Yea—Bradley, Hutson

SPECIAL ORDER CALENDAR, continued

CS for SB 1226—A bill to be entitled An act relating to sentencing for sexual offenders and sexual predators; amending s. 775.21, F.S.; redefining the terms “permanent residence,” “temporary residence,” and “transient residence” by decreasing the amount of days a person abides, lodges, or resides in a certain place to qualify for that type of residency category; revising existing criminal penalties for sexual predators to require mandatory minimum terms of community control with electronic monitoring for first, second, and third and subsequent felony violations if the court does not impose a prison sentence; amending s.

943.0435, F.S.; revising existing criminal penalties for sexual offenders to require mandatory minimum terms of community control with electronic monitoring for first, second, and third and subsequent felony violations if the court does not impose a prison sentence; reenacting s. 775.25, F.S., relating to prosecutions for certain acts or omissions, to incorporate the amendments made to ss. 775.21 and 943.0435, F.S., in references thereto; reenacting ss. 944.606(1)(d), 985.481(1)(d), and 985.4815(1)(f), F.S., relating to sexual offenders and required notifications upon release, sexual offenders adjudicated delinquent and required notifications upon release, and notification to the Department of Law Enforcement of information on juvenile sexual offenders, respectively, to incorporate the amendment made to s. 775.21, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1226** pursuant to Rule 3.11(3), there being no objection, **CS for HB 1301** was withdrawn from the Committees on Criminal Justice; Appropriations; and Rules.

CS for HB 1301—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; reducing the aggregate and consecutive number of days used to determine residency for purposes of sexual predator or sexual offender registration; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual predators if the court does not impose a prison sentence; amending s. 943.0435, F.S.; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual offenders if the court does not impose a prison sentence; providing an effective date.

—a companion measure, was substituted for **CS for SB 1226** and read the second time by title.

POINT OF ORDER

Senator Lee raised a point of order that pursuant to Rule 7.1(7)(c), Senator Book’s **Amendment 813382** contained language of a bill not reported favorably by all committees of reference and was therefore out of order.

The President referred the point of order and the amendment to Senator Benacquisto, Chair of the Committee on Rules, and ordered further consideration of **CS for HB 1301** with pending point of order deferred.

CS for SB 844—A bill to be entitled An act relating to excess credit hour surcharges; amending s. 1009.286, F.S.; requiring a state university to return up to a specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 844**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 565** was withdrawn from the Committees on Education; Appropriations Subcommittee on Higher Education; and Appropriations.

On motion by Senator Bean—

CS for HB 565—A bill to be entitled An act relating to excess credit hour surcharges; amending s. 1009.286, F.S.; requiring a state university to return a specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 844** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 565** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1308** was deferred.

CS for SB 44—A bill to be entitled An act for the relief of Cristina Alvarez and George Patnode; providing appropriations to compensate them for the death of their son, Nicholas Patnode, a minor, due to the negligence of the Department of Health; providing for the repayment of Medicaid liens; providing a limitation on the payment of attorney fees; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 44** to **HB 6501**.

Pending further consideration of **CS for SB 44**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 6501** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Rodriguez—

HB 6501—A bill to be entitled An act for the relief of Cristina Alvarez and George Patnode; providing appropriations to compensate them for the death of their son, Nicholas Patnode, a minor, due to the negligence of the Department of Health; providing for the repayment of 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 44**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **HB 6501** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 1314—A bill to be entitled An act relating to the Florida Capital Formation Act; amending s. 20.60, F.S.; deleting the requirement that the Department of Economic Opportunity manage certain activities related to the commercialization of specified products, services, and ideas; specifying that the Institute for Commercialization of Florida Technology is not an appropriate direct-support organization; amending s. 288.9621, F.S.; including s. 288.96255, F.S., in the Florida Capital Formation Act; amending s. 288.9622, F.S.; revising legislative intent; amending s. 288.9623, F.S.; defining terms; amending s. 288.9625, F.S.; redesignating the Institute for the Commercialization of Public Research as the Institute for Commercialization of Florida Technology; specifying that the institute is not subject to control, supervision, or direction by the department; deleting provisions regarding the institute's responsibilities; requiring that the investment-related affairs of the institute be managed by the private fund manager and overseen by the board of directors; restructuring the board of directors and the selection process for the board of directors; specifying term limits of the board members under certain circumstances; requiring the board of directors to amend the bylaws of the institute under certain circumstances; providing that a director is subject to restrictions on certain conflicts of interest; prohibiting a director from having a financial interest in certain investments; authorizing a director to be reimbursed for certain expenses; granting the institute certain powers; requiring the institute to indemnify certain persons; delegating certain duties to the board of directors; revising to whom the board must provide a copy of the annual report and who may require and receive supplemental data relative to the institute's operation; specifying that certain requirements be met before the private fund manager is authorized to make an investment in a company, on behalf of the institute; deleting provisions relating to certain duties of the institute; deleting provisions relating to certain fees charged by the institute and the prohibition on using capital in support of certain entities; specifying that the annual report is considered a public record subject to certain exemptions; revising the requirements of the institute's annual report; listing requirements and prohibitions for the private fund manager; stating the purpose of the institute's use of the private fund manager; requiring the private fund manager to assume the management of certain assets; authorizing the private fund manager to act on behalf of the institute for certain purposes; requiring that the private fund manager be paid certain fees; authorizing the private fund manager to

undertake certain activities on behalf of the institute; requiring the private fund manager to issue an annual report to the board of directors by a specific date; specifying that the annual report is considered a public record subject to certain exemptions; requiring that the report contain certain information; amending s. 288.96255, F.S.; requiring that certain proceeds be returned to the Florida Technology Seed Capital Fund after the payment of certain costs and fees; requiring the institute to employ a private fund manager; requiring the private fund manager to perform specific duties; requiring that the private fund manager receive certain fees and costs at a specified time; requiring the private fund manager to use a certain process to evaluate a proposal; requiring the private fund manager to consider certain factors when approving a company for investment; deleting specific requirements for the investment of funds; authorizing the private fund manager, in addition to the institute, to perform certain tasks; amending s. 288.9627, F.S.; conforming provisions to changes made by this act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1314** was placed on the calendar of Bills on Third Reading.

CS for SB 1318—A bill to be entitled An act relating to licensing and training; amending s. 120.565, F.S.; authorizing a person to seek a declaratory statement from an agency as to the effect of the person's criminal background on his or her eligibility for certain licenses, registrations, or certificates; specifying that a person may seek a declaratory statement before meeting any prerequisites for the license, registration, or certification; requiring that an agency's conclusion in the declaratory statement contain certain statements; providing that the agency's conclusion is binding, except under certain circumstances; requiring a person seeking a declaratory statement to submit certain items to the agency and pay certain fees and costs; providing requirements for the processing of fingerprints; requiring the petitioner to pay the actual cost of processing the fingerprints; amending s. 455.213, F.S.; requiring the board to use a specified process for the review of an applicant's criminal record to determine the applicant's eligibility for certain licenses; prohibiting the conviction of a crime before a specified date from being grounds for the denial of certain licenses; providing exceptions; defining the term "conviction"; authorizing a person to apply for a license before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing a denial of a license application solely on the applicant's current confinement or supervision; authorizing the board to stay the issuance of an approved license under certain circumstances; requiring the board to verify an applicant's release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes affect an applicant's eligibility for licensure; amending s. 464.203, F.S.; prohibiting the conviction of a crime before a specified date from being grounds for the denial of a certification under certain circumstances; prohibiting the conviction of a crime before a specified date from being grounds for the failure of a background screening; authorizing a person to apply for certification before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing the denial of a certification solely on the applicant's current confinement or supervision; authorizing the board to stay the issuance of an approved certificate under certain circumstances; requiring the board to verify an applicant's release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes may affect an applicant's eligibility for certification; amending s. 400.211, F.S.; conforming a cross-reference; amending s. 944.801, F.S.; authorizing the Department of Corrections to contract with certain entities to provide educational services for the Correctional Education Program; amending s. 951.176, F.S.; authorizing each county to contract with certain entities to provide educational services for county inmates; amending ss. 1011.80 and 1011.81, F.S.; removing provisions prohibiting state funds for the operation of postsecondary workforce programs and funds for the Florida College System Program Fund, respectively, from being used for the education of certain state inmates; amending s. 1011.84, F.S.; conforming a provision to changes made by the act; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1318** to **HB 1201**.

Pending further consideration of **CS for SB 1318**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 1201** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

HB 1201—A bill to be entitled An act relating to education for prisoners; amending s. 944.801, F.S.; authorizing the Department of Corrections to contract with certain entities to provide education services for the Correctional Education Program; amending s. 951.176, F.S.; authorizing each county to contract with certain entities to provide education services for county inmates; amending s. 1011.80, F.S.; authorizing the use of state funds for the operation of postsecondary workforce programs for the education of certain state inmates; providing an effective date.

—a companion measure, was substituted for **CS for SB 1318**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **HB 1201** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baxley—

CS for SB 1066—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1066** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1244—A bill to be entitled An act relating to growth management; amending s. 165.0615, F.S.; adding a minimum population standard as a criteria that must be met before qualified electors of an independent special district commence a certain municipal conversion proceeding; amending s. 380.06, F.S.; revising the statewide guidelines and standards for developments of regional impact; deleting criteria that the Administration Commission is required to consider in adopting its guidelines and standards; revising provisions relating to the application of guidelines and standards; revising provisions relating to variations and thresholds for such guidelines and standards; deleting provisions relating to the issuance of binding letters; specifying that previously issued letters remain valid unless previously expired; specifying the procedure for amending a binding letter of interpretation; specifying that previously issued clearance letters remain valid unless previously expired; deleting provisions relating to authorizations to develop, applications for approval of development, concurrent plan amendments, preapplication procedures, preliminary development agreements, conceptual agency review, application sufficiency, local notice, regional reports, and criteria for the approval of developments inside and outside areas of critical state concern; revising provisions relating to local government development orders; specifying that amendments to a development order for an approved development may not amend to an earlier date the date before when a development would be subject to downzoning, unit density reduction, or intensity reduction, except under certain conditions; removing a requirement that certain conditions of a development order meet specified criteria; specifying that construction of certain mitigation-of-impact facilities is not subject to competitive bidding or competitive negotiation for selection of a contractor or design professional; removing requirements relating to local government approval of developments of regional impact that do not meet certain requirements; removing a requirement that the Department of Economic Opportunity and other agencies cooperate in preparing certain ordinances; authorizing developers to record notice of certain rescinded development orders; specifying that certain agreements regarding developments that are essentially built out remain valid unless previously expired; deleting requirements for a local gov-

ernment to issue a permit for a development subsequent to the buildout date contained in the development order; specifying that amendments to development orders do not diminish or otherwise alter certain credits for a development order exaction or fee against impact fees, mobility fees, or exactions; deleting a provision relating to the determination of certain credits for impact fees or extractions; deleting a provision exempting a nongovernmental developer from being required to competitively bid or negotiate construction or design of certain facilities except under certain circumstances; specifying that certain capital contribution front-ending agreements remain valid unless previously expired; deleting a provision relating to local monitoring; revising requirements for developers regarding reporting to local governments and specifying that such reports are not required unless required by a local government with jurisdiction over a development; revising the requirements and procedure for proposed changes to a previously approved development of regional impact and deleting rulemaking requirements relating to such procedure; revising provisions relating to the approval of such changes; specifying that certain extensions previously granted by statute are still valid and not subject to review or modification; deleting provisions relating to determinations as to whether a proposed change is a substantial deviation; deleting provisions relating to comprehensive development-of-regional-impact applications and master plan development orders; specifying that certain agreements that include two or more developments of regional impact which were the subject of a comprehensive development-of-regional-impact application remain valid unless previously expired; deleting provisions relating to downtown development authorities; deleting provisions relating to adoption of rules by the state land planning agency; deleting statutory exemptions from development-of-regional-impact review; specifying that an approval of an authorized developer for an areawide development of regional impact remains valid unless previously expired; deleting provisions relating to areawide developments of regional impact; deleting an authorization for the state land planning agency to adopt rules relating to abandonment of developments of regional impact; requiring local governments to file a notice of abandonment under certain conditions; deleting an authorization for the state land planning agency to adopt a procedure for filing such notice; requiring a development-of-regional-impact development order to be abandoned by a local government under certain conditions; deleting a provision relating to abandonment of developments of regional impact in certain high-hazard coastal areas; authorizing local governments to approve abandonment of development orders for an approved development under certain conditions; deleting a provision relating to rights, responsibilities, and obligations under a development order; deleting partial exemptions from development-of-regional-impact review; deleting exemptions for dense urban land areas; specifying that proposed developments that exceed the statewide guidelines and standards and that are not otherwise exempt be approved by local governments instead of through specified development-of-regional-impact proceedings; providing an exception; amending s. 380.061, F.S.; specifying that the Florida Quality Developments program only applies to previously approved developments in the program before the effective date of the act; specifying a process for local governments to adopt a local development order to replace and supersede the development order adopted by the state land planning agency for the Florida Quality Developments; deleting program intent, eligibility requirements, rulemaking authorizations, and application and approval requirements and processes; deleting an appeals process and the Quality Developments Review Board; amending s. 380.0651, F.S.; deleting provisions relating to the superseding of guidelines and standards adopted by the Administration Commission and the publishing of guidelines and standards by the Administration Commission; conforming a provision to changes made by the act; specifying exemptions and partial exemptions from development-of-regional-impact review; deleting provisions relating to determining whether there is a unified plan of development; deleting provisions relating to the circumstances where developments should be aggregated; deleting a provision relating to prospective application of certain provisions; deleting a provision authorizing state land planning agencies to enter into agreements for the joint planning, sharing, or use of specified public infrastructure, facilities, or services by developers; deleting an authorization for the state land planning agency to adopt rules; amending s. 380.07, F.S.; deleting an authorization for the Florida Land and Water Adjudicatory Commission to adopt rules regarding the requirements for developments of regional impact; revising when a local government must transmit a development order to the state land planning agency, the regional planning agency, and the owner or developer of the property affected by such order; deleting a process for

regional planning agencies to undertake appeals of development-of-regional-impact development orders; revising a process for appealing development orders for consistency with a local comprehensive plan to be available only for developments in areas of critical state concern; deleting a procedure regarding certain challenges to development orders relating to developments of regional impact; amending s. 380.115, F.S.; deleting a provision relating to changes in development-of-regional-impact guidelines and standards and the impact of such changes on vested rights, duties, and obligations pursuant to any development order or agreement; requiring local governments to monitor and enforce development orders and prohibiting local governments from issuing permits, approvals, or extensions of services if a developer does not act in substantial compliance with an order; deleting provisions relating to changes in development of regional impact guidelines and standards and their impact on the development approval process; amending s. 125.68, F.S.; conforming a cross-reference; amending s. 163.3245, F.S.; conforming cross-references; conforming provisions to changes made by the act; revising the circumstances in which applicants who apply for master development approval for an entire planning area must remain subject to a master development order; specifying an exception; deleting a provision relating to the level of review for applications for master development approval; amending s. 163.3246, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 189.08, F.S.; conforming a cross-reference; conforming a provision to changes made by the act; amending s. 190.005, F.S.; conforming cross-references; amending ss. 190.012 and 252.363, F.S.; conforming cross-references; amending s. 369.303, F.S.; conforming a provision to changes made by the act; amending ss. 369.307, 373.236, and 373.414, F.S.; conforming cross-references; amending s. 378.601, F.S.; conforming a provision to changes made by the act; repealing s. 380.065, F.S., relating to a process to allow local governments to request certification to review developments of regional impact that are located within their jurisdictions in lieu of the regional review requirements; amending ss. 380.11 and 403.524, F.S.; conforming cross-references; repealing specified rules regarding uniform review of developments of regional impact by the state land planning agency and regional planning agencies; repealing the rules adopted by the Administration Commission regarding whether two or more developments, represented by their owners or developers to be separate developments, shall be aggregated; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1244**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1151** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations; and Rules.

On motion by Senator Lee—

CS for CS for HB 1151—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; revising the statewide guidelines and standards for developments of regional impact; deleting criteria that the Administration Commission is required to consider in adopting its guidelines and standards; revising provisions relating to the application of guidelines and standards; revising provisions relating to variations and thresholds for such guidelines and standards; deleting provisions relating to the issuance of binding letters; specifying that previously issued letters remain valid unless previously expired; specifying the procedure for amending a binding letter of interpretation; specifying that previously issued clearance letters remain valid unless previously expired; deleting provisions relating to authorizations to develop, applications for approval of development, concurrent plan amendments, preapplication procedures, preliminary development agreements, conceptual agency review, application sufficiency, local notice, regional reports, and criteria for the approval of developments inside and outside areas of critical state concern; revising provisions relating to local government development orders; specifying that amendments to a development order for an approved development may not amend to an earlier date the date before which a development would be subject to downzoning, unit density reduction, or intensity reduction, except under certain conditions; removing a requirement that certain conditions of a development order meet specified criteria; specifying that construction of certain mitigation-of-impact facilities is not subject to competitive bidding or competitive negotiation for selection of a contractor or design professional; removing requirements re-

lating to local government approval of developments of regional impact that do not meet certain requirements; removing a requirement that the Department of Economic Opportunity and other agencies cooperate in preparing certain ordinances; authorizing developers to record notice of certain rescinded development orders; specifying that certain agreements regarding developments that are essentially built out remain valid unless previously expired; deleting requirements for a local government to issue a permit for a development subsequent to the buildout date contained in the development order; specifying that amendments to development orders do not diminish or otherwise alter certain credits for a development order exaction or fee against impact fees, mobility fees, or exactions; deleting a provision relating to the determination of certain credits for impact fees or extractions; deleting a provision exempting a nongovernmental developer from being required to competitively bid or negotiate construction or design of certain facilities except under certain circumstances; specifying that certain capital contribution front-ending agreements remain valid unless previously expired; deleting a provision relating to local monitoring; revising requirements for developers regarding reporting to local governments and specifying that such reports are not required unless required by a local government with jurisdiction over a development; revising the requirements and procedure for proposed changes to a previously approved development of regional impact and deleting rulemaking requirements relating to such procedure; revising provisions relating to the approval of such changes; specifying that certain extensions previously granted by statute are still valid and not subject to review or modification; deleting provisions relating to determinations as to whether a proposed change is a substantial deviation; deleting provisions relating to comprehensive development-of-regional-impact applications and master plan development orders; specifying that certain agreements that include two or more developments of regional impact which were the subject of a comprehensive development-of-regional-impact application remain valid unless previously expired; deleting provisions relating to downtown development authorities; deleting provisions relating to adoption of rules by the state land planning agency; deleting statutory exemptions from development-of-regional-impact review; specifying that an approval of an authorized developer for an areawide development of regional impact remains valid unless previously expired; deleting provisions relating to areawide developments of regional impact; deleting an authorization for the state land planning agency to adopt rules relating to abandonment of developments of regional impact; requiring local governments to file a notice of abandonment under certain conditions; deleting an authorization for the state land planning agency to adopt a procedure for filing such notice; requiring a development-of-regional-impact development order to be abandoned by a local government under certain conditions; deleting a provision relating to abandonment of developments of regional impact in certain high-hazard coastal areas; authorizing local governments to approve abandonment of development orders for an approved development under certain conditions; deleting a provision relating to rights, responsibilities, and obligations under a development order; deleting partial exemptions from development-of-regional-impact review; deleting exemptions for dense urban land areas; specifying that proposed developments that exceed the statewide guidelines and standards and that are not otherwise exempt be approved by local governments instead of through specified development-of-regional-impact proceedings; providing an exception; amending s. 380.061, F.S.; specifying that the Florida Quality Developments program only applies to previously approved developments in the program before the effective date of the act; specifying a process for local governments to adopt a local development order to replace and supersede the development order adopted by the state land planning agency for the Florida Quality Developments; deleting program intent, eligibility requirements, rulemaking authorizations, and application and approval requirements and processes; deleting an appeals process and the Quality Developments Review Board; amending s. 380.0651, F.S.; deleting provisions relating to the superseding of guidelines and standards adopted by the Administration Commission and the publishing of guidelines and standards by the Administration Commission; conforming a provision to changes made by the act; specifying exemptions and partial exemptions from development-of-regional-impact review; deleting provisions relating to determining whether there is a unified plan of development; deleting provisions relating to the circumstances where developments should be aggregated; deleting a provision relating to prospective application of certain provisions; deleting a provision authorizing state land planning agencies to enter into agreements for the joint planning, sharing, or use of specified public infrastructure, facilities, or services by developers;

deleting an authorization for the state land planning agency to adopt rules; amending s. 380.07, F.S.; deleting an authorization for the Florida Land and Water Adjudicatory Commission to adopt rules regarding the requirements for developments of regional impact; revising when a local government must transmit a development order to the state land planning agency, the regional planning agency, and the owner or developer of the property affected by such order; deleting a process for regional planning agencies to undertake appeals of development-of-regional-impact development orders; revising a process for appealing development orders for consistency with a local comprehensive plan to be available only for developments in areas of critical state concern; deleting a procedure regarding certain challenges to development orders relating to developments of regional impact; amending s. 380.115, F.S.; deleting a provision relating to changes in development-of-regional-impact guidelines and standards and the impact of such changes on vested rights, duties, and obligations pursuant to any development order or agreement; requiring local governments to monitor and enforce development orders and prohibiting local governments from issuing permits, approvals, or extensions of services if a developer does not act in substantial compliance with an order; deleting provisions relating to changes in development of regional impact guidelines and standards and their impact on the development approval process; amending s. 125.68, F.S.; conforming a cross-reference; amending s. 163.3245, F.S.; conforming cross-references; conforming provisions to changes made by the act; revising the circumstances in which applicants who apply for master development approval for an entire planning area must remain subject to a master development order; specifying an exception; deleting a provision relating to the level of review for applications for master development approval; amending s. 163.3246, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 189.08, F.S.; conforming a cross-reference; conforming a provision to changes made by the act; amending s. 190.005, F.S.; conforming cross-references; amending ss. 190.012 and 252.363, F.S.; conforming cross-references; amending s. 369.303, F.S.; conforming a provision to changes made by the act; amending ss. 369.307, 373.236, and 373.414, F.S.; conforming cross-references; amending s. 378.601, F.S.; conforming a provision to changes made by the act; repealing s. 380.065, F.S., relating to a process to allow local governments to request certification to review developments of regional impact that are located within their jurisdictions in lieu of the regional review requirements; amending ss. 380.11 and 403.524, F.S.; conforming cross-references; amending s. 163.3164, F.S.; defining the term “master development plan” or “master plan”; amending s. 212.055, F.S.; conforming a cross-reference; repealing specified rules regarding uniform review of developments of regional impact by the state land planning agency and regional planning agencies; repealing the rules adopted by the Administration Commission regarding whether two or more developments, represented by their owners or developers to be separate developments, shall be aggregated; providing a directive to the Division of Law Revision and Information; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1244** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1151** was placed on the calendar of Bills on Third Reading.

SB 1094—A bill to be entitled An act relating to trespass on airport property; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; defining the term “operational area of an airport”; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1094**, pursuant to Rule 3.11(3), there being no objection, **HB 523** was withdrawn from the Committees on Criminal Justice; Community Affairs; and Rules.

On motion by Senator Simmons—

HB 523—A bill to be entitled An act relating to trespass on airport property; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; providing an effective date.

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

Pursuant to Rule 4.19, **HB 523** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1418—A bill to be entitled An act relating to substance abuse services; amending s. 394.4572, F.S.; authorizing the Department of Health or the Agency for Health Care Administration, as applicable, to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; amending s. 397.4073, F.S.; revising provisions relating to background checks and exemptions from disqualification for certain service provider personnel; requiring the Department of Children and Families to grant or deny an exemption from disqualification within a certain timeframe; authorizing certain applicants for an exemption to work under the supervision of certain persons for a specified period of time while his or her application is pending; authorizing certain persons to be exempted from disqualification from employment; authorizing the department to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; amending s. 397.487, F.S.; revising legislative findings relating to voluntary certification of recovery residences; requiring recovery residences to comply with specified Florida Fire Prevention Code provisions; revising background screening requirements for owners, directors, and chief financial officers of recovery residences; amending s. 397.4873, F.S.; providing exceptions to limitations on referrals by recovery residences to licensed service providers; prohibiting recovery residences and specified affiliated individuals from benefitting from certain referrals; providing penalties; amending s. 435.07, F.S.; authorizing the exemption of certain persons from disqualification from employment; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1418**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1069** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Rules.

On motion by Senator Rouson—

CS for CS for CS for HB 1069—A bill to be entitled An act relating to substance abuse services; amending s. 394.4572, F.S.; authorizing the Department of Health and the Agency for Health Care Administration to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; amending s. 397.311, F.S.; defining the term “peer specialist”; amending s. 397.4073, F.S.; revising provisions relating to background checks and exemptions from disqualification for certain service provider personnel; requiring the Department of Children and Families to grant or deny an exemption from disqualification within a certain timeframe; authorizing an applicant for an exemption to work under the supervision of certain persons for a specified period of time while his or her application is pending; authorizing certain persons to be exempted from disqualification from employment; authorizing the department to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; creating s. 397.417, F.S.; providing qualifications for certification as a peer specialist; requiring the department to develop and implement a training program for individuals seeking certification as peer specialists; authorizing the department to designate certain credentialing entities to certify peer specialists; providing requirements for individuals providing certain recovery support services as peer specialists; amending s. 397.487, F.S.; revising legislative findings relating to voluntary certification of recovery residences; requiring recovery residences to comply with specified Florida Fire Prevention Code provisions; revising background screening requirements for owners, directors, and chief financial officers of recovery residences; amending s. 397.4873, F.S.; providing exceptions to limitations on referrals by recovery residences to licensed service providers; providing additional conditions for an exemption to limitations on referrals by licensed service providers to their wholly owned subsidiaries; prohibiting recovery residences and specified affiliated individuals from receiving pecuniary benefits from licensed service providers for certain referrals; providing penalties; amending s. 435.07, F.S.; authorizing certain persons to be exempted from dis-

qualification from employment; amending ss. 212.055, 397.416, and 440.102, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1418** and read the second time by title.

Senator Rouson moved the following amendment:

Amendment 1 (445832) (with title amendment)—Delete lines 116-238 and insert:

mental health or substance use disorders or co-occurring disorders under the supervision of persons who meet all personnel requirements of this chapter for up to 90 days after being notified of the disqualification or until the department a qualified professional licensed under chapter 490 or chapter 491 or a master's level certified addictions professional until the agency makes a final determination regarding the request for an exemption from disqualification, whichever is earlier.

(h)(g) The department may not issue a regular license to any service provider that fails to provide proof that background screening information has been submitted in accordance with chapter 435.

(4) EXEMPTIONS FROM DISQUALIFICATION.—

(a) The department may grant to any service provider personnel an exemption from disqualification as provided in s. 435.07.

(b) Since rehabilitated substance abuse impaired persons are effective in the successful treatment and rehabilitation of individuals with substance use disorders, for service providers which treat adolescents 13 years of age and older, service provider personnel whose background checks indicate crimes under s. 796.07(2)(e), s. 810.02(4), s. 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02, s. 893.13, or s. 893.147, and any related criminal attempt, solicitation, or conspiracy under s. 777.04, may be exempted from disqualification from employment pursuant to this paragraph.

(c) *The department may grant exemptions from disqualification for service provider personnel to work solely in substance abuse treatment programs or facilities or in programs or facilities that treat co-occurring substance use and mental health disorders. The department may further limit such grant exemptions from disqualification which would limit service provider personnel to working with adults in substance abuse treatment facilities.*

Section 4. Section 397.417, Florida Statutes, is created to read:

397.417 Behavioral health peer specialists.—

(1) *An individual is eligible for certification as a peer specialist if he or she has been in recovery from a substance use disorder or mental illness for at least 2 years or if he or she has experience as a family member or caregiver of a person with a substance use disorder or mental illness.*

(2) *The department shall develop and implement a training program for individuals seeking certification as peer specialists. The department may designate one or more credentialing entities that have met nationally recognized standards for developing and administering professional certification programs to certify peer specialists.*

(3) *An individual providing department-funded recovery support services as a peer specialist shall be certified pursuant to subsection (2). However, an individual who is not certified may provide recovery support services as a peer specialist for up to 1 year if he or she is working toward certification and is supervised by a qualified professional or by a certified peer specialist with supervisory training who has at least 3 years of full-time experience as a peer specialist at a licensed behavioral health organization.*

(4) *A peer specialist service may be reimbursed as a recovery service through the department, a behavioral health managing entity, or the Medicaid program. Medicaid managed care plans are encouraged to use peer specialists in providing recovery services.*

Section 5. Subsection (1) and subsection (6) of section 397.487, Florida Statutes, are amended to read:

397.487 Voluntary certification of recovery residences.—

(1) The Legislature finds that a person suffering from addiction has a higher success rate of achieving long-lasting sobriety when given the opportunity to build a stronger foundation by living in a recovery residence *while receiving treatment or after completing treatment.* The Legislature further finds that this state and its subdivisions have a legitimate state interest in protecting these persons, who represent a vulnerable consumer population in need of adequate housing. It is the intent of the Legislature to protect persons who reside in a recovery residence.

(6) All owners, directors, and chief financial officers of an applicant recovery residence are subject to level 2 background screening as provided under chapter 435 and s. 408.809. A recovery residence is ineligible for certification, and a credentialing entity shall deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 397.4073 or s. 397.4872. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

Section 6. Section 397.4873, Florida Statutes, is amended to read:

397.4873 Referrals to or from recovery residences; prohibitions; penalties.—

(1) A service provider licensed under this part may not make a referral of a prospective, current, or discharged patient to, or accept a referral of such a patient from, a recovery residence unless the recovery residence holds a valid certificate of compliance as provided in s. 397.487 and is actively managed by a certified recovery residence administrator as provided in s. 397.4871.

(2) Subsection (1) does not apply to:

(a) A licensed service provider under contract with a managing entity as defined in s. 394.9082.

(b) Referrals by a recovery residence to a licensed service provider when *a resident has experienced a recurrence of substance use and, in the best judgment of the recovery residence administrator, it appears that the resident may benefit from clinical treatment services the recovery residence or its owners, directors, operators, or employees do not benefit, directly or indirectly, from the referral.*

(c) Referrals made before *January 1, 2019 July 1, 2018*, by a licensed service provider to that licensed service provider's wholly owned subsidiary, *provided that applications and associated fees are submitted by July 1, 2018.*

(3) *A recovery residence or its owners, directors, operators, employees, or volunteers may not receive a pecuniary benefit, directly or indirectly, from a licensed service provider in exchange for a referral made pursuant to subsection (1) or*

And the title is amended as follows:

Delete lines 30-34 and insert: *specialists; providing that a peer specialist may be reimbursed as a recovery service through the department, a behavioral health managing entity, or the Medicaid program; encouraging Medicaid managed care plans to use peer specialists in providing recovery services; amending s. 397.487, F.S.; revising legislative findings relating to voluntary certification of recovery residences; revising background*

Senator Rouson moved the following amendment to **Amendment 1 (445832)** which was adopted:

Amendment 1A (570748) (with title amendment)—Delete lines 62-66.

And the title is amended as follows:

Delete lines 127 - 135 and insert:

Delete lines 32 - 34 and insert:

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

Senator Garcia moved the following amendment to **Amendment 1 (445832)** which was adopted:

Amendment 1B (719108) (with title amendment)—Between lines 38 and 39 insert:

(d) When evaluating a peer specialist’s application for exemption from disqualification, the department shall consider:

1. *The need for peer specialists to provide support services and the shortage of professionals and paraprofessionals to provide behavioral health services.*
2. *That peer specialists may have criminal histories resulting from substance use disorders or mental illnesses that prevent them from meeting background screening requirements.*
3. *That peer specialists provide effective mental health and substance abuse treatment support services because they share common life experiences with the persons they assist and promote a sense of community among those in recovery.*
4. *That research has shown that peer support facilitates recovery and reduces health care costs.*

And the title is amended as follows:

Delete lines 127 - 137 and insert:
Delete lines 21 - 34 and insert: certain treatment programs and facilities; requiring the department to consider certain factors when evaluating an application for an exemption; creating s. 397.417, F.S.; providing qualifications for certification as a peer specialist; requiring the department to develop and implement a training program for individuals seeking certification as peer specialists; authorizing the department to designate certain credentialing entities to certify peer specialists; providing requirements for individuals providing certain recovery support services as peer specialists; providing that a peer specialist may be reimbursed as a recovery service through the department, a behavioral health managing entity, or the Medicaid program; encouraging Medicaid managed care plans to use peer specialists in providing recovery services; amending s. 397.487, F.S.; revising legislative findings relating to voluntary certification of recovery residences; revising background

Amendment 1 (445832), as amended, was adopted.

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

Senator Garcia moved the following amendment which was adopted:

Amendment 2 (732762) (with title amendment)—Delete line 110 and insert:

60 days after receipt of a complete application. The department shall provide technical assistance to the personnel requesting an exemption from disqualification regarding the process, including, but not limited to:

1. *Providing, in plain language, a description of the process for requesting an exemption, instructions for completing the application to request an exemption, timeframes for responses from the department, guidance on addressing problems commonly encountered in completing the application, and contact information for individuals available to provide technical assistance.*
2. *Within 10 days after a service provider personnel’s initial submission of an application for an exemption, conducting a preliminary review and notifying such personnel of likely deficiencies in the application.*
3. *Advising the service provider personnel requesting an exemption that, if records from a jurisdiction are no longer available, alternative methods that such personnel may use to provide necessary information to the department.*

4. *Contacting service provider personnel whose applications for an exemption remain incomplete 30 days after the last communication by the department to determine if the personnel need additional technical assistance or wish to withdraw their applications.*

And the title is amended as follows:

Delete line 14 and insert: timeframe; requiring the department to provide certain technical assistance to personnel requesting an exemption; authorizing an applicant for an exemption

Pursuant to Rule 4.19, **CS for CS for CS for HB 1069**, as amended, was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized Representative Joseph Abruzzo who was present in the chamber.

CS for CS for SB 1576—A bill to be entitled An act relating to animal welfare; creating s. 823.151, F.S.; providing legislative findings; requiring specified entities that take receivership of lost or stray dogs or cats to adopt written policies and procedures to ensure that every reasonable effort is made to quickly and reliably return owned animals to their owners; providing requirements for such policies and procedures; requiring that specified records be available to the public; amending s. 828.12, F.S.; authorizing a court to prohibit certain offenders from owning or having custody or control over animals; amending s. 921.0022, F.S.; revising the ranking of offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title. On motion by Senator Steube, by two-thirds vote, **CS for CS for SB 1576** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The Senate resumed consideration of—

CS for HB 1301—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; reducing the aggregate and consecutive number of days used to determine residency for purposes of sexual predator or sexual offender registration; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual predators if the court does not impose a prison sentence; amending s. 943.0435, F.S.; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual offenders if the court does not impose a prison sentence; providing an effective date.

—which was previously considered this day with pending point of order.

RULING ON POINT OF ORDER

The President recognized Senator Benacquisto, Chair of the Committee on Rules, on **CS for HB 1301** with pending point of order and **Amendment 813382**.

Senator Benacquisto: Mr. President, Senator Lee raised a point of order under Rule 7.1(7)(c) that Senator Book's amendment, barcode 813382, is out of order because it is the same and identical as to specific intent as **CS for SB 1044**, which now resides in the Rules Committee. A review of the bills and the amendment by Senator Book confirms that the amendment by Senator Book is the exact text of **CS for SB 1044**. Therefore, Mr. President, because Rule 7.1(7)(c) prohibits an amendment from being offered that is the principal substance of a bill that has not been reported favorably by all committees of reference, it is my recommendation that the amendment by Senator Book is out of order.

President Negron: Based on the recommendation of Rules Chair Benacquisto, I find that the point is well taken and the amendment is out of order.

MOTIONS

Senator Book moved that Rule 7.1(7)(c) be waived to allow the consideration of **Amendment 813382**. The motion was adopted by the required two-thirds vote.

Senator Book moved the following amendment which was adopted:

Amendment 1 (813382) (with title amendment)—Between lines 205 and 206 insert:

Section 3. Section 787.061, Florida Statutes, is created to read:

787.061 *Civil actions by victims of human trafficking.*—

(1) *FINDINGS.*—The Legislature finds that, to achieve the intent of the Legislature relating to human trafficking expressed in s. 787.06(1)(d), it is necessary to provide a civil cause of action for the recovery of compensatory and punitive damages, attorney fees, and costs.

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

(a) “Facilitator” means a person who knowingly, or in willful blindness, assists or provides resources or goods or services to a trafficker which assist or enable the trafficker to carry out human trafficking. The term does not include a person who facilitates human trafficking as a result of force, threat, or coercion.

(b) “Human trafficking” has the same meaning as provided in s. 787.06.

(c) “Trafficker” means any person who knowingly engages in human trafficking, attempts to engage in human trafficking, or benefits financially by receiving anything of value from participation in a venture that has subjected a person to human trafficking.

(d) “Trust fund” means the Trust Fund for Victims of Human Trafficking and Prevention created in s. 787.0611.

(e) “Venture” means any group of two or more individuals associated in fact, whether or not a legal entity.

(f) “Victim of human trafficking” means a person subjected to coercion, as defined in s. 787.06, for the purpose of being used in human trafficking; a child under 18 years of age subjected to human trafficking; or an individual subjected to human trafficking as defined by federal law.

(g) “Willful blindness” exists when a person has knowledge of information that would raise suspicions in a reasonable person and he or she deliberately refrains from obtaining confirmation of or acting on the information because he or she wants to remain in ignorance, such that knowledge of the facts avoided can reasonably and fairly be imputed to the person who avoided confirming it.

(3) *CIVIL CAUSE OF ACTION.*—

(a) A victim of human trafficking has a civil cause of action against the trafficker or facilitator who victimized her or him and may recover damages as provided in this section.

(b) The action may be brought in any court of competent jurisdiction, and the standard of proof is the greater weight of the evidence, but the standard of proof for punitive damages under this section is clear and convincing evidence.

(c) A victim who prevails in any such action is entitled to recover economic and noneconomic damages, penalties, punitive damages, reasonable attorney fees, reasonable investigative expenses, and costs.

1. Economic damages include, but are not limited to, past and future medical and mental health expenses; repatriation expenses, when a victim elects repatriation; and all other reasonable costs and expenses incurred by the victim in the past or estimated to be incurred by the victim in the future as a result of the human trafficking.

2. Noneconomic damages include pain and suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of capacity for enjoyment of life, and other nonfinancial losses.

(d) The remedies provided in this section are in addition to and cumulative with other legal and administrative remedies available to victims of human trafficking, except that a victim may not recover under both this section and s. 772.104(2). If a parent or legal guardian knowingly or through willful blindness trafficked the victim, facilitated such trafficking, or otherwise participated in the human trafficking of the victim, such parent or legal guardian is not entitled to damages or distributions under this section.

(e) If a victim prevails in an action under this section, in addition to any other award imposed, the court shall assess a civil penalty against the defendant in the amount of \$50,000. This penalty is in addition to and not in lieu of any other damage award. The civil penalty must be assessed by the court and may not be disclosed to the jury. The entire \$50,000 civil penalty shall be deposited into the trust fund unless the proceeds become subject to equitable distribution under paragraph (g).

(f) If a victim prevails in an action under this section, and if one or more law enforcement agencies rescued the victim or stopped the abuse or exploitation of a victim on the property where it occurred, the court shall assess a civil penalty against the defendant in the amount of \$50,000 and award the penalty to such law enforcement agencies to fund future efforts to combat human trafficking. This penalty is in addition to, and not in lieu of, any other damage award or civil penalty. The court shall equitably distribute this civil penalty among the law enforcement agencies. The entire \$50,000 civil penalty shall be distributed to the law enforcement agencies unless the proceeds become subject to equitable distribution under paragraph (g).

(g) If an action brought under this section is either settled prior to a jury verdict or the victim is unable to recover the full amount of the compensatory damages caused by the human trafficking, the court must determine the percentage of the victim's damages that were recovered, after deducting the victim's reasonable and necessary out-of-pocket expenses, but before deducting attorney fees, and that same percentage of \$50,000 shall be paid from the recovery to the trust fund. If one or more law enforcement agencies are entitled to a civil penalty under paragraph (f), that same percentage of \$50,000 shall be paid from the recovery to the law enforcement agencies to fund future efforts to combat human trafficking.

(h) The court shall have specific authority to consolidate civil actions for the same trafficker or facilitator for the purpose of case resolution and aggregate jurisdiction.

(i) Notwithstanding any other law to the contrary, the amount of punitive damages awarded under this section shall be equally divided between the victim and the trust fund.

(j) Moneys collected from penalties, damages, or other costs imposed by this section which are to be deposited into the trust fund shall be remitted to the Department of Revenue for deposit into the Department of Law Enforcement Trust Fund for Victims of Human Trafficking and Prevention.

(4) *STATUTE OF LIMITATIONS.*—The statute of limitations as specified in ss. 95.11(7) and 95.11(9) is applicable to actions brought under this section.

(5) *AFFIRMATIVE DEFENSE.*—

(a) In any action brought under this section against the owner or operator of a public food service or lodging establishment based on a claim of vicarious liability for an employee's conduct, it is an affirmative defense to punitive damages recoverable under such claim if the owner or operator proves by the greater weight of evidence that:

1. Its personnel have been trained to identify and report suspected human trafficking activity in accordance with s. 509.210 and rules adopted thereunder.

2. The owner or operator had in place an employee protocol or employee code of conduct to detect and report suspected human trafficking activity to appropriate law enforcement authorities, which may include the National Human Trafficking Hotline, the United States Department of Justice Hotline, the Florida Abuse Hotline, or local law enforcement authorities.

3. If the victim of human trafficking was a minor at the time of the trafficking, the owner or operator exercised reasonable care and diligence in screening, training, overseeing, and supervising the employee, and made a reasonable attempt to ensure compliance with the anti-human trafficking protocols and training required by this section.

(b) If the victim of human trafficking was an adult at the time of the trafficking, the affirmative defense provided in this subsection may be overcome with proof by clear and convincing evidence that the officers, directors, or managers of the owner or operator of the public food service or lodging establishment knowingly, or in willful blindness, condoned, ratified, permitted, caused, or consented to the conduct constituting human trafficking or the facilitation of such trafficking.

Section 4. Section 509.210, Florida Statutes, is created to read:

509.210 *Training of public food service and lodging establishment personnel regarding human trafficking.*—

(1) In consultation with the Attorney General, human trafficking victim advocacy organizations, and state and national restaurant and lodging associations, the division shall adopt by rule one or more educational programs designed to train employees of public food service and lodging establishments in the identification and reporting of suspected human trafficking activity. The owner or operator of a public food service or lodging establishment may also adopt its own educational program for this purpose, which must be submitted to the division and approved by it for the owner's or operator's use. The division must approve such a program for use by the owner or operator and its affiliated establishments if it is determined to be at least as comprehensive and effective as the other programs adopted by the division by rule. The division rule must require the owner or operator of each public food service or lodging establishment to train those classes of employee reasonably expected to routinely interact with guests, using an approved educational program, within a reasonable time after hiring, and at appropriate intervals thereafter, and to maintain documentation of such training for routine inspection. If the owner or operator fails to comply with the rule's requirements, the division shall impose administrative sanctions pursuant to s. 509.261.

(2) All public food service and lodging establishments shall provide the division with proof of employee training upon request, including, but not limited to, at the time of any division inspection of the establishment. Proof of training for each employee shall include the name, date of birth, and job title of the trained employee, the date the training occurred, and the approved educational program used.

Section 5. The Division of Hotels and Restaurants of the Department of Business and Professional Regulation may adopt emergency rules pursuant to s. 120.54, Florida Statutes, to implement s. 509.210, Florida Statutes, as created by this act. The Legislature finds emergency rule-making power necessary for the preservation of the rights and welfare of the people of Florida and to address the scourge of human trafficking in our state. The adoption of emergency rules pursuant to this section is exempt from s. 120.54(4)(a), Florida Statutes.

Section 6. Subsection (4) is added to section 772.104, Florida Statutes, to read:

772.104 Civil cause of action.—

(4) This section does not apply to a cause of action that may be brought under s. 787.061.

Section 7. Subsections (7) and (9) of section 95.11, Florida Statutes, are amended to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(7) *FOR INTENTIONAL TORTS BASED ON ABUSE.*—An action founded on alleged abuse, as defined in s. 39.01, s. 415.102, or s. 984.03, ~~or~~ incest, as defined in s. 826.04, or human trafficking, as defined in s. 787.06, may be commenced at any time within 7 years after the age of majority, or within 4 years after the injured person leaves the dependency of the abuser, or within 4 years from the time of discovery by the injured party of both the injury and the causal relationship between the injury and the abuse, whichever occurs later.

(9) *SEXUAL BATTERY OFFENSES ON VICTIMS UNDER AGE 16.*—An action related to an act constituting a violation of s. 794.011 or brought pursuant to s. 787.061 involving a victim who was under the age of 16 at the time of the act may be commenced at any time. This subsection applies to any such action other than one which would have been time barred on or before July 1, 2010.

And the title is amended as follows:

Delete line 14 and insert: prison sentence; creating s. 787.061, F.S.; providing legislative findings; defining terms; providing a civil cause of action for victims of human trafficking against a trafficker or facilitator; providing procedures and requirements for bringing a claim; providing for damages, penalties, punitive damages, attorney fees, expenses, and costs; requiring a court to impose civil penalties under certain circumstances; providing for the deposit or distribution of civil penalties; requiring the equal distribution of punitive damages between victims and the trust fund; requiring the remittance of collected moneys to the Department of Revenue for deposit into a specified trust fund; providing that such actions are subject to specified statutes of limitations; providing an affirmative defense for owners or operators of public lodging establishments under certain circumstances; creating s. 509.210, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation, in consultation with a certain person and certain entities, to adopt by rule certain educational programs; authorizing the owner or operator of a public food service or lodging establishment to adopt its own educational program; requiring the division to approve such programs under certain circumstances; requiring all public food service and lodging establishments to provide proof of training to the division; authorizing the division to adopt emergency rules; providing legislative findings; amending s. 772.104, F.S.; specifying that certain provisions concerning civil actions for criminal practices do not apply to actions that may be brought under s. 787.061, F.S.; amending s. 95.11, F.S.; conforming provisions to changes made by the act; providing an effective date.

Senator Book moved the following amendment which was adopted:

Amendment 2 (429994)—Delete lines 76-169 and insert: does not impose a prison sentence, the court shall impose a mandatory minimum term of community control, as defined in s. 948.001, as follows:

1. For a first offense, a mandatory minimum term of 6 months with electronic monitoring.

2. For a second offense, a mandatory minimum term of 1 year with electronic monitoring.

3. For a third or subsequent offense, a mandatory minimum term of 2 years with electronic monitoring.

(d)(~~e~~) Any person who misuses public records information relating to a sexual predator, as defined in this section, or a sexual offender, as defined in s. 943.0435 or s. 944.607, to secure a payment from such a

predator or offender; who knowingly distributes or publishes false information relating to such a predator or offender which the person misrepresents as being public records information; or who materially alters public records information with the intent to misrepresent the information, including documents, summaries of public records information provided by law enforcement agencies, or public records information displayed by law enforcement agencies on websites or provided through other means of communication, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(e)(d) A sexual predator who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, in the county of the last registered address of the sexual predator, in the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator, in the county where the sexual predator was released from incarceration, or in the county of the intended address of the sexual predator as reported by the predator prior to his or her release from incarceration. In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

(f)(e) An arrest on charges of failure to register, the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register when the predator has been provided and advised of his or her statutory obligation to register under subsection (6). A sexual predator's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual predator charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual predator who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(f) Registration following such arrest, service, or arraignment is not a defense and does not relieve the sexual predator of criminal liability for the failure to register.

(g) Any person who has reason to believe that a sexual predator is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the sexual predator in eluding a law enforcement agency that is seeking to find the sexual predator to question the sexual predator about, or to arrest the sexual predator for, his or her noncompliance with the requirements of this section:

1. Withholds information from, or does not notify, the law enforcement agency about the sexual predator's noncompliance with the requirements of this section, and, if known, the whereabouts of the sexual predator;
2. Harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the sexual predator;
3. Conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sexual predator; or
4. Provides information to the law enforcement agency regarding the sexual predator which the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This paragraph does not apply if the sexual predator is incarcerated in or is in the custody of a state correctional facility, a private correctional facility, a local jail, or a federal correctional facility.

Section 2. Subsection (9) of section 943.0435, Florida Statutes, is amended to read:

943.0435 Sexual offenders required to register with the department; penalty.—

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) For a felony violation of this section, excluding subsection (13), committed on or after July 1, 2018, if the court does not impose a prison

sentence, the court shall impose a mandatory minimum term of community control, as defined in s. 948.001, as follows:

Pursuant to Rule 4.19, **CS for HB 1301**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1594—A bill to be entitled An act relating to nursing; amending s. 464.003, F.S.; defining the term “advanced practice registered nurse”; deleting the terms “advanced registered nurse practitioner”, “clinical nurse specialist” and “clinical nurse specialist practice,” to conform to changes made by the act; repealing s. 464.0115, F.S., relating to the certification of clinical nurse specialists; amending s. 464.012, F.S.; requiring any nurse desiring to be licensed as an advanced practice registered nurse to apply to the Department of Health, submit proof that he or she holds a current license to practice professional nursing, and meet one or more specified requirements as determined by the Board of Nursing; authorizing the board to adopt rules to provide for provisional state licensure of certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses for a specified period of time; requiring the department and the board to establish a transition process for converting certain certified practitioners to licensed practitioners; authorizing certain certified practitioners to continue practicing advanced nursing during a specified period of time; providing construction; providing an expiration date for provisions relating to the transition from certification to licensure; conforming provisions to changes made by the act; amending s. 960.28, F.S.; conforming a cross-reference; amending ss. 39.303, 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071, 310.073, 310.081, 320.0848, 381.00315, 381.00593, 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455, 395.0191, 397.311, 397.4012, 397.427, 397.679, 397.6793, 400.021, 400.462, 400.487, 400.506, 400.9973, 400.9974, 400.9976, 400.9979, 401.445, 409.905, 409.908, 409.973, 429.918, 456.0391, 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265, 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003, 464.004, 464.013, 464.015, 464.016, 464.018, 464.0205, 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012, 491.0057, 491.012, 493.6108, 627.357, 627.6471, 627.6472, 627.736, 633.412, 641.3923, 766.103, 766.115, 766.1116, 766.118, 794.08, 893.02, 893.05, 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65, 1009.66, and 1009.67, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1594**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1337** was withdrawn from the Committees on Health Policy; Appropriations; and Rules.

On motion by Senator Brandes—

CS for CS for HB 1337—A bill to be entitled An act relating to nursing; amending s. 464.003, F.S.; defining the term “advanced practice registered nurse”; deleting the terms “advanced registered nurse practitioner,” “clinical nurse specialist,” and “clinical nurse specialist practice,” to conform to changes made by the act; repealing s. 464.0115, F.S., relating to the certification of clinical nurse specialists; amending s. 464.012, F.S.; requiring any nurse desiring to be licensed as an advanced practice registered nurse to apply to the Department of Health, submit proof that he or she holds a current license to practice professional nursing, and meet one or more specified requirements as determined by the Board of Nursing; authorizing the board to adopt rules to provide for provisional state licensure of certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses for a specified period of time; requiring the department and the board to establish a transition process for converting certain certified practitioners to licensed practitioners; authorizing certain certified practitioners to continue practicing advanced nursing during a specified period of time; providing construction; providing an expiration date for provisions relating to the transition from certification to licensure; conforming provisions to changes made by the act; amending s. 960.28, F.S.; conforming a cross-reference; amending ss. 39.303, 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071, 310.073, 310.081, 320.0848, 381.00315, 381.00593, 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455, 395.0191, 397.311, 397.4012, 397.427, 397.679, 397.6793, 400.021, 400.462, 400.487, 400.506, 400.9973, 400.9974, 400.9976, 400.9979, 401.445, 409.905,

409.908, 409.973, 429.918, 456.0391, 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265, 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003, 464.004, 464.013, 464.015, 464.016, 464.018, 464.0205, 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012, 491.0057, 491.012, 493.6108, 627.357, 627.6471, 627.6472, 627.736, 633.412, 641.3923, 766.103, 766.1115, 766.1116, 766.118, 794.08, 893.02, 893.05, 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65, 1009.66, and 1009.67, F.S.; conforming provisions to changes made by the act; providing effective dates.

—a companion measure, was substituted for **CS for SB 1594** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1337** was placed on the calendar of Bills on Third Reading.

SENATOR BENACQUISTO PRESIDING

CS for CS for SB 1612—A bill to be entitled An act relating to airboat regulation; providing a short title; amending s. 327.391, F.S.; requiring, by a specified date, a commercial airboat operator to have specified documents on board the airboat while carrying passengers for hire; requiring all airboat operators carrying passengers for hire to complete a boater education course; providing an exception; providing a penalty; providing applicability; requiring the Fish and Wildlife Conservation Commission to adopt rules by a specified date; amending s. 327.73, F.S.; providing a penalty for violation of airboat operation requirements; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1612** to **CS for CS for HB 1211**.

Pending further consideration of **CS for CS for SB 1612**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1211** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on the Environment and Natural Resources; and Appropriations.

On motion by Senator Rader—

CS for CS for HB 1211—A bill to be entitled An act relating to airboat regulation; providing a short title; amending s. 327.391, F.S.; requiring a commercial airboat operator to have specified documents onboard the airboat while carrying passengers for hire; providing an exception; providing a penalty; directing the Fish and Wildlife Conservation Commission to adopt rules by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1612**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1211** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 310—A bill to be entitled An act relating to threats to kill or do great bodily injury; amending s. 836.10, F.S.; prohibiting a person from making a threat to kill or do great bodily injury in a writing or other record and transmitting that threat in any manner that would allow another person to view the threat; deleting requirements that a threat be sent to a specific recipient to be prohibited; revising a criminal penalty; exempting certain providers of services from liability; amending s. 921.0022, F.S.; revising the ranking of the offense of making written threats to kill or do great bodily injury on the offense severity ranking chart of the Criminal Punishment Code; reenacting ss. 794.056(1) and 938.085, F.S., relating to the Rape Crisis Program Trust Fund and additional cost to fund rape crisis centers, respectively, to incorporate the amendments made to s. 836.10, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 310**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 165**

was withdrawn from the Committees on Criminal Justice; and Appropriations.

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

CS for CS for CS for HB 165—A bill to be entitled An act relating to written threats to conduct mass shootings or acts of terrorism; amending s. 836.10, F.S.; prohibiting a person from making threats to conduct a mass shooting or act of terrorism in a writing or other record and transmitting that threat in any manner that would allow another person to view the threat; amending s. 921.0022, F.S.; revising the offense ranking to include written threats to conduct a mass shooting or act of terrorism; reenacting ss. 794.056 and 938.085, F.S., relating to the Rape Crises Program Trust Fund and additional cost to fund rape crisis centers, respectively, to incorporate the amendments made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 310** and read the second time by title.

Senator Steube moved the following amendment which was adopted:

Amendment 1 (591146) (with title amendment)—Delete lines 22-35 and insert:
conduct a mass shooting or an act of terrorism; punishment; exemption from liability.—

(1) Any person who writes or composes and also sends or procures the sending of any letter, inscribed communication, or electronic communication, whether such letter or communication be signed or anonymous, to any person, containing a threat to kill or to do bodily injury to the person to whom such letter or communication is sent, or a threat to kill or do bodily injury to any member of the family of the person to whom such letter or communication is sent, or any person who makes, posts, or transmits a threat in a writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) *This section does not impose liability on a provider of an interactive computer service, communications services as defined in s. 202.11, a commercial mobile service, or an information service, including, but not limited to, an Internet service provider or a hosting service provider, if it provides the transmission, storage, or caching of electronic communications or messages of others or provides another related telecommunications service, commercial mobile radio service, or information service for use by another person who violates this section. This exemption from liability is consistent with and in addition to any liability exemption provided under 47 U.S.C. s. 230.*

And the title is amended as follows:

Delete lines 4-10 and insert: F.S.; prohibiting a person from making, posting, or transmitting a threat to conduct a mass shooting or an act of terrorism in a writing or other record in any manner that would allow another person to view the threat; providing criminal penalties; exempting certain providers of services from liability amending s. 921.0022, F.S.; conforming a provision to changes made by the act; reenacting ss.

Pursuant to Rule 4.19, **CS for CS for CS for HB 165**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Broxson—

SB 358—A bill to be entitled An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 358** was placed on the calendar of Bills on Third Reading.

CS for SB 504—A bill to be entitled An act relating to motor vehicles; amending s. 316.003, F.S.; adding and revising definitions; conforming a cross-reference; amending s. 316.008, F.S.; authorizing a mobile carrier to be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law; providing construction; amending s. 316.2071, F.S.; authorizing a mobile carrier to operate on sidewalks and crosswalks; providing that a mobile carrier operating on a sidewalk or crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobile carrier must not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk; specifying requirements for a mobile carrier; prohibiting a mobile carrier from taking specified actions; amending s. 316.614, F.S.; requiring safety belt or, if applicable, child restraint usage by an operator or passenger of an autocycle; amending s. 320.01, F.S.; revising the term “motor vehicle”; including an autocycle in the definition of the term “motorcycle”; amending s. 320.02, F.S.; providing that a mobile carrier is not required to satisfy specified registration and insurance requirements; amending s. 322.03, F.S.; authorizing a person to operate an autocycle without a motorcycle endorsement; amending s. 322.12, F.S.; providing applicability; amending s. 324.021, F.S.; revising the definition of the term “motor vehicle”; amending ss. 212.05, 316.303, 320.08, and 655.960, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 504**, pursuant to Rule 3.11(3), there being no objection, **HB 215** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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

HB 215—A bill to be entitled An act relating to autocycles; amending s. 316.003, F.S.; defining the term “autocycle”; revising the definition of the term “motorcycle”; amending s. 316.614, F.S.; requiring safety belt usage by an operator or passenger of an autocycle; amending s. 320.01, F.S.; including an autocycle in the definition of the term “motorcycle”; amending s. 322.03, F.S.; authorizing operation of an autocycle without a motorcycle endorsement; amending s. 322.12, F.S.; providing applicability; amending s. 403.415, F.S.; conforming provisions to changes made by the act; amending ss. 212.05, 316.303, 320.08, and 655.960, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 504** and read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (622474) (with title amendment)—Delete lines 19-446 and insert:

Section 1. Present subsections (2) through (36) of section 316.003, Florida Statutes, are renumbered as subsections (3) through (37), respectively, a new subsection (2) is added to that section, present subsections (37) through (99) of section 316.003, Florida Statutes, are renumbered as subsections (39) through (101), respectively, a new subsection (38) is added to that section, and present subsections (40), (41), (51), (57), and (97) are amended, to read:

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

(2) **AUTOCYCLE**.—A three-wheeled motorcycle that has two wheels in the front and one wheel in the back; is equipped with a roll cage or roll hoops, a seat belt for each occupant, antilock brakes, a steering wheel, and seating that does not require the operator to straddle or sit astride it; and is manufactured in accordance with the applicable federal motorcycle safety standards in 49 C.F.R. part 571 by a manufacturer registered with the National Highway Traffic Safety Administration.

(38) **MOBILE CARRIER**.—An electrically powered device that:

(a) Is operated on sidewalks and crosswalks and is intended primarily for transporting property;

(b) Weighs less than 80 pounds, excluding cargo;

(c) Has a maximum speed of 12.5 mph; and

(d) Is equipped with a technology to transport personal property with the active monitoring of a property owner, and primarily designed to remain within 25 feet of the property owner.

A mobile carrier is not considered a vehicle or personal delivery device unless expressly defined by law as a vehicle or personal delivery device.

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

(43)(41) **MOTORCYCLE**.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. *The term includes an autocycle, but does not include excluding a tractor, or a moped, or any vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle.*

(53)(51) **PERSONAL DELIVERY DEVICE**.—An electrically powered device that:

(a) Is operated on sidewalks and crosswalks and intended primarily for transporting property;

(b) Weighs less than 80 pounds, excluding cargo;

(c) Has a maximum speed of 10 miles per hour; and

(d) Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.

A personal delivery device is not considered a vehicle unless expressly defined by law as a vehicle. *A mobile carrier is not considered a personal delivery device.*

(59)(57) **PRIVATE ROAD OR DRIVEWAY**.—Except as otherwise provided in paragraph (81)(b) ~~(79)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(99)(97) **VEHICLE**.—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except personal delivery devices, *mobile carriers*, and devices used exclusively upon stationary rails or tracks.

Section 2. Paragraph (b) of subsection (7) of section 316.008, Florida Statutes, is amended to read:

316.008 Powers of local authorities.—

(7)

(b)1. Except as provided in subparagraph 2., a personal delivery device *and a mobile carrier* may be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law. This paragraph does not restrict a county or municipality from otherwise adopting regulations for the safe operation of personal delivery devices *and mobile carriers*.

2. A personal delivery device may not be operated on the Florida Shared-Use Nonmotorized Trail Network created under s. 339.81 or components of the Florida Greenways and Trails System created under chapter 260.

Section 3. Section 316.2071, Florida Statutes, is amended to read:

316.2071 Personal delivery devices *and mobile carriers*.—

(1) Notwithstanding any provision of law to the contrary, a personal delivery device *or mobile carrier* may operate on sidewalks and crosswalks, subject to s. 316.008(7)(b). A personal delivery device *or mobile carrier* operating on a sidewalk or crosswalk has all the rights and

duties applicable to a pedestrian under the same circumstances, except that the personal delivery device *or mobile carrier* must not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk.

(2) A personal delivery device *and a mobile carrier* must:

(a) Obey all official traffic and pedestrian control signals and devices.

(b) *For personal delivery devices*, include a plate or marker that has a unique identifying device number and identifies the name and contact information of the personal delivery device operator.

(c) Be equipped with a braking system that, when active or engaged, enables the personal delivery device *or mobile carrier* to come to a controlled stop.

(3) A personal delivery device *and a mobile carrier* may not:

(a) Operate on a public highway except to the extent necessary to cross a crosswalk.

(b) Operate on a sidewalk or crosswalk unless the personal delivery device operator is actively controlling or monitoring the navigation and operation of the personal delivery device *or a mobile carrier owner remains within 25 feet of the mobile carrier*.

(c) Transport hazardous materials as defined in s. 316.003.

(d) *For mobile carriers, transport persons or animals*.

(4) A person who owns and operates a personal delivery device in this state must maintain an insurance policy, on behalf of himself or herself and his or her agents, which provides general liability coverage of at least \$100,000 for damages arising from the combined operations of personal delivery devices under the entity's or agent's control.

Section 4. Subsections (4) and (5) of section 316.614, Florida Statutes, are amended to read:

316.614 Safety belt usage.—

(4) It is unlawful for any person:

(a) To operate a motor vehicle *or an autocycle* in this state unless each passenger and the operator of the vehicle *or autocycle* under the age of 18 years are restrained by a safety belt or by a child restraint device pursuant to s. 316.613, if applicable; or

(b) To operate a motor vehicle *or an autocycle* in this state unless the person is restrained by a safety belt.

(5) It is unlawful for any person 18 years of age or older to be a passenger in the front seat of a motor vehicle *or an autocycle* unless such person is restrained by a safety belt when the vehicle *or autocycle* is in motion.

Section 5. Paragraph (a) of subsection (1) and subsection (26) of section 320.01, Florida Statutes, are amended to read:

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

(1) “Motor vehicle” means:

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

(26) “Motorcycle” means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. *The term includes an autocycle, as defined in s. 316.003, but excludes a tractor, a moped, or any vehicle in which the operator is enclosed by a cabin unless it meets the*

requirements set forth by the National Highway Traffic Safety Administration for a motorcycle. ~~The term “motorcycle” does not include a tractor or a moped.~~

Section 6. Subsection (19) of section 320.02, Florida Statutes, is amended to read:

320.02 Registration required; application for registration; forms.—

(19) A personal delivery device *and a mobile carrier* as defined in s. 316.003 ~~are is~~ not required to satisfy the registration and insurance requirements of this section.

Section 7. Subsection (4) of section 322.03, Florida Statutes, is amended to read:

322.03 Drivers must be licensed; penalties.—

(4) A person may not operate a motorcycle unless he or she holds a driver license that authorizes such operation, subject to the appropriate restrictions and endorsements. *A person may operate an autocycle, as defined in s. 316.003, without a motorcycle endorsement.*

Section 8. Paragraph (c) is added to subsection (5) of section 322.12, Florida Statutes, to read:

322.12 Examination of applicants.—

(5)

(c) This subsection does not apply to the operation of an autocycle, as defined in s. 316.003.

Section 9. Subsection (1) of section 324.021, Florida Statutes, is amended to read:

324.021 Definitions; minimum insurance required.—The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(1) MOTOR VEHICLE.—Every self-propelled vehicle that is designed and required to be licensed for use upon a highway, including trailers and semitrailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, power shovels, and well drillers, and every vehicle that is propelled by electric power obtained from overhead wires but not operated upon rails, but not including any personal delivery device *or mobile carrier* as defined in s. 316.003, bicycle, or moped. However, the term “motor vehicle” does not include a motor vehicle as defined in s. 627.732(3) when the owner of such vehicle has complied with the requirements of ss. 627.730-627.7405, inclusive, unless the provisions of s. 324.051 apply; and, in such case, the applicable proof of insurance provisions of s. 320.02 apply.

Section 10. Paragraph (e) of subsection (3) of section 403.415, Florida Statutes, is amended to read:

403.415 Motor vehicle noise.—

(3) DEFINITIONS.—The following words and phrases when used in this section shall have the meanings respectively assigned to them in this subsection, except where the context otherwise requires:

(e) “Motorcycle” means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, *including an autocycle, as defined in s. 316.003, and but excluding a vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle. The term “motorcycle” does not include a tractor or a moped.*

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

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who

rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

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

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

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

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

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

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

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. ~~316.003(13)(a)~~ ~~316.003(12)(a)~~ to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 12. Subsections (1) and (3) of section 316.303, Florida Statutes, are amended to read:

316.303 Television receivers.—

(1) No motor vehicle may be operated on the highways of this state if the vehicle is actively displaying moving television broadcast or pre-recorded video entertainment content that is visible from the driver's seat while the vehicle is in motion, unless the vehicle is equipped with autonomous technology, as defined in s. ~~316.003(3)~~ ~~316.003(2)~~, and is being operated in autonomous mode, as provided in s. 316.85(2).

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

Section 13. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. ~~316.003(4)~~ ~~316.003(3)~~, tri-vehicles as defined in s. 316.003, and mobile homes as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$10 flat.

(b) Any moped: \$5 flat.

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a non-refundable motorcycle safety education fee in the amount of \$2.50 shall

be paid. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

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

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

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

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

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

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

(3) TRUCKS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) MOTOR VEHICLES FOR HIRE.—

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

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

(7) TRAILERS FOR PRIVATE USE.—

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

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

(8) TRAILERS FOR HIRE.—

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

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

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) MOBILE HOMES.—

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

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

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

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

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

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

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

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

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

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

registration of a marine boat trailer exempt under s. 320.102 is not subject to any license tax.

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

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

Section 14. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

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

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(81)(a) ~~s. 316.003(79)(a)~~ or

And the title is amended as follows:

Delete lines 2-13 and insert: An act relating to motor vehicles; amending s. 316.003, F.S.; adding and revising definitions; conforming a cross-reference; amending s. 316.008, F.S.; authorizing a mobile carrier to be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law; providing construction; amending s. 316.2071, F.S.; authorizing a mobile carrier to operate on sidewalks and crosswalks; providing that a mobile carrier operating on a sidewalk or crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobile carrier must not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk; specifying requirements for a mobile carrier; prohibiting a mobile carrier from taking specified actions; amending s. 316.614, F.S.; requiring safety belt or, if applicable, child restraint usage by an operator or passenger of an autocycle; amending s. 320.01, F.S.; revising the term “motor vehicle”; including an autocycle in the definition of the term “motorcycle”; amending s. 320.02, F.S.; providing that a mobile carrier is not required to satisfy specified registration and insurance requirements; amending s. 322.03, F.S.; authorizing a person to operate an autocycle without a motorcycle endorsement; amending s. 322.12, F.S.; providing applicability; amending s. 324.021, F.S.; revising the definition of the term “motor vehicle”; amending s. 403.415, F.S.; revising the definition of the term “motorcycle”; amending ss. 212.05, 316.303, 320.08, and 655.960,

Pursuant to Rule 4.19, **HB 215**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1504—A bill to be entitled An act relating to tax deed sales; amending s. 197.502, F.S.; requiring a tax certificateholder to pay specified costs required to bring the property on which taxes are delinquent to sale; requiring the tax collector to cancel a tax deed application if certain costs are not paid within a specified period for certain purposes; revising procedures for applying for, recording, and releasing tax deed applications; revising provisions to require property information reports for certain purposes; prohibiting a tax collector from accepting or paying for a property information report under certain circumstances; amending s. 197.522, F.S.; authorizing a clerk to rely on addresses provided by the tax collector for specified purposes; amending s. 197.582, F.S.; revising procedures for the disbursement of surplus funds by clerks; providing forms for use in noticing and claiming surplus funds; specifying methods for delivering claims to the clerk’s office; providing deadlines for filing claims; providing procedures to be used by clerks in determining disbursement of surplus funds; authorizing a tax deed recipient to pay specified liens; specifying procedures to be used by the tax clerk if surplus funds are not claimed; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1504**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1383** was withdrawn from the Committees on Community Affairs; and Appropriations Subcommittee on Finance and Tax.

On motion by Senator Rouson—

CS for CS for HB 1383—A bill to be entitled An act relating to tax deed sales; amending s. 197.502, F.S.; requiring a tax certificateholder to pay specified costs required to bring the property on which taxes are delinquent to sale; requiring the tax collector to cancel a tax deed application if certain costs are not paid within a specified period for certain purposes; revising procedures for applying for, recording, and releasing tax deed applications; revising the entities that must be notified before the sale of the property; revising provisions to require property information reports for certain purposes; prohibiting a tax collector from accepting or paying for a property information report under certain circumstances; amending s. 197.522, F.S.; authorizing a clerk to rely on addresses provided by the tax collector for specified purposes; amending s. 197.582, F.S.; revising procedures for the disbursement of surplus funds by clerks; providing forms for use in noticing and claiming surplus funds; specifying methods for delivering claims to the clerk’s office; providing deadlines for filing claims; providing procedures to be used by clerks in determining disbursement of surplus funds; authorizing a tax deed recipient to pay specified liens; specifying procedures to be used by the tax clerk if surplus funds are not claimed; providing an effective date.

—a companion measure, was substituted for **CS for SB 1504** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1383** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for SB 848—A bill to be entitled An act relating to telepharmacy; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.014, F.S.; authorizing a registered pharmacy technician to dispense medicinal drugs under certain conditions; amending s. 465.015, F.S.; conforming provisions to changes made by the act; creating s. 465.0198, F.S.; providing permit requirements for remote dispensing site pharmacies; providing operating requirements and prohibitions for a remote dispensing site pharmacy; defining the term “clinic”; requiring the prescription department manager or other pharmacist employed by the supervising pharmacy to visit the remote dispensing site pharmacy; providing an experience requirement for a registered pharmacy technician working at a remote site pharmacy; prohibiting a registered pharmacy technician from performing sterile or nonsterile compounding; providing construction; amending s. 465.022, F.S.; authorizing a Florida licensed pharmacist to serve as the prescription drug manager at more than one remote dispensing site pharmacy under certain conditions; amending s. 465.0265, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

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

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (255224) (with title amendment)—Delete lines 63-226 and insert:

certified pharmacy technician who is electronically supervised by an offsite pharmacist and dispensed pursuant to s. 465.014(1) to the patient after verification, certification, and counseling by the pharmacist.

(b) The pharmacy department of any permittee shall be considered closed whenever a Florida licensed pharmacist is not present and on duty. The term “not present and on duty” may ~~shall~~ not be construed to prevent:

1. A pharmacist from exiting the prescription department for the purposes of consulting or responding to inquiries or providing assistance to patients or customers;

2. A pharmacist attending to personal hygiene needs; ~~or~~

3. A pharmacist performing any other function for which the pharmacist is responsible, provided that such activities are conducted in a manner consistent with the pharmacist’s responsibility to provide pharmacy services; or

4. An offsite pharmacist from remotely supervising a certified pharmacy technician at a remote dispensing site pharmacy.

Section 2. Subsection (1) of section 465.014, Florida Statutes, is amended to read:

465.014 Pharmacy technician.—

(1) A person other than a licensed pharmacist or pharmacy intern may not engage in the practice of the profession of pharmacy, except that a licensed pharmacist may delegate to pharmacy technicians who are ~~certified registered~~ pursuant to this section those duties, tasks, and functions that do not fall within the purview of s. 465.003(13). *However, a certified pharmacy technician may dispense medicinal drugs when operating under the electronic supervision of an offsite Florida licensed pharmacist pursuant to s. 465.0198.* All such delegated acts must be performed under the direct supervision of a licensed pharmacist who is responsible for all such acts performed by persons under his or her supervision. A ~~certified registered~~ pharmacy technician, under the supervision of a pharmacist, may initiate or receive communications with a practitioner or his or her agent, on behalf of a patient, regarding refill authorization requests. A licensed pharmacist may not supervise more than one ~~certified registered~~ pharmacy technician unless otherwise permitted by the guidelines adopted by the board. The board shall establish guidelines to be followed by licensees or permittees in determining the circumstances under which a licensed pharmacist may supervise more than one pharmacy technician.

Section 3. Subsections (1) and (2) of section 465.015, Florida Statutes, are amended to read:

465.015 Violations and penalties.—

(1) It is unlawful for any person to own, operate, maintain, open, establish, conduct, or have charge of, either alone or with another person or persons, a pharmacy:

(a) Which is not registered under ~~the provisions of~~ this chapter.

(b) In which a person not licensed as a pharmacist in this state or not registered as an intern in this state or in which an intern who is not acting under the direct and immediate personal supervision of a licensed pharmacist fills, compounds, or dispenses any prescription or dispenses medicinal drugs. *This paragraph does not apply to any person who owns, operates, maintains, opens, establishes, conducts, or has charge of a remote dispensing site pharmacy pursuant to s. 465.0198.*

(2) It is unlawful for any person:

(a) To make a false or fraudulent statement, either for herself or himself or for another person, in any application, affidavit, or statement presented to the board or in any proceeding before the board.

(b) To fill, compound, or dispense prescriptions or to dispense medicinal drugs if such person does not hold an active license as a pharmacist in this state, is not registered as an intern in this state, or is an intern not acting under the direct and immediate personal supervision of a licensed pharmacist. *This paragraph does not apply to a certified pharmacy technician dispensing medicinal drugs pursuant to s. 465.0198.*

(c) To sell or dispense drugs as defined in s. 465.003(8) without first being furnished with a prescription.

(d) To sell samples or complimentary packages of drug products.

Section 4. Section 465.0198, Florida Statutes, is created to read:

465.0198 Remote dispensing site pharmacy permits.—

(1) Any person desiring a permit to operate a remote dispensing site pharmacy must apply to the department for a remote dispensing site

pharmacy permit. If the board certifies that the application complies with the laws and board rules governing the practice of the profession of pharmacy, the department must issue the permit. A permit may not be issued unless a licensed pharmacist or consultant pharmacist is designated as the prescription department manager responsible for the oversight of the remote dispensing site pharmacy. The permittee must notify the department within 10 days after any change of the prescription department manager.

(2) As a prerequisite to issuance of an initial permit or a permit for a change of location, the remote dispensing site pharmacy must pass an onsite inspection. The department must make the inspection within 90 days before issuance of the permit.

(3) The remote dispensing site pharmacy must:

(a) Be jointly owned by a supervising pharmacy or operated under a contract with a supervising pharmacy. For purposes of this subsection, "supervising pharmacy" means a licensed pharmacy in this state which employs a Florida licensed pharmacist who remotely supervises a certified pharmacy technician at a remote dispensing site pharmacy.

(b) Display a sign visible to the public indicating that the location is a remote dispensing site pharmacy and that the facility is under 24-hour video surveillance. The remote dispensing site pharmacy must retain the video surveillance recordings for at least 45 days.

(c) Be located in a rural hospital as defined in s. 395.602.

(4) A remote dispensing site pharmacy may not lose its permit based on the subsequent opening of a community pharmacy within 10 miles of the remote dispensing site pharmacy.

(5) A remote dispensing site pharmacy may store, hold, and dispense all medicinal drugs including those listed in s. 893.03(3)-(5). A remote dispensing pharmacy may not store, hold, or dispense controlled substances listed in s. 893.03(2).

(6) A remote dispensing site pharmacy may not perform centralized prescription filling, as defined in s. 465.003(16).

(7) A remote dispensing site pharmacy must maintain a policy and procedures manual, which shall be made available to the board or its agent upon request. The policy and procedures manual shall include:

(a) A description of how the pharmacy will comply with federal and state laws, rules, and regulations.

(b) The procedure for supervising the remote dispensing site pharmacy and counseling its patients before the dispensing of any medicinal drug pursuant to this section.

(c) The procedure for reviewing the prescription drug inventory and drug records maintained by the remote dispensing site pharmacy.

(d) The policy and procedure for providing appropriate security to protect the confidentiality and integrity of patient information.

(e) The written plan for recovery from an event that interrupts or prevents the pharmacist from supervising the remote dispensing site pharmacy's operation.

(f) The procedure by which a supervising pharmacist consults the state prescription drug monitoring program before authorizing any controlled substance for dispensing and reports the dispensing of a controlled substance as required under s. 893.055.

(g) The specific duties, tasks, and functions that a certified pharmacy technician is authorized to perform at the remote dispensing site pharmacy.

(8) The prescription department manager or other pharmacist employed by the supervising pharmacy must visit the remote dispensing site pharmacy, based on a schedule designated by the board, to inspect the pharmacy, address personnel matters, and provide clinical services for patients.

(9) A certified pharmacy technician must be certified by a pharmacy technician certification program that is accredited by the National

Commission of Certifying Agencies and have completed at least 2,080 hours of experience at a pharmacy within the 2 years immediately preceding the date on which the certified pharmacy technician begins employment at the remote dispensing site pharmacy.

(10) A certified pharmacy technician working at a remote dispensing site pharmacy may not perform sterile or nonsterile compounding, except that a certified pharmacy technician may reconstitute orally administered powder antibiotics.

And the title is amended as follows:

Delete lines 4-18 and insert: 465.014, F.S.; authorizing a certified pharmacy technician to dispense medicinal drugs under certain conditions; amending s. 465.015, F.S.; conforming provisions to changes made by the act; creating s. 465.0198, F.S.; providing permit requirements for remote dispensing site pharmacies; providing operating requirements and prohibitions for a remote dispensing site pharmacy; requiring the prescription department manager or other pharmacist employed by the supervising pharmacy to visit the remote dispensing site pharmacy; providing certification and experience requirements for a certified pharmacy technician working at a remote site pharmacy; prohibiting a certified pharmacy technician from performing sterile or nonsterile compounding; providing an exception;

Pursuant to Rule 4.19, **CS for SB 848**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 618—A bill to be entitled An act relating to subpoenas in investigations of sexual offenses; creating s. 934.255, F.S.; defining terms; authorizing an investigative or law enforcement officer conducting an investigation into specified matters to subpoena certain persons or entities for the production of records, documents, or other tangible things and testimony; specifying requirements for the issuance of a subpoena; authorizing a subpoenaed person to petition a court for an order modifying or setting aside the subpoena or a prohibition on disclosure; authorizing an investigative or law enforcement officer to retain subpoenaed records, documents, or other tangible objects under certain circumstances; prohibiting the disclosure of a subpoena for a specified period if the disclosure might result in an adverse result; providing exceptions; specifying the acts that constitute an adverse result; requiring the investigative or law enforcement officer to maintain a true copy of a written certification; authorizing a court to grant extension of certain periods under certain circumstances; requiring an investigative or law enforcement officer to serve or deliver a copy of the process along with specified information upon the expiration of a non-disclosure period or delay of notification; authorizing an investigative or law enforcement officer to apply to a court for an order prohibiting certain entities from notifying any person of the existence of a subpoena under certain circumstances; authorizing an investigative or law enforcement officer to petition a court to compel compliance; authorizing a court to punish a person who does not comply with a subpoena as indirect criminal contempt; providing criminal penalties; precluding a cause of action against certain entities or persons for providing information, facilities, or assistance in accordance with terms of a subpoena; providing for preservation of evidence pending issuance of process; providing that certain entities or persons shall be held harmless from any claim and civil liability resulting from disclosure of specified information; providing for reasonable compensation for reasonable expenses incurred in providing assistance; requiring that a subpoenaed witness be paid certain fees and mileage; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 618**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 581** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Baxley—

CS for HB 581—A bill to be entitled An act relating to subpoenas in investigations of sexual offenses; creating s. 934.255, F.S.; defining terms; authorizing an investigative or law enforcement officer conducting an investigation into specified matters to subpoena certain persons or entities for the production of records, documents, or other tangible things and testimony; specifying requirements for the issuance of a subpoena; authorizing a subpoenaed person to petition a court for

an order modifying or setting aside the subpoena or a prohibition on disclosure; authorizing an investigative or law enforcement officer to retain subpoenaed records, documents, or other tangible objects under certain circumstances; prohibiting the disclosure of a subpoena for a specified period if the disclosure might result in an adverse result; providing exceptions; specifying the acts that constitute an adverse result; requiring the investigative or law enforcement officer to maintain a true copy of a written certification; authorizing a court to grant extension of certain periods under certain circumstances; requiring an investigative or law enforcement officer to serve or deliver a copy of the process along with specified information upon the expiration of a non-disclosure period or delay of notification; authorizing an investigative or law enforcement officer to apply to a court for an order prohibiting certain entities from notifying any person of the existence of a subpoena under certain circumstances; authorizing an investigative or law enforcement officer to petition a court to compel compliance; authorizing a court to punish a person who does not comply with a subpoena as indirect criminal contempt; providing criminal penalties; precluding a cause of action against certain entities or persons for providing information, facilities, or assistance in accordance with terms of a subpoena; providing for preservation of evidence pending issuance of process; providing that certain entities or persons shall be held harmless from any claim and civil liability resulting from disclosure of specified information; providing for reasonable compensation for reasonable expenses incurred in providing assistance; requiring that a subpoenaed witness be paid certain fees and mileage; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 618** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 581** was placed on the calendar of Bills on Third Reading.

SB 856—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.4282, F.S.; authorizing the use of credits earned upon completion of a registered apprenticeship or pre-apprenticeship to satisfy specified high school graduation credit requirements; requiring that the State Board of Education approve and identify apprenticeship and preapprenticeship programs for such purpose; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 856**, pursuant to Rule 3.11(3), there being no objection, **HB 577** was withdrawn from the Committees on Education; Appropriations Subcommittee on Pre-K - 12 Education; and Appropriations.

On motion by Senator Montford—

HB 577—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.4282, F.S.; authorizing the use of credits earned upon completion of a registered apprenticeship or pre-apprenticeship to satisfy specified high school graduation credit requirements; requiring that the State Board of Education approve and identify apprenticeship and preapprenticeship programs for such purpose; providing an effective date.

—a companion measure, was substituted for **SB 856** and read the second time by title.

Pursuant to Rule 4.19, **HB 577** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 960—A bill to be entitled An act relating to mental health and substance abuse; amending s. 397.321, F.S.; deleting a provision requiring the Department of Children and Families to develop a certification process by rule for community substance abuse prevention coalitions; amending s. 397.403, F.S.; excluding certain substance abuse programs from specified licensure requirements; amending ss. 916.13 and 916.15, F.S.; requiring the department to request a defendant's medical information from a jail within a certain timeframe after receiving a commitment order and other required documentation; requiring the jail to provide such information within a certain timeframe; requiring the continued administration of psychotropic medica-

tion to a defendant if he or she is receiving such medication at a mental health facility at the time that he or she is discharged and transferred to the jail; providing an exception; requiring the jail and department physicians to collaborate on a defendant's medication changes for certain purposes; specifying that the jail physician has the final authority regarding the administering of medication to an inmate; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 960**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 721** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Baxley—

CS for HB 721—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 397.321, F.S.; deleting a requirement that the Department of Children and Families develop a certification process by rule for community substance abuse prevention coalitions; amending ss. 916.13 and 916.15, F.S.; requiring the department to request medical information from jails pertaining to certain defendants within a specified timeframe; requiring jails to provide such information to the department within a specified timeframe; requiring the continued administration of psychotropic medication to certain defendants upon their discharge and transfer to jails under certain conditions; specifying that final authority regarding the administration of such medication rests with the jail physician; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 960** and read the second time by title.

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

Senator Baxley moved the following amendment which was adopted:

Amendment 1 (741006) (with title amendment)—Between lines 25 and 26 insert:

Section 2. Subsection (3) of section 397.403, Florida Statutes, is amended to read:

397.403 License application.—

(3) Applications for licensure renewal must include proof of application for accreditation for each licensed service component providing clinical treatment by an accrediting organization that is acceptable to the department for the first renewal, and proof of accreditation for any subsequent renewals. *This subsection does not apply to inmate substance abuse programs operated by or under exclusive contract with the Department of Corrections or jails.*

And the title is amended as follows:

Between lines 6 and 7 insert: amending s. 397.403, F.S.; excluding certain substance abuse programs from specified licensure requirements;

Pursuant to Rule 4.19, **CS for HB 721**, as amended, was placed on the calendar of Bills on Third Reading.

SM 940—A memorial to the Congress of the United States, urging Congress to apply law and policy in Puerto Rico without discrimination or inequality and to incorporate the Commonwealth of Puerto Rico into the United States.

—was read the second time by title.

Pending further consideration of **SM 940**, pursuant to Rule 3.11(3), there being no objection, **CS for HM 147** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Rodriguez—

CS for HM 147—A memorial to the Congress of the United States, urging Congress to apply law and policy in Puerto Rico without discrimination or inequality and to incorporate the Commonwealth of Puerto Rico into the United States.

—a companion measure, was substituted for **SM 940** and read the second time by title. On motion by Senator Rodriguez, **CS for HM 147** was adopted and certified to the House.

CS for SB 756—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing insurers to refuse to insure or refuse to continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 756**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 533** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Grimsley—

CS for HB 533—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing property and casualty insurers to refuse to insure or continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

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

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

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (245684) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (x) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(x) *Refusal to insure.*—In addition to other provisions of this code, the refusal to insure, or continue to insure, any individual or risk solely because of:

1. Race, color, creed, marital status, sex, or national origin;
2. The residence, age, or lawful occupation of the individual or the location of the risk, unless there is a reasonable relationship between the residence, age, or lawful occupation of the individual or the location of the risk and the coverage issued or to be issued;
3. The insured's or applicant's failure to agree to place collateral business with any insurer, unless the coverage applied for would provide liability coverage which is excess over that provided in policies maintained on property or motor vehicles;
4. The insured's or applicant's failure to purchase noninsurance services or commodities, including *motor vehicle automobile* services as defined in s. 624.124 *except for motor vehicle services purchased from a membership organization that, as of January 1, 2018, is affiliated with an admitted property and casualty insurer;*
5. The fact that the insured or applicant is a public official; or

6. The fact that the insured or applicant had been previously refused insurance coverage by any insurer, when such refusal to insure or continue to insure for this reason occurs with such frequency as to indicate a general business practice.

Section 2. This act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing insurers to refuse to insure or refuse to continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 533**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 904—A bill to be entitled An act relating to judicial process; amending s. 48.021, F.S.; revising authority of special process servers; revising a cross-reference; requiring that civil witness subpoenas be served by certain persons; amending s. 48.031, F.S.; revising requirements for substituted service on the spouse of the person to be served; revising requirements for documenting service of process; conforming terminology; amending s. 48.062, F.S.; revising requirements for service on limited liability companies; amending s. 48.194, F.S.; revising provisions specifying who may serve process outside of the state; revising requirements for documenting that service has been properly made outside the state; amending s. 48.21, F.S.; revising requirements for return-of-service forms; authorizing certain persons to electronically sign return-of-service forms; amending s. 48.23, F.S.; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; specifying the effect of a valid, recorded notice of lis pendens in certain circumstances involving a judicial sale; providing applicability; amending s. 48.27, F.S.; revising authority of certified process servers; conforming terminology; amending s. 316.29545, F.S.; exempting certified process servers from certain window sun-screening restrictions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 904**, pursuant to Rule 3.11(3), there being no objection, **HB 599** was withdrawn from the Committees on Judiciary; Commerce and Tourism; and Rules.

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

HB 599—A bill to be entitled An act relating to lis pendens; amending s. 48.23, F.S.; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; specifying the effect of a valid, recorded notice of lis pendens in certain circumstances involving a judicial sale; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 904** and read the second time by title.

Senator Powell moved the following amendment which was adopted:

Amendment 1 (492656) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 48.021, Florida Statutes, is amended to read:

48.021 Process; by whom served.—

(1) All process shall be served by the sheriff of the county where the person to be served is found, except ~~initial~~ nonenforceable civil process, criminal witness subpoenas, and criminal summonses may be served by a special process server appointed by the sheriff as provided ~~for~~ in this section or by a certified process server as provided ~~for~~ in s. 48.27 ~~ss. 48.25-48.31~~. Civil witness subpoenas ~~shall~~ ~~may~~ be served by any person authorized by rules of civil procedure.

Section 2. Subsections (2) and (5) and paragraph (a) of subsection (6) of section 48.031, Florida Statutes, are amended to read:

48.031 Service of process generally; service of witness subpoenas.—

(2)(a) ~~Substituted~~ ~~Substitute~~ service ~~may be made~~ on the spouse of the person to be served ~~may be made~~ at any place in ~~a~~ the county by an individual authorized under s. 48.021 or s. 48.27 to serve process in that county, if the cause of action is not an ~~adversarial~~ ~~adversary~~ proceeding between the spouse and the person to be served, if the spouse requests such service ~~or the spouse is also a party to the action~~, and if the spouse and person to be served ~~reside~~ ~~are residing~~ together in the same dwelling, regardless of whether such dwelling is located in the county where substituted service is made.

(b) ~~Substituted~~ ~~Substitute~~ service may be made on an individual doing business as a sole proprietorship at his or her place of business, during regular business hours, by serving the person in charge of the business at the time of service if two attempts to serve the owner ~~are~~ ~~have been~~ made at the place of business.

(5) A person serving process shall place, on the first page ~~only~~ of at least one of the processes served, the date and time of service, ~~his or her initials or signature~~, and, ~~if applicable~~, his or her identification number ~~and initials for all service of process~~. ~~The person serving process shall list on the return of service form all initial pleadings delivered and served along with the process~~. The person requesting service or the person authorized to serve the process shall file the return-of-service form with the court.

(6)(a) If the only address for a person to be served which is discoverable through public records is a private mailbox, a virtual office, or an executive office or mini suite, ~~substituted~~ ~~substitute~~ service may be made by leaving a copy of the process with the person in charge of the private mailbox, virtual office, or executive office or mini suite, but only if the process server determines that the person to be served maintains a mailbox, a virtual office, or an executive office or mini suite at that location.

Section 3. Subsection (4) of section 48.062, Florida Statutes, is amended to read:

48.062 Service on a limited liability company.—

(4) If the address ~~provided~~ for the registered agent, member, or manager is a residence, ~~a~~ ~~or~~ private mailbox, a virtual office, or an executive office or mini suite, service on the domestic or foreign limited liability company, ~~domestic or foreign~~, may be made by serving the registered agent, member, or manager in accordance with s. 48.031.

Section 4. Subsection (1) of section 48.194, Florida Statutes, is amended to read:

48.194 Personal service outside state.—

(1) Except as otherwise provided herein, service of process on persons outside of this state shall be made in the same manner as service within this state by any ~~person~~ ~~officer~~ authorized to serve process in the state where the person is served. No order of court is required. ~~An affidavit of the officer shall be filed, stating the time, manner, and place of service~~. A ~~The~~ court may consider the ~~return-of-service form described in s. 48.21~~ affidavit, or any other competent evidence, in determining whether service has been properly made. Service of process on persons outside the United States may be required to conform to the provisions of the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

Section 5. Subsection (1) of section 48.21, Florida Statutes, is amended to read:

48.21 Return of execution of process.—

(1) Each person who effects service of process shall note on a return-of-service form attached thereto; the date and time when it comes to hand, the date and time when it is served, the manner of service, the name of the person on whom it was served, and, if the person is served in a representative capacity, the position occupied by the person. The return-of-service form must ~~list all pleadings served and~~ be signed by the person who effects the service of process. However, a person ~~who is authorized under this chapter to serve process and employed by a sheriff~~ who effects ~~such~~ the service of process may sign the return-of-service form using an electronic signature ~~certified by the sheriff~~.

Section 6. Paragraphs (b) and (d) of subsection (1) of section 48.23, Florida Statutes, is amended to read:

48.23 Lis pendens.—

(1)

(b)1. An action that is filed for specific performance or that is not based on a duly recorded instrument has no effect, except as between the parties to the proceeding, on the title to, or on any lien upon, the real or personal property unless a notice of lis pendens has been recorded and has not expired or been withdrawn or discharged.

2. Any person acquiring for value an interest in, or lien upon, the real or personal property during the pendency of an action described in subparagraph 1., other than a party to the proceeding or the legal successor by operation of law, or personal representative, heir, or devisee of a deceased party to the proceeding, shall take such interest or lien exempt from all claims against the property that were filed in such action by the party who failed to record a notice of lis pendens or whose notice expired or was withdrawn or discharged, and from any judgment entered in the proceeding, notwithstanding the provisions of s. 695.01, as if such person had no actual or constructive notice of the proceeding or of the claims made therein or the documents forming the causes of action against the property in the proceeding.

(d) Except for the interest of persons in possession or easements of use, the recording of such notice of lis pendens, provided that during the pendency of the proceeding it has not expired pursuant to subsection (2) or been withdrawn or discharged, constitutes a bar to the enforcement against the property described in the notice of all interests and liens, including, but not limited to, federal tax liens and levies, unrecorded at the time of recording the notice unless the holder of any such unrecorded interest or lien intervenes in such proceedings within 30 days after the recording of the notice. If the holder of any such unrecorded interest or lien does not intervene in the proceedings and if such proceedings are prosecuted to a judicial sale of the property described in the notice, the property shall be forever discharged from all such unrecorded interests and liens. *A valid recorded notice of lis pendens of such proceedings prosecuted to a judicial sale remains in effect through the recording of any instrument transferring title to the property pursuant to the final judgment unless it expires, is withdrawn, or it is otherwise discharged.* If the notice of lis pendens expires or is withdrawn or discharged, the expiration, withdrawal, or discharge of the notice does not affect the validity of any unrecorded interest or lien.

Section 7. *The changes made by this act to s. 48.23, Florida Statutes, are intended to clarify existing law and shall apply to actions pending on the effective date of this act.*

Section 8. Paragraph (a) of subsection (2) of section 48.27, Florida Statutes, is amended to read:

48.27 Certified process servers.—

(2)(a) The addition of a person's name to the list authorizes him or her to serve ~~initial~~ nonenforceable civil process on a person found within the circuit where the process server is certified when a civil action ~~is~~ ~~has~~ ~~been~~ filed against such person in the circuit court or in a county court in the state. Upon filing an action in circuit or county court, a person may select from the list for the circuit where the process is to be served one or more certified process servers to serve ~~initial~~ nonenforceable civil process.

Section 9. Section 316.29545, Florida Statutes, is amended to read:

316.29545 Window suncreening exclusions; medical exemption; certain law enforcement vehicles, *process server vehicles*, and private investigative service vehicles exempt.—

(1) The department shall issue medical exemption certificates to persons who are afflicted with Lupus, any autoimmune disease, or other medical conditions which require a limited exposure to light, which certificates shall entitle the person to whom the certificate is issued to have suncreening material on the windshield, side windows, and windows behind the driver which is in violation of the requirements of ss. 316.2951-316.2957. The department shall consult with the Medical Advisory Board established in s. 322.125 for guidance with respect to the autoimmune diseases and other medical conditions which shall be

included on the form of the medical certificate authorized by this section. At a minimum, the medical exemption certificate shall include a vehicle description with the make, model, year, vehicle identification number, medical exemption decal number issued for the vehicle, and the name of the person or persons who are the registered owners of the vehicle. A medical exemption certificate shall be nontransferable and shall become null and void upon the sale or transfer of the vehicle identified on the certificate.

(2) The department shall exempt all law enforcement vehicles used in undercover or canine operations from the window suncreening requirements of ss. 316.2951-316.2957.

(3) The department shall exempt from the window suncreening restrictions of ss. 316.2953, 316.2954, and 316.2956 vehicles that are owned or leased by *process servers certified pursuant to s. 48.29* and private investigators or private investigative agencies licensed under chapter 493.

(4) The department may charge a fee in an amount sufficient to defray the expenses of issuing a medical exemption certificate as described in subsection (1).

(5) The department is authorized to promulgate rules for the implementation of this section.

Section 10. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to judicial process; amending s. 48.021, F.S.; revising authority of special process servers; revising a cross-reference; requiring that civil witness subpoenas be served by certain persons; amending s. 48.031, F.S.; revising requirements for substituted service on the spouse of the person to be served; revising requirements for documenting service of process; conforming terminology; amending s. 48.062, F.S.; revising requirements for service on limited liability companies; amending s. 48.194, F.S.; revising provisions specifying who may serve process outside of the state; revising requirements for documenting that service has been properly made outside the state; amending s. 48.21, F.S.; revising requirements for return-of-service forms; authorizing certain persons to electronically sign return-of-service forms; amending s. 48.23, F.S.; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; specifying the effect of a valid, recorded notice of lis pendens in certain circumstances involving a judicial sale; providing applicability; amending s. 48.27, F.S.; revising authority of certified process servers; conforming terminology; amending s. 316.29545, F.S.; exempting certified process servers from certain window suncreening restrictions; providing an effective date.

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

CS for CS for SB 784—A bill to be entitled An act relating to insurance; amending s. 625.151, F.S.; providing that certain securities valuation limitations do not apply to certain stock of certain foreign insurers' subsidiary corporations or related entities; amending s. 625.325, F.S.; providing that certain provisions relating to insurer investments in subsidiaries and related corporations do not apply to foreign insurers under certain circumstances; amending s. 626.221, F.S.; revising professional designations that exempt all-lines adjuster license applicants from an examination requirement; repealing s. 626.918(2)(a), F.S., relating to a certain condition before an unauthorized insurer may be or become an eligible surplus lines insurer; amending s. 626.932, F.S.; reducing the tax on surplus lines insurance; deleting a limitation on the tax rate for certain surplus lines policies; amending s. 626.9651, F.S.; revising federal standards applicable to Department of Financial Services and Financial Services Commission rules governing the use of consumer nonpublic personal financial and health information; amending s. 627.416, F.S.; authorizing insurers to issue policies that are not executed by certain authorized persons; amending s. 627.43141, F.S.; specifying that a written notice of a change in policy terms must summarize the change; amending s. 627.7015, F.S.; authorizing a third party, as assignee of the policy benefits, to request mediation for dis-

puted property insurance claims; providing that insurers are not required to participate in such mediations; making technical changes; amending s. 627.728, F.S.; adding certain proofs of mailing that an insurer may use to provide certain notices relating to cancellation and nonrenewals of policies to certain insureds; amending s. 627.756, F.S.; providing that certain attorney fee provisions apply to suits brought by contractors against surety insurers under payment or performance bonds for building or construction contracts; providing that contractors are deemed to be insureds or beneficiaries for the purposes of such provisions; providing applicability; amending s. 628.4615, F.S.; revising the definition of the term "specialty insurer" to include viatical settlement providers; providing that a person may rebut a presumption of control by filing a specified disclaimer with the Office of Insurance Regulation; providing an alternative to a form prescribed by the commission; providing construction; conforming cross-references; amending s. 628.8015, F.S.; deleting a condition that certain filings and documents relating to insurer own-risk and solvency assessments and corporate governance annual disclosures must be obtained from the office to be inadmissible in evidence in private civil actions; amending s. 629.401, F.S.; revising unearned premium reserve requirements for insurance exchanges regulated by the office; defining the term "net written premiums"; amending s. 634.121, F.S.; revising requirements and procedures for the delivery of motor vehicle service agreements and certain forms by motor vehicle service agreement companies to agreement holders; defining terms; specifying requirements if a motor vehicle service agreement company elects to post service agreements on its website in lieu of mailing or delivering to agreement holders; amending s. 641.3107, F.S.; revising requirements and procedures for the delivery of health maintenance contracts and certain documents by health maintenance organizations to subscribers; defining terms; specifying requirements if a health maintenance organization elects to post health maintenance contracts on its website in lieu of mailing or delivering to subscribers or certain persons; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 784**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 465** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Appropriations.

On motion by Senator Brandes—

CS for CS for HB 465—A bill to be entitled An act relating to insurance; amending s. 625.151, F.S.; providing an exception from valuation rules for stocks in subsidiaries for certain foreign insurers under certain conditions; amending s. 625.325, F.S.; exempting foreign insurers from investment requirements relating to subsidiaries and corporations under certain conditions; amending s. 626.221, F.S.; providing an exception from an examination requirement for an all-lines adjuster license applicant with a specified designation; repealing s. 626.918(2)(a), F.S., relating to eligibility of certain surplus lines insurers; amending s. 626.9651, F.S.; revising requirements for rules adopted by the Department of Financial Services and the Financial Services Commission relating to the privacy of certain consumer information; amending s. 627.416, F.S.; revising requirements for execution of insurance policies; amending s. 627.43141, F.S.; revising the requirements for notice of change in policy terms; amending s. 627.7015, F.S.; authorizing insurers to participate in mediations requested by third parties; revising terminology; amending s. 627.728, F.S.; providing requirements for sufficient proof of notice for certain motor vehicle insurance notices; amending s. 628.4615, F.S.; revising the definition of the term "specialty insurer" to include viatical settlement providers; providing requirements and procedures for a person seeking to rebut a presumption of control in a specialty insurer; amending s. 628.8015, F.S.; revising the type of documents that are not admissible in evidence in a private civil action; amending s. 629.401, F.S.; revising reserve requirements for reciprocal insurers; amending s. 634.121, F.S.; providing definitions; providing that provisions relating to the delivery of insurance policy documents by insurers to policyholders apply to certain motor vehicle service agreements provided by motor vehicle service agreement companies; deleting specified methods for the delivery of such documents; amending s. 641.3107, F.S.; providing definitions; providing that provisions relating to the delivery of insurance policy documents by insurers to policyholders apply to delivery of such documents by health maintenance organizations to subscribers; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 784** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 465** was placed on the calendar of Bills on Third Reading.

On motion by Senator Powell—

CS for SB 820—A bill to be entitled An act relating to firesafety inspectors; creating s. 633.217, F.S.; prohibiting certain actions to influence a firesafety inspector to violate the Florida Fire Prevention Code, other rules of the State Fire Marshal, or ch. 633, F.S.; providing criminal penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 820** was placed on the calendar of Bills on Third Reading.

On motion by Senator Broxson—

CS for SB 1862—A bill to be entitled An act relating to the Physician Fee Sharing Task Force; creating s. 456.0541, F.S.; establishing the Physician Fee Sharing Task Force within the Department of Health; providing for duties, membership, and meetings of the task force; requiring a report to the Governor and Legislature by a specified date; providing for expiration of the task force; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1862** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 620** was deferred.

CS for SB 1012—A bill to be entitled An act relating to toll operations; amending s. 338.155, F.S.; exempting a law enforcement officer from paying a toll on a toll facility when operating a marked or unmarked official vehicle while on official law enforcement business; defining the term “official law enforcement business”; amending s. 338.26, F.S.; requiring fees generated from tolls to be used to reimburse, by interlocal agreement within a specified timeframe, a county or another local governmental entity for the direct actual costs of operating a specified fire station; providing services to the public on Alligator Alley; deleting obsolete language; amending s. 348.0003, F.S.; requiring the governing body of the authority in certain counties to, by a specified date, submit to the Governor information regarding its compliance with a specified minimum percent toll reduction; requiring, effective on a specified date, the existing board to be dissolved and, except for the district secretary of the Department of Transportation, a new board to be appointed by that date if the required toll reduction has not taken place; prohibiting a member of the board on a specified date to be appointed to the new board, except for the district secretary of the department; requiring the members to be residents of the county, except for the district secretary of the department; requiring a specified number of voting members to be appointed by the governing body of the county; authorizing, at the discretion of the governing body of the county, up to a specified amount of the members appointed by the governing body of the county to be elected officials residing in the county; requiring a specified amount of voting members of the authority to be appointed by the Governor; requiring that the district secretary of the department from the appropriate district be an ex officio voting member; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1012** to **CS for CS for HB 141**.

Pending further consideration of **CS for SB 1012**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 141** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Passidomo—

CS for CS for HB 141—A bill to be entitled An act relating to transportation; amending s. 338.222, F.S.; revising provisions relating to contracting and negotiation between the Department of Transportation and local governmental entities for acquisition, construction, or operation of turnpike projects; amending s. 338.155, F.S.; exempting a law enforcement officer from paying a toll on a toll facility when operating an official vehicle while on official law enforcement business; amending s. 338.26, F.S.; requiring fees generated from tolls to be used to reimburse, by interlocal agreement, a county or another local governmental entity for the direct actual costs of operating a specified fire station providing services to the public on Alligator Alley; deleting obsolete language; amending s. 348.0003, F.S.; requiring the governing body of an authority to report certain compliance information to the Governor; providing for the formation of a new board under certain circumstances; providing for appointment of new members; providing an effective date.

—a companion measure, was substituted for **CS for SB 1012**, as amended, and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 141** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1328** and **CS for CS for SB 1548** was deferred.

On motion by Senator Bracy—

SB 870—A bill to be entitled An act relating to capital felonies; amending ss. 921.141 and 921.142, F.S.; providing legislative findings and intent regarding the retroactive application of *Hurst v. State*, No. SC12-1947 (Fla., October 14, 2016); providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 870** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 732—A bill to be entitled An act relating to K-12 education; amending s. 1002.385, F.S.; revising the meaning of a rare disease within the definition of the term “disability” for purposes of the Gardiner Scholarship Program; revising eligible expenditures for the program; revising requirements for private schools that participate in the program; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; conforming cross-references; amending s. 1002.41, F.S.; specifying that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state’s attendance requirements; revising the content requirements of a notice of enrollment of a student in a home education program; requiring the district school superintendent to immediately register a home education program upon receipt of the notice; prohibiting a school district from requiring additional information or verification of a home education student except in specified circumstances; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; prohibiting a school district from taking certain actions against a home education program student’s parent unless such action is necessary for a school district program; creating s. 1002.411, F.S.; establishing reading scholarship accounts for specified purposes; providing for eligibility for scholarships; providing for administration; providing duties of the Department of Education; providing school district obligations; specifying options for parents; providing that maximum funding shall be specified in the General Appropriations Act; providing for payment of funds; specifying that no state liability arises from the award or use of such an account; amending s. 1003.21, F.S.; prohibiting a district school superintendent from requiring certain evidence relating to a child’s age from children enrolled in specified schools and programs; amending s. 1003.26, F.S.; revising reporting requirements for specified issues re-

lating to compulsory school attendance; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1003.436, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; amending s. 1003.437, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to use an alternative interpretation of letter grades for certain students; amending s. 1003.4996, F.S.; renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; authorizing public school districts to submit applications for the program; authorizing participating school districts to amend their applications to include alternatives for the award credits and interpretation of letter grades; providing requirements for such alternatives; deleting a requirement that the State Board of Education adopt rules; amending s. 1006.15, F.S.; revising the standards required for a home education student to participate in extracurricular activities; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to ensure fair and equitable access for students with mastery-based, non-traditional diplomas and transcripts; amending s. 1007.271, F.S.; prohibiting the dual enrollment articulation agreement from including course enrollment limitations for certain students; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual enrollment program for certain home education students; amending s. 1007.35, F.S.; updating terminology; requiring the Department of Education to provide certain teacher and student ACT and PreACT information for the evaluation of certain services and activities; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 732**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 731** was withdrawn from the Committees on Education; Appropriations Subcommittee on Pre-K - 12 Education; and Appropriations.

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

CS for CS for HB 731—A bill to be entitled An act relating to home education; amending s. 1002.41, F.S.; specifying that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state's attendance requirements; revising the content requirements of a notice of enrollment of a student in a home education program; requiring the district school superintendent to immediately register a home education program upon receipt of the notice; prohibiting a school district from requiring additional information or verification of a home education student except in specified circumstances; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; prohibiting a school district from taking certain actions against a home education program student's parent unless such action is necessary for a school district program; amending s. 1003.21, F.S.; prohibiting a district school superintendent from requiring certain evidence relating to a child's age from children enrolling in specified schools and programs; amending s. 1003.26, F.S.; authorizing a school district superintendent to refer certain cases relating to student nonenrollment to the child study team of certain schools; requiring the child study team to provide specified services in such instances; conforming cross-references; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1006.15, F.S.; revising the standards required for a home education student to participate in extracurricular activities; amending s. 1007.271, F.S.; prohibiting the limitation of dual enrollment course enrollments under certain circumstances; deleting a requirement for a home education student to provide his or her own instructional materials; revising the requirements for home education and private school articulation agreements; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual en-

rollment program for certain home education students; amending s. 1002.385, F.S.; conforming cross-references; providing a contingent appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 732** and read the second time by title.

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

Senator Baxley moved the following amendment:

Amendment 1 (881366) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (2) of section 1002.41, Florida Statutes, are amended, and subsections (11), (12), and (13) are added to that section, to read:

1002.41 Home education programs.—

(1) *As used in this section, the term a “home education program” has the same meaning as is defined in s. 1002.01. A home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state's attendance requirements under s. 1003.21(1). The parent is not required to hold a valid regular Florida teaching certificate.*

(a) *The parent, as defined in s. 1000.21, who establishes and maintains a home education program shall notify the district school superintendent of the county in which the parent resides of her or his intent to establish and maintain a home education program. The notice must ~~shall~~ be in writing, signed by the parent, and ~~shall~~ include the full legal names, addresses, and birthdates of all children who shall be enrolled as students in the home education program. The notice must ~~shall~~ be filed in the district school superintendent's office within 30 days of the establishment of the home education program.*

(b) *The district school superintendent shall accept the notice and immediately register the home education program upon receipt of the notice. The district may not require any additional information or verification from the parent unless the student chooses to participate in a school district program or service. The district school superintendent may not assign a grade level to the home education student or include a social security number or any other personal information of the student in any school district or state database unless the student chooses to participate in a school district program or service.*

(c) *The parent shall file a written notice of termination upon completion of the home education program with ~~shall be filed in~~ the district school superintendent, along with the annual evaluation required in paragraph (f), within ~~superintendent's office within~~ 30 days of ~~after said~~ termination.*

(d)(b) *The parent shall maintain a portfolio of records and materials. The portfolio must ~~shall~~ consist of the following:*

1. A log of educational activities that is made contemporaneously with the instruction and that designates by title any reading materials used.

2. Samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.

(e) *The parent shall determine the content of the portfolio, preserve it ~~shall be preserved by the parent~~ for 2 years, and make it ~~shall be made~~ available for inspection, if requested, by the district school superintendent, or the district school superintendent's agent, upon 15 days' written notice. Nothing in this section shall require the district school superintendent to inspect the portfolio.*

(f)(e) *The parent shall provide for an annual educational evaluation in which is documented the student's demonstration of educational progress at a level commensurate with her or his ability. The parent shall select the method of evaluation and shall file a copy of the evaluation annually with the district school superintendent's office in the county in which the student resides. The annual educational evaluation shall consist of one of the following:*

1. A teacher selected by the parent shall evaluate the student's educational progress upon review of the portfolio and discussion with the student. Such teacher shall hold a valid regular Florida certificate to teach academic subjects at the elementary or secondary level;

2. The student shall take any nationally normed student achievement test administered by a certified teacher;

3. The student shall take a state student assessment test used by the school district and administered by a certified teacher, at a location and under testing conditions approved by the school district;

4. The student shall be evaluated by an individual holding a valid, active license pursuant to the provisions of s. 490.003(7) or (8); or

5. The student shall be evaluated with any other valid measurement tool as mutually agreed upon by the district school superintendent of the district in which the student resides and the student's parent.

(2) The district school superintendent shall ~~review and~~ accept the results of the annual educational evaluation of the student in a home education program. If the student does not demonstrate educational progress at a level commensurate with her or his ability, the district school superintendent shall notify the parent, in writing, that such progress has not been achieved. The parent shall have 1 year from the date of receipt of the written notification to provide remedial instruction to the student. At the end of the 1-year probationary period, the student shall be reevaluated as specified in paragraph (1)(f) ~~(1)(e)~~. Continuation in a home education program shall be contingent upon the student demonstrating educational progress commensurate with her or his ability at the end of the probationary period.

(11) *A school district may provide access to career and technical courses and programs for a home education program student who enrolls in a public school solely for the career and technical courses or programs. The school district that provides the career and technical courses and programs shall report each student as a full-time equivalent student in the class and in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program pursuant to s. 1011.62.*

(12) *Industry certifications, national assessments, and statewide, standardized assessments offered by a school district shall be available to home education program students. Each school district shall notify home education program students of the available certifications and assessments; the date, time, and locations for the administration of each certification and assessment; and the deadline for notifying the school district of the student's intent to participate and the student's preferred location.*

(13) *A school district may not further regulate, exercise control over, or require documentation from parents of home education program students beyond the requirements of this section unless the regulation, control, or documentation is necessary for participation in a school district program.*

Section 2. Subsection (4) of section 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.—

(4) Before admitting a child to kindergarten, the principal shall require evidence that the child has attained the age at which he or she should be admitted in accordance with the provisions of subparagraph (1)(a)2. The district school superintendent may require evidence of the age of any child *who is being enrolled in public school and who the district school superintendent* ~~whom he or she~~ believes to be within the limits of compulsory attendance as provided for by law; *however, the district school superintendent may not require evidence from any child who meets regular attendance requirements by attending a school or program listed in s. 1003.01(13)(b)-(e).* If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A duly attested transcript of the child's birth record filed according to law with a public officer charged with the duty of recording births;

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by the parent;

(c) An insurance policy on the child's life that has been in force for at least 2 years;

(d) A bona fide contemporary religious record of the child's birth accompanied by an affidavit sworn to by the parent;

(e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least 4 years prior to application, stating date of birth; or

(g) If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school physician, or, if these are not available in the county, by a licensed practicing physician designated by the district school board, which states that the health officer or physician has examined the child and believes that the age as stated in the affidavit is substantially correct. Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. 39.0016, shall be given temporary exemption from this section for 30 school days.

Section 3. Paragraph (f) of subsection (1) and paragraph (a) of subsection (2) of section 1003.26, Florida Statutes, are amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(f1) If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~. The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~.

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of “regular school attendance” under s. 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(e) ~~s. 1002.41(1)(b)~~.

(2) GIVE WRITTEN NOTICE.—

(a) Under the direction of the district school superintendent, a designated school representative shall give written notice that requires enrollment or attendance within 3 days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student’s nonenrollment in school. If the notice and requirement are ignored, the designated school representative shall report the case to the district school superintendent, ~~who and~~ may refer the case to the *child study team in paragraph (1)(b) at the school the student would be assigned according to district school board attendance area policies or to the case staffing committee*, established pursuant to s. 984.12. *The child study team shall diligently facilitate intervention services and shall report the case back to the district school superintendent only when all reasonable efforts to resolve the nonenrollment behavior are exhausted. If the parent still refuses to cooperate or enroll the child in school*, the district school superintendent shall take such steps as are necessary to bring criminal prosecution against the parent.

Section 4. Subsection (2) of section 1003.27, Florida Statutes, is amended to read:

1003.27 Court procedure and penalties.—The court procedure and penalties for the enforcement of the provisions of this part, relating to compulsory school attendance, shall be as follows:

(2) NONENROLLMENT AND NONATTENDANCE CASES.—

(a) In each case of nonenrollment or of nonattendance upon the part of a student who is required to attend some school, when no valid reason for such nonenrollment or nonattendance is found, the district school superintendent shall institute a criminal prosecution against the student’s parent. *However, criminal prosecution may not be instituted against the student’s parent until the school and school district have complied with s. 1003.26.*

(b) Each public school principal or the principal’s designee shall notify the district school board of each minor student under its jurisdiction who accumulates 15 unexcused absences in a period of 90 calendar days. ~~Each designee of the governing body of each private school, and each parent whose child is enrolled in a home education program, may provide the Department of Highway Safety and Motor Vehicles with the legal name, sex, date of birth, and social security number of each minor student under his or her jurisdiction who fails to satisfy relevant attendance requirements and who fails to otherwise satisfy the requirements of s. 322.091. The district school superintendent must provide the Department of Highway Safety and Motor Vehicles the legal name, sex, date of birth, and social security number of each minor student who has been reported under this paragraph and who fails to otherwise satisfy the requirements of s. 322.091. The Department of Highway Safety and Motor Vehicles may not issue a driver license or learner’s driver license to, and shall suspend any previously issued driver license or learner’s driver license of, any such minor student, pursuant to the provisions of s. 322.091.~~

(c) *Each designee of the governing body of each private school and each parent whose child is enrolled in a home education program may provide the Department of Highway Safety and Motor Vehicles with the legal name, sex, date of birth, and social security number of each minor student under his or her jurisdiction who fails to satisfy relevant attendance requirements and who fails to otherwise satisfy the require-*

ments of s. 322.091. The Department of Highway Safety and Motor Vehicles may not issue a driver license or learner’s driver license to, and shall suspend any previously issued driver license or learner’s driver license of, any such minor student pursuant to s. 322.091.

Section 5. Paragraph (1) of subsection (5) and paragraph (a) of subsection (11) of section 1002.385, Florida Statutes, are amended to read:

1002.385 The Gardiner Scholarship.—

(5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be used to meet the individual educational needs of an eligible student and may be spent for the following purposes:

(1) Fees for an annual evaluation of educational progress by a state-certified teacher under s. 1002.41(1)(f) ~~s. 1002.41(1)(e)~~, if this option is chosen for a home education student.

A provider of any services receiving payments pursuant to this subsection may not share, refund, or rebate any moneys from the Gardiner Scholarship with the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.

(11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for program participation under this section is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child. The scholarship award for a student is based on a matrix that assigns the student to support Level III services. If a parent receives an IEP and a matrix of services from the school district pursuant to subsection (7), the amount of the payment shall be adjusted as needed, when the school district completes the matrix.

(a) To satisfy or maintain program eligibility, including eligibility to receive and spend program payments, the parent must sign an agreement with the organization and annually submit a notarized, sworn compliance statement to the organization to:

1. Affirm that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(13)(b)-(d).

2. Affirm that the program funds are used only for authorized purposes serving the student’s educational needs, as described in subsection (5).

3. Affirm that the parent is responsible for the education of his or her student by, as applicable:

a. Requiring the student to take an assessment in accordance with paragraph (8)(c);

b. Providing an annual evaluation in accordance with s. 1002.41(1)(f) ~~s. 1002.41(1)(e)~~; or

c. Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Pre-kindergarten Education Program provider. A student with disabilities for whom a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student’s scores to the parent.

4. Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

A parent who fails to comply with this subsection forfeits the Gardiner Scholarship.

Section 6. This act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to home education; amending s. 1002.41, F.S.; specifying that a home education program is not a school district program and is registered with the district school superintendent only for

the purpose of complying with the state's attendance requirements; revising the content requirements of a notice of enrollment of a student in a home education program; requiring the district school superintendent to immediately register a home education program upon receipt of the notice; prohibiting a school district from requiring additional information or verification of a home education student except in specified circumstances; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; prohibiting a school district from taking certain actions against a home education program student's parent unless such action is necessary for a school district program; amending s. 1003.21, F.S.; prohibiting a district school superintendent from requiring certain evidence relating to a child's age from children enrolling in specified schools and programs; amending s. 1003.26, F.S.; authorizing a school district superintendent to refer certain cases relating to student nonenrollment to the child study team of certain schools; requiring the child study team to provide specified services in such instances; conforming cross-references; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1002.385, F.S.; conforming cross-references; providing an effective date.

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

Senator Baxley moved the following amendment to **Amendment 1 (881366)** which was adopted:

Amendment 1A (550584) (with title amendment)—Between lines 356 and 357 insert:

Section 6. Subsection (5), paragraph (j) of subsection (6), and subsection (8) of section 1007.35, Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or the ~~PreACT preliminary ACT~~ to all enrolled 10th grade students. However, a written notice shall be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the ~~PreACT preliminary ACT~~.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.

(b) Funding for the PSAT/NMSQT or the ~~PreACT preliminary ACT~~ for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or the ~~PreACT preliminary ACT~~ for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or the ~~PreACT preliminary ACT~~ administration, including, but not limited to:

1. Test administration dates and times.
2. That participation in the PSAT/NMSQT or the ~~PreACT preliminary ACT~~ is open to all 10th grade students.
3. The value of such tests in providing diagnostic feedback on student skills.

4. The value of student scores in predicting the probability of success on AP or other advanced course examinations.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or the ~~PreACT preliminary ACT~~ testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

(b) The department shall contribute to the evaluation process by providing access, consistent with s. 119.071(5)(a), to student and teacher information necessary to match against databases containing teacher professional development data and databases containing assessment data for the PSAT/NMSQT, SAT, ~~ACT~~, ~~PreACT~~, AP, and other appropriate measures. The department shall also provide student-level data on student progress from middle school through high school and into college and the workforce, if available, in order to support longitudinal studies. The partnership shall analyze and report student performance data in a manner that protects the rights of students and parents as required in 20 U.S.C. s. 1232g and s. 1002.22.

And the title is amended as follows:

Delete line 401 and insert: F.S.; conforming cross-references; amending s. 1007.35, F.S.; updating terminology; requiring the department to provide certain teacher and student ACT and PreACT information for the evaluation of certain services and activities; providing an

Amendment 1 (881366), as amended, was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 731**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 662**, **CS for SB 1316**, **SB 1532**, and **CS for CS for SB 1396** was deferred.

CS for CS for SB 620—A bill to be entitled An act relating to taxation; amending s. 28.241, F.S.; specifying that certain filing fees for trial and appellate proceedings must be deposited into the State Courts Revenue Trust Fund rather than the General Revenue Fund; amending s. 159.621, F.S.; providing a documentary stamp tax exemption for notes and mortgages that are given in connection with a loan made by or on behalf of a housing financing authority; providing requirements for the exemption; revising applicability; creating s. 193.0237, F.S.; defining terms; prohibiting separate ad valorem taxes or non-ad valorem assessments against the land upon which a multiple parcel building is located; specifying requirements for property appraisers in allocating the value of land containing a multiple parcel building among the parcels; providing that a condominium, timeshare, or cooperative may be created within a parcel in a multiple parcel building; specifying the allocation of land value to the assessed value of parcels containing condominiums and of parcels containing cooperatives; requiring that each parcel in a multiple parcel building be assigned a tax folio number; providing an exception; providing construction relating to the survival and enforceability of recorded instrument provisions affecting a certain parcel in a multiple parcel building; providing applicability; creating s. 193.4516, F.S.; specifying a limitation on ad valorem tax assessments for tangible personal property that is owned and operated by a citrus fruit packing or processing facility and that is unused due to the effects of a certain hurricane or to citrus greening; defining the term "citrus"; providing applicability; amending s. 193.461, F.S.; providing that certain lands classified for assessment purposes as agricultural lands which are not being used for agricultural production must continue to be classified as agricultural lands until a specified date; providing construction; providing applicability; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; amending s. 196.24, F.S.; deleting a condition for unremarried spouses of deceased disabled ex-service-

members to claim a certain ad valorem tax exemption; amending s. 197.3631, F.S.; specifying requirements for the levy and allocation of non-ad valorem assessments on land containing a multiple parcel building; defining the terms “multiple parcel building” and “parcel”; amending s. 197.572, F.S.; providing that easements supporting improvements that may be constructed above lands survive tax sales and tax deeds of such lands; amending s. 197.573, F.S.; specifying that a provision relating to the survival and enforceability of restrictions and covenants after a tax sale applies to recorded instruments other than deeds; revising covenants that are excluded from applicability; amending s. 201.02, F.S.; providing a documentary stamp tax exemption for certain instruments transferring or conveying homestead property interests between spouses; providing applicability; defining the term “homestead property”; creating s. 201.25, F.S.; providing exemptions from documentary stamp taxes for certain loans made by the Florida Small Business Emergency Bridge Loan Program and the Agricultural Economic Development Program; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; revising the calculation of certain taxes by the Department of Revenue; amending s. 206.996, F.S.; conforming a provision to changes made by the act; creating s. 210.205, F.S.; requiring the H. Lee Moffitt Cancer Center and Research Institute to annually report information regarding the expenditure of cigarette tax distributions to the Office of Economic and Demographic Research; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.055, F.S.; revising the definition of the term “infrastructure” for purposes of the local government infrastructure surtax; amending s. 212.08, F.S.; revising, at specified timeframes, the total amount of community contribution tax credits which may be granted; providing an exemption from the sales and use tax for certain tangible personal property donated to certain s. 501(c)(3) organizations; defining the term “donate”; revising applicability of a sales and use tax exemption for certain charges for electricity and steam uses; defining the term “NAICS”; providing a sales and use tax exemption for recycling roll off containers used by certain businesses for certain purposes; defining the term “NAICS”; amending s. 212.12, F.S.; requiring the department to make available the tax amounts and brackets applicable to transactions subject to the sales tax on commercial leases of real property; creating s. 212.205, F.S.; requiring certain recipients of sales tax distributions to annually report information related to expenditures of those distributions to the Office of Economic and Demographic Research; creating s. 218.135, F.S.; requiring the Legislature to appropriate funds to offset reductions in ad valorem taxes as a result of certain assessment limitations on the value of certain citrus packing and processing equipment; specifying requirements for such counties and jurisdictions in applying to participate in the distribution; specifying the calculation of such reductions; providing for a reversion of a share of funds if such county or jurisdiction fails to apply; providing an appropriation; amending s. 220.183, F.S.; revising, at specified timeframes, the total amount of community contribution tax credits that may be granted; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; amending s. 318.14, F.S.; providing a specified reduction in civil penalty for persons who are cited for certain noncriminal traffic infractions and who elect to attend a certain driver improvement course; deleting the requirement that a specified percentage of the civil penalty be deposited in the State Courts Revenue Trust Fund; amending s. 318.15, F.S.; conforming a provision to changes made by the act; amending s. 320.08, F.S.; revising a condition under which certain truck tractors and heavy trucks used for certain purposes are eligible for specified license plate fees; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 624.5105, F.S.; revising, at specified timeframes, the total amount of community contribution tax credits that may be granted; amending s. 741.01, F.S.; providing for a certain fee paid to the clerk of the circuit court for the issuance of a marriage license to be deposited into the State Courts Revenue Trust Fund rather than the General Revenue Fund; providing sales tax exemptions for the retail sale of certain clothing and school supplies during a specified timeframe; defining terms; providing exceptions; authorizing certain dealers to opt out of participating in such tax exemption; providing requirements for such dealers; authorizing the department to adopt emergency rules; providing an appropriation; providing a sales tax exemption for specified disaster preparedness supplies during a specified timeframe; authorizing the department to

adopt emergency rules; providing exceptions to the exemption; providing an appropriation; providing a sales tax exemption, during a specified timeframe, for certain equipment used to generate emergency electric energy in nursing homes and assisted living facilities; requiring a purchaser to provide a dealer with a specified affidavit; specifying a limit to the exemption; providing procedures and requirements for filing applications for a refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive operation; providing a sales tax exemption for certain fencing materials used in agriculture during a specified timeframe; providing procedures and requirements for filing applications for the refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive applicability; providing a sales tax exemption for certain building materials used to repair nonresidential farm buildings and purchased during a specified timeframe; defining terms; providing procedures and requirements for filing applications for a refund of taxes previously paid; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive applicability; providing an exemption from taxes on fuel used for agricultural shipment and purchased and used during a specified timeframe; defining terms; providing procedures and requirements for filing applications for a refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing applicability of a certain tax; providing rulemaking authority to the department; providing construction; providing retroactive applicability; amending s. 193.155, F.S.; providing that an owner of homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane may elect to have such property deemed abandoned, for the purpose of receiving a certain assessment reduction, if the owner establishes a new homestead property by a specified date; providing retroactive applicability; amending s. 163.01, F.S.; specifying the applicability of a certain tax exemption for property located within or outside the jurisdiction of specified legal entities created under the Florida Interlocal Cooperation Act of 1969; amending s. 206.052, F.S.; exempting certain terminal suppliers from paying the motor fuel tax under specified circumstances; creating s. 206.9826, F.S.; providing that certain air carriers are entitled to receive a specified refund on purchased aviation fuel; specifying a limitation on such refund; providing applicability; providing an appropriation; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 620**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7087** was withdrawn from the Committee on Appropriations.

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

CS for HB 7087—A bill to be entitled An act relating to taxation; amending s. 28.241, F.S.; providing for a distribution of certain filing fees; specifying that filing fees for trial and appellate proceedings must be deposited into the State Courts Revenue Trust Fund; amending s. 159.621, F.S.; providing an exemption from the excise tax on certain documents notes and mortgages that are part of a loan made by or on behalf of a housing financing authority; providing requirements for exemption; providing exceptions to the exemption; creating s. 193.0237, F.S.; providing definitions; providing for the valuation of land upon which a multiple parcel building is located; providing procedures and requirements for the allocation of land value by the property appraiser; specifying the effect of a forced sale on the provisions of a record instrument of a parcel in a multiple parcel building; providing applicability; creating s. 193.4516, F.S.; providing a valuation reduction for tangible personal property owned and operated by a citrus fruit packing or processing facility; providing applicability; defining the term “citrus” for purposes of the reduction; providing retroactive applicability; amending s. 194.011, F.S.; specifying that the right of a condominium, cooperative, or homeowners’ association to petition a value adjustment board regarding an ad valorem tax assessment on behalf of some or all unit or parcel owners includes the right to represent unit or parcel owners in all related proceedings; amending s. 194.032, F.S.; authorizing value adjustment boards to meet to hear appeals pertaining to specified tax abatements; amending s. 194.181, F.S.; specifying that specified associations may be a party to an action contesting the assessment of ad valorem taxes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an addi-

tional ad valorem tax exemption; amending s. 196.24, F.S.; authorizing certain unremarried spouses of deceased disabled ex-servicemembers to claim ad valorem tax exemptions; creating s. 197.318, F.S.; providing for the abatement of ad valorem taxes for residential improvements damaged or destroyed by certain hurricanes; providing definitions; providing procedures and requirements for filing applications; providing reporting requirements; providing retroactive applicability; amending s. 197.3631, F.S.; providing for the levy and allocation of non-ad valorem special assessments on parcels in a multiple parcel building; amending s. 197.572, F.S.; providing for the continued applicability of certain easements that support improvements that may be constructed above certain conservation land; amending s. 197.573, F.S.; protecting from tax sale certain covenants that provide specified liens against property for assessments accruing after issuance of certain deeds and titles; amending s. 201.02, F.S.; defining the term “homestead property”; providing a documentary stamp tax exemption for certain transfers of homestead property between spouses; creating s. 210.205, F.S.; requiring certain recipients of cigarette tax distributions to report information regarding the expenditure of such distributions; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.055, F.S.; revising the definition of “public facilities” for purposes of the local government infrastructure surtax; amending ss. 212.08, 220.183, and 624.5105, F.S.; revising the total amount of community contribution tax credits that may be granted for certain projects that provide housing opportunities for certain persons; creating s. 212.099, F.S.; establishing the Florida Sales Tax Credit Scholarship Program; providing definitions; authorizing certain persons to elect to direct certain state sales and use tax revenues to be transferred to a nonprofit scholarship-organization for the Florida Tax Credit Scholarship Program; providing procedures and requirements for filing applications; providing nonprofit scholarship-funding organization obligations; providing limits on the amount of tax credits; requiring the Department of Revenue to disregard certain tax credits for specified purposes; requiring the Department of Revenue to adopt rules to administer the program; amending s. 212.12, F.S.; directing the department to make available the tax amounts and brackets for the tax imposed under s. 212.031; amending s. 212.1831, F.S.; modifying the calculation of the dealer’s collection allowance under s. 212.12 to include certain contributions to eligible nonprofit scholarship-funding organizations; creating s. 212.205, F.S.; requiring certain recipients of sales tax distributions to report information related to expenditure of those distributions; amending s. 213.053, F.S.; providing definitions; authorizing the Department of Revenue to provide a list of certain taxpayers to certain nonprofit scholarship-funding organizations; creating s. 218.131, F.S.; requiring the Legislature to appropriate moneys to fiscally constrained counties and taxing jurisdictions within such counties that experience a reduction in ad valorem tax revenue as a result of tax abatements related to specified hurricanes; providing a method for distributing such moneys; creating s. 218.135, F.S.; requiring the Legislature to appropriate funds to offset reductions in ad valorem taxes as a result of reductions in the value of certain packing and processing equipment; providing a method for distributing such moneys; providing an appropriation; amending s. 220.13, F.S.; providing an exception to the additions to the calculation of adjusted taxable income for corporate income tax purposes; amending s. 220.1845, F.S.; increasing the total amount of contaminated site rehabilitation tax credits for 1 year; amending s. 220.1875, F.S.; providing a deadline for an eligible contribution to be made to an eligible nonprofit scholarship-funding organization; determining compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32 for tax credits under s. 1002.395; amending s. 318.14, F.S.; requiring a specified reduction of a civil penalty under certain circumstances; deleting the requirement that a specified percentage of the civil penalty be deposited in the State Courts Revenue Trust Fund; amending s. 318.15, F.S.; requiring a person to pay the clerk of the court the amount of a reduction under certain circumstances; amending s. 376.30781, F.S.; increasing the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas for 1 year; amending s. 718.111, F.S.; providing how a condominium association may protest ad valorem valuation of some or all of the units of the association; amending s. 741.01, F.S.; providing a certain fee paid to the clerk of the circuit court for the issuance of a marriage license is deposited into the State Courts Revenue Trust Fund; amending s. 1002.395, F.S.; providing an application deadline for certain tax credits related to nonprofit scholarship-funding organizations; extending the carry forward period for unused tax credits from 5 years to 10 years; providing applicability of the carried forward tax credit for purposes of

certain taxes; removing the requirement for a taxpayer to apply to the department for approval of a carry forward tax credit; providing sales tax exemptions for the retail sale of certain clothing, school supplies, personal computers, and personal computer-related accessories during a specified timeframe; providing exceptions; authorizing certain dealers to opt out of participating in such tax exemption; providing requirements for such dealers; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing a sales tax exemption for specified disaster preparedness supplies during specified timeframes; authorizing the Department of Revenue to adopt emergency rules; providing applicability; providing a sales tax exemption for certain generators used in nursing homes and assisted living facilities during a specified timeframe; providing procedures and requirements for filing applications; providing penalties; providing a sales tax exemption for certain fencing materials during a specified timeframe; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; providing a sales tax exemption for certain building materials used to repair nonresidential farm buildings during a specified timeframe; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; providing an exemption from taxes on fuel for certain agricultural uses; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; amending s. 193.155, F.S.; providing that owners of homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane may elect to have such property deemed abandoned if the owner establishes a new homestead property by a specified date; amending s. 163.01, F.S.; providing the tax treatment of property located within or outside the jurisdiction of specified legal entities created under the Florida Interlocal Cooperation Act of 1969; amending s. 206.052, F.S.; exempting certain terminal suppliers from paying the motor fuel tax under specified circumstances; creating chapter 451, F.S.; providing definitions; specifying that certain contractors under specified conditions are to be treated as independent contractors under state and local laws and regulations; providing retroactive applicability; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing construction; providing retroactive applicability; providing an appropriation; providing effective dates.

—a companion measure, was substituted for CS for CS for SB 620 and read the second time by title.

SENATOR FLORES PRESIDING

SENATOR BENACQUISTO PRESIDING

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

Senator Stargel moved the following amendment:

Amendment 1 (486636) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 20.21, Florida Statutes, is amended to read:

20.21 Department of Revenue.—There is created a Department of Revenue.

(3) The position of taxpayers’ rights advocate is created within the Department of Revenue. The taxpayers’ rights advocate *shall be appointed by the Chief Inspector General but is under the general supervision of the executive director for administrative purposes. The taxpayers’ rights advocate must report to the Chief Inspector General and may be removed from office only by the Chief Inspector General shall be appointed by and report to the executive director of the department.* The responsibilities of the taxpayers’ rights advocate include, but are not limited to, the following:

(a) Facilitating the resolution of taxpayer complaints and problems which have not been resolved through normal administrative channels

within the department, including any taxpayer complaints regarding unsatisfactory treatment of taxpayers by employees of the department.

(b) Issuing a stay action on behalf of a taxpayer who has suffered or is about to suffer irreparable loss as a result of action by the department.

(c) *On or before January 1 of each year, the taxpayers' rights advocate shall furnish to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Inspector General a report that must include the following:*

1. *The objectives of the taxpayers' rights advocate for the upcoming fiscal year.*
2. *The number of complaints filed in the previous fiscal year.*
3. *A summary of resolutions or outstanding issues from the previous fiscal year report.*
4. *A summary of the most common problems encountered by taxpayers, including a description of the nature of the problems, and the number of complaints for each such problem.*
5. *The initiatives the taxpayers' rights advocate has taken or is planning to take to improve taxpayer services and the department's responsiveness.*
6. *Recommendations for administrative or legislative action as appropriate to resolve problems encountered by taxpayers.*
7. *Other information as the taxpayers' rights advocate may deem advisable.*

The report must contain a complete and substantive analysis in addition to statistical information.

Section 2. *The person who serves as the taxpayers' rights advocate as of July 1, 2018, shall continue to serve in that capacity until such person voluntarily leaves the position or is removed by the Chief Inspector General.*

Section 3. Paragraph (a) of subsection (1) of section 28.241, Florida Statutes, is amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(1) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246.

(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court shall pay to the clerk of that court a filing fee of up to \$395 in all cases in which there are not more than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$200 in filing fees, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services. By the 10th of each month, the clerk shall submit that portion of the filing fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to \$295 in all cases in which there are not more

than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$100 in filing fees, \$95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services.

c. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

2.a. Notwithstanding the fees prescribed in subparagraph 1., a party instituting a civil action in circuit court relating to real property or mortgage foreclosure shall pay a graduated filing fee based on the value of the claim.

b. A party shall estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any moneys advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value shall also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party shall declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this subparagraph.

c. In its order providing for the final disposition of the matter, the court shall identify the actual value of the claim. The clerk shall adjust the filing fee if there is a difference between the estimated amount in controversy and the actual value of the claim and collect any additional filing fee owed or provide a refund of excess filing fee paid.

d. The party shall pay a filing fee of:

(I) Three hundred and ninety-five dollars in all cases in which the value of the claim is \$50,000 or less and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$200 in filing fees, \$195 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services;

(II) Nine hundred dollars in all cases in which the value of the claim is more than \$50,000 but less than \$250,000 and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$705 in filing fees, \$700 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, *except that the first \$1.5 million in such filing fees remitted to the Department of Revenue and deposited into the General Revenue Fund in fiscal year 2018-2019 shall be distributed to the Miami-Dade County Clerk of Court*; \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations

Corporation created in s. 28.35; and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services; or

(III) One thousand nine hundred dollars in all cases in which the value of the claim is \$250,000 or more and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$1,705 in filing fees, \$930 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$770 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services.

e. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

Section 4. Effective January 1, 2019, subsection (6) of section 28.241, Florida Statutes, is amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(6) From each attorney appearing pro hac vice, the clerk of the circuit court shall collect a fee of \$100. *Of the fee, the clerk must remit \$50 to the Department of Revenue for deposit into the General Revenue Fund and \$50 to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.*

Section 5. Paragraph (a) of subsection (5) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax shall be used by that county *only after conducting an objective analysis of the proposed use of revenue which determines that the long-term economic benefits to the county or subcounty special taxing district from incremental tourism will exceed the tax revenues expended, and shall be used for the following purposes only:*

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more:

a. Publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, or auditoriums within the boundaries of the county or subcounty special taxing district in which the tax is levied;

b. Auditoriums that are publicly owned but are operated by organizations that are exempt from federal taxation pursuant to 26 U.S.C. s. 501(c)(3) and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied; or

c. Aquariums or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the

public, within the boundaries of the county or subcounty special taxing district in which the tax is levied;

2. To promote zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public;

3. To promote and advertise tourism in this state and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event must have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;

4. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; ~~or~~

5. To finance beach park facilities, or beach, *channel, estuary, or lagoon* improvement, maintenance, renourishment, restoration, and erosion control, including *construction of beach groins and shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, channel, estuary, lagoon, or inland lake or river.* However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of fewer than 100,000 population, up to 10 percent of the revenues from the tourist development tax may be used for beach park facilities; *or-*

6. *To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or finance public facilities within the boundaries of the county or subcounty special taxing district in which the tax is levied, if the public facilities are needed to increase tourist-related business activities in the county or subcounty special district and are recommended by the county tourist development council created pursuant to paragraph (4)(e). Tax revenues may be used for any related land acquisition, land improvement, design and engineering costs, and all other professional and related costs required to bring the public facilities into service. As used in this subparagraph, the term "public facilities" means major capital improvements that have a life expectancy of 5 or more years, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, and pedestrian facilities. Tax revenues may be used for these purposes only if the following conditions are satisfied:*

a. *In the county fiscal year immediately preceding the fiscal year in which the tax revenues were initially used for such purposes, at least \$10 million in tourist development tax revenue was received;*

b. *The county governing board approves the use for the proposed public facilities by a vote of at least two-thirds of its membership;*

c. *No more than 70 percent of the cost of the proposed public facilities will be paid for with tourist development tax revenues, and sources of funding for the remaining cost are identified and confirmed by the county governing board;*

d. *At least 40 percent of all tourist development tax revenues collected in the county are spent to promote and advertise tourism as provided by this subsection; and*

e. *An independent professional analysis, performed at the expense of the county tourist development council, demonstrates the positive impact of the infrastructure project on tourist-related businesses in the county.*

Subparagraphs 1. and 2. may be implemented through service contracts and leases with lessees that have sufficient expertise or financial capability to operate such facilities.

Section 6. Section 159.621, Florida Statutes, is amended to read:

159.621 Housing bonds exempted from taxation; *notes and mortgages exempted from excise tax on documents.*—

(1) The bonds of a housing finance authority issued under this act, together with all notes, mortgages, security agreements, letters of credit, or other instruments which arise out of or are given to secure the repayment of bonds issued in connection with the financing of any housing development under this part, as well as the interest thereon and income therefrom, shall be exempt from all taxes.

(2) Any note or mortgage given in connection with a loan made by or on behalf of a housing finance authority under s. 159.608(8) is exempt from the excise tax on documents under chapter 201 if, at the time the note or mortgage is recorded, the housing finance authority records an affidavit signed by an agent of the housing authority which affirms that the loan was made by or on behalf of the housing finance authority.

The exemptions ~~exemption~~ granted by this section do not apply ~~shall not be applicable~~ to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations or to a deed for property financed by a housing finance authority.

Section 7. Paragraph (g) of subsection (7) of section 163.01, Florida Statutes, is amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, and which may include a special district in addition to a municipality or county or both, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this paragraph is not subject to Public Service Commission jurisdiction. The separate legal entity may not provide utility services within the service area of an existing utility system unless it has received the consent of the utility.

2. For purposes of this paragraph, the term:

a. “Host government” means the governing body of the county, if the largest number of equivalent residential connections currently served by a system of the utility is located in the unincorporated area, or the governing body of a municipality, if the largest number of equivalent residential connections currently served by a system of the utility is located within that municipality’s boundaries.

b. “Separate legal entity” means any entity created by interlocal agreement the membership of which is limited to two or more special districts, municipalities, or counties of the state, but which entity is legally separate and apart from any of its member governments.

c. “System” means a water or wastewater facility or group of such facilities owned by one entity or affiliate entities.

d. “Utility” means a water or wastewater utility and includes every person, separate legal entity, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.

3. A separate legal entity that seeks to acquire any utility shall notify the host government in writing by certified mail about the contemplated acquisition not less than 30 days before any proposed transfer of ownership, use, or possession of any utility assets by such separate legal entity. The potential acquisition notice shall be provided to the legislative head of the governing body of the host government and to its chief administrative officer and shall provide the name and address of a contact person for the separate legal entity and information identified in s. 367.071(4)(a) concerning the contemplated acquisition.

4.a. Within 30 days following receipt of the notice, the host government may adopt a resolution to become a member of the separate legal entity, adopt a resolution to approve the utility acquisition, or adopt a resolution to prohibit the utility acquisition by the separate legal entity if the host government determines that the proposed ac-

quisition is not in the public interest. A resolution adopted by the host government which prohibits the acquisition may include conditions that would make the proposal acceptable to the host government.

b. If a host government adopts a membership resolution, the separate legal entity shall accept the host government as a member on the same basis as its existing members before any transfer of ownership, use, or possession of the utility or the utility facilities. If a host government adopts a resolution to approve the utility acquisition, the separate legal entity may complete the acquisition. If a host government adopts a prohibition resolution, the separate legal entity may not acquire the utility within that host government’s territory without the specific consent of the host government by future resolution. If a host government does not adopt a prohibition resolution or an approval resolution, the separate legal entity may proceed to acquire the utility after the 30-day notice period without further notice.

5. After the acquisition or construction of any utility systems by a separate legal entity created under this paragraph, revenues or any other income may not be transferred or paid to a member of a separate legal entity, or to any other special district, county, or municipality, from user fees or other charges or revenues generated from customers that are not physically located within the jurisdictional or service delivery boundaries of the member, special district, county, or municipality receiving the transfer or payment. Any transfer or payment to a member, special district, or other local government must be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member, special district, or local government receiving the transfer of payment.

6. This section is an alternative provision otherwise provided by law as authorized in s. 4, Art. VIII of the State Constitution for any transfer of power as a result of an acquisition of a utility by a separate legal entity from a municipality, county, or special district.

7. The entity may finance or refinance the acquisition, construction, expansion, and improvement of such facilities relating to a governmental function or purpose through the issuance of its bonds, notes, or other obligations under this section or as otherwise authorized by law. The entity has all the powers provided by the interlocal agreement under which it is created or which are necessary to finance, own, operate, or manage the public facility, including, without limitation, the power to establish rates, charges, and fees for products or services provided by it, the power to levy special assessments, the power to sell or finance all or a portion of such facility, and the power to contract with a public or private entity to manage and operate such facilities or to provide or receive facilities, services, or products. Except as may be limited by the interlocal agreement under which the entity is created, all of the privileges, benefits, powers, and terms of s. 125.01, relating to counties, and s. 166.021, relating to municipalities, are fully applicable to the entity. However, neither the entity nor any of its members on behalf of the entity may exercise the power of eminent domain over the facilities or property of any existing water or wastewater plant utility system, nor may the entity acquire title to any water or wastewater plant utility facilities, other facilities, or property which was acquired by the use of eminent domain after the effective date of this act. Bonds, notes, and other obligations issued by the entity are issued on behalf of the public agencies that are members of the entity.

8. Any entity created under this section may also issue bond anticipation notes in connection with the authorization, issuance, and sale of bonds. The bonds may be issued as serial bonds or as term bonds or both. Any entity may issue capital appreciation bonds or variable rate bonds. Any bonds, notes, or other obligations must be authorized by resolution of the governing body of the entity and bear the date or dates; mature at the time or times, not exceeding 40 years from their respective dates; bear interest at the rate or rates; be payable at the time or times; be in the denomination; be in the form; carry the registration privileges; be executed in the manner; be payable from the sources and in the medium or payment and at the place; and be subject to the terms of redemption, including redemption prior to maturity, as the resolution may provide. If any officer whose signature, or a facsimile of whose signature, appears on any bonds, notes, or other obligations ceases to be an officer before the delivery of the bonds, notes, or other obligations, the signature or facsimile is valid and sufficient for all purposes as if he or she had remained in office until the delivery. The bonds, notes, or other obligations may be sold at public or private sale for such price as

the governing body of the entity shall determine. Pending preparation of the definitive bonds, the entity may issue interim certificates, which shall be exchanged for the definitive bonds. The bonds may be secured by a form of credit enhancement, if any, as the entity deems appropriate. The bonds may be secured by an indenture of trust or trust agreement. In addition, the governing body of the legal entity may delegate, to an officer, official, or agent of the legal entity as the governing body of the legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate of interest, which may be fixed or may vary at the time and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of the legal entity. However, the amount and maturity of the bonds, notes, or other obligations and the interest rate of the bonds, notes, or other obligations must be within the limits prescribed by the governing body of the legal entity and its resolution delegating to an officer, official, or agent the power to authorize the issuance and sale of the bonds, notes, or other obligations.

9. Bonds, notes, or other obligations issued under this paragraph may be validated as provided in chapter 75. The complaint in any action to validate the bonds, notes, or other obligations must be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 must be published in Leon County and in each county that is a member of the entity issuing the bonds, notes, or other obligations, or in which a member of the entity is located, and the complaint and order of the circuit court must be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county that is a member of the entity issuing the bonds, notes, or other obligations or in which a member of the entity is located. Section 75.04(2) does not apply to a complaint for validation brought by the legal entity.

10. The accomplishment of the authorized purposes of a legal entity created under this paragraph is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Since the legal entity will perform essential governmental functions for the public health, safety, and welfare in accomplishing its purposes, the legal entity is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by it for such purposes or upon any revenues at any time received by it, *whether the property is within or outside the jurisdiction of members of the entity. The exemption provided in this paragraph applies regardless of whether the separate legal entity enters into agreements with private firms or entities to manage, operate, or improve the utilities owned by the separate legal entity.* The bonds, notes, and other obligations of an entity, their transfer, and the income therefrom, including any profits made on the sale thereof, are at all times free from taxation of any kind by the state or by any political subdivision or other agency or instrumentality thereof. The exemption granted in this subparagraph is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

Section 8. Effective upon this act becoming a law, section 193.0237, Florida Statutes, is created to read:

193.0237 Assessment of multiple parcel buildings.—

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

(a) *“Multiple parcel building” means a building, other than a building consisting entirely of a single condominium, timeshare, or cooperative, which contains separate parcels that are vertically located, in whole or in part, on or over the same land.*

(b) *“Parcel” means a portion of a multiple parcel building which is identified in a recorded instrument by a legal description that is sufficient for record ownership and conveyance by deed separately from any other portion of the building.*

(c) *“Recorded instrument” means a declaration, covenant, easement, deed, plat, agreement, or other legal instrument, other than a lease, mortgage, or lien, which describes one or more parcels in a multiple parcel building and which is recorded in the public records of the county where the multiple parcel building is located.*

(2) *The value of land upon which a multiple parcel building is located, regardless of ownership, may not be separately assessed and must be allocated among and included in the just value of all the parcels in the multiple parcel building as provided in subsection (3).*

(3) *The property appraiser, for assessment purposes, must allocate all of the just value of the land among the parcels in a multiple parcel building in the same proportion that the just value of the improvements in each parcel bears to the total just value of all the improvements in the entire multiple parcel building.*

(4) *A condominium, timeshare, or cooperative may be created within a parcel in a multiple parcel building. Any land value allocated to the just value of a parcel containing a condominium must be further allocated among the condominium units in that parcel in the manner required in s. 193.023(5). Any land value allocated to the just value of a parcel containing a cooperative must be further allocated among the cooperative units in that parcel in the manner required in s. 719.114.*

(5) *Each parcel in a multiple parcel building must be assigned a separate tax folio number. However, if a condominium or cooperative is created within any such parcel, a separate tax folio number must be assigned to each condominium unit or cooperative unit, rather than to the parcel in which it was created.*

(6) *All provisions of a recorded instrument affecting a parcel in a multiple parcel building, which parcel has been sold for taxes or special assessments, survive and are enforceable after the issuance of a tax deed or master’s deed, or upon foreclosure of an assessment, a certificate or lien, a tax deed, a tax certificate, or a tax lien, to the same extent that such provisions would be enforceable against a voluntary grantee of the title immediately before the delivery of the tax deed, master’s deed, or clerk’s certificate of title as provided in s. 197.573.*

(7) *This section applies to any land on which a multiple parcel building is substantially completed as of January 1 of the respective assessment year. This section applies to assessments beginning in the 2018 calendar year.*

Section 9. Paragraph (m) is added to subsection (8) of section 193.155, Florida Statutes, 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.

(8) Property assessed under this section shall be assessed at less than just value when the person who establishes a new homestead has received a homestead exemption as of January 1 of either of the 2 immediately preceding years. A person who establishes a new homestead as of January 1, 2008, is entitled to have the new homestead assessed at less than just value only if that person received a homestead exemption on January 1, 2007, and only if this subsection applies retroactive to January 1, 2008. For purposes of this subsection, a husband and wife who owned and both permanently resided on a previous homestead shall each be considered to have received the homestead exemption even though only the husband or the wife applied for the homestead exemption on the previous homestead. The assessed value of the newly established homestead shall be determined as provided in this subsection.

(m) *For purposes of receiving an assessment reduction pursuant to this subsection, an owner of a homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane may elect, in the calendar year following the named tropical storm or hurricane, to have the significantly damaged or destroyed homestead deemed to have been abandoned as of the date of the named tropical storm or hurricane even though the owner received a homestead exemption on the property as of January 1 of the year immediately following the named tropical storm or hurricane. The election provided for in this paragraph is available only if the owner establishes a new homestead as of January 1 of the second year immediately following the storm or hurricane. This paragraph shall apply to homestead property damaged or destroyed on or after January 1, 2017.*

Section 10. Section 193.4516, Florida Statutes, is created to read:

193.4516 Assessment of citrus fruit packing and processing equipment rendered unused due to Hurricane Irma or citrus greening.—

(1) *For purposes of ad valorem taxation, and applying to the 2018 tax roll only, tangible personal property owned and operated by a citrus fruit packing or processing facility is deemed to have a market value no greater than its value for salvage, provided the tangible personal property is no longer used in the operation of the facility due to the effects of Hurricane Irma or to citrus greening.*

(2) *As used in this section, the term “citrus” has the same meaning as provided in s. 581.011(7).*

Section 11. *The creation by this act of s. 193.4516, Florida Statutes, applies to the 2018 property tax roll.*

Section 12. Subsection (5) of section 193.461, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program.—

(5) For the purpose of this section, the term “agricultural purposes” includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, if the land is used principally for the production of tropical fish; aquaculture as defined in s. 597.0015; including algaculture; sod farming; and all forms of farm products as defined in s. 823.14(3) and farm production.

(8) *Lands classified for assessment purposes as agricultural lands, which are not being used for agricultural production due to a hurricane that made landfall in this state during calendar year 2017, must continue to be classified as agricultural lands for assessment purposes through December 31, 2022, unless the lands are converted to a non-agricultural use. Lands converted to nonagricultural use are not covered by this subsection and must be assessed as otherwise provided by law.*

Section 13. *The amendment made by this act to s. 193.461, Florida Statutes, applies to the 2018 property tax roll.*

Section 14. Paragraph (e) of subsection (3) of section 194.011, Florida Statutes, is amended to read:

194.011 Assessment notice; objections to assessments.—

(3) A petition to the value adjustment board must be in substantially the form prescribed by the department. Notwithstanding s. 195.022, a county officer may not refuse to accept a form provided by the department for this purpose if the taxpayer chooses to use it. A petition to the value adjustment board must be signed by the taxpayer or be accompanied at the time of filing by the taxpayer’s written authorization or power of attorney, unless the person filing the petition is listed in s. 194.034(1)(a). A person listed in s. 194.034(1)(a) may file a petition with a value adjustment board without the taxpayer’s signature or written authorization by certifying under penalty of perjury that he or she has authorization to file the petition on behalf of the taxpayer. If a taxpayer notifies the value adjustment board that a petition has been filed for the taxpayer’s property without his or her consent, the value adjustment board may require the person filing the petition to provide written authorization from the taxpayer authorizing the person to proceed with the appeal before a hearing is held. If the value adjustment board finds that a person listed in s. 194.034(1)(a) willfully and knowingly filed a petition that was not authorized by the taxpayer, the value adjustment board shall require such person to provide the taxpayer’s written authorization for representation to the value adjustment board clerk before any petition filed by that person is heard, for 1 year after imposition of such requirement by the value adjustment board. A power of attorney or written authorization is valid for 1 assessment year, and a new power of attorney or written authorization by the taxpayer is required for each subsequent assessment year. A petition shall also describe the property by parcel number and shall be filed as follows:

(e)1. A condominium association as defined in s. 718.103(2), a cooperative association as defined in s. 719.103(2), or any homeowners’ association as defined in s. 723.075, with approval of its board of administration or directors, may file with the value adjustment board a

single joint petition on behalf of any association members who own *units* or parcels of property which the property appraiser determines are substantially similar with respect to location, proximity to amenities, number of rooms, living area, and condition. The condominium association, cooperative association, or homeowners’ association as defined in s. 723.075 shall provide the unit or parcel owners with notice of its intent to petition the value adjustment board and shall provide at least 20 days for a unit or parcel owner to elect, in writing, that his or her unit or parcel not be included in the petition.

2. *An association that has filed a single joint petition may continue to represent the unit or parcel owners through any related subsequent proceeding, including judicial review under part II of this chapter and any appeal thereof. The condominium association, cooperative association, or homeowners’ association shall provide the unit or parcel owners with notice of the property appraiser’s appeal of a value adjustment board decision to circuit court and provide the unit or parcel owner at least 7 days to elect, in writing, that his or her unit or parcel not be included in the association’s defense.*

Section 15. Paragraph (b) of subsection (1) of section 194.032, Florida Statutes, is amended to read:

194.032 Hearing purposes; timetable.—

(1)

(b) Notwithstanding the provisions of paragraph (a), the value adjustment board may meet prior to the approval of the assessment rolls by the Department of Revenue, but not earlier than July 1, to hear appeals pertaining to the denial by the property appraiser of exemptions, tax abatements under s. 197.318, agricultural and high-water recharge classifications, classifications as historic property used for commercial or certain nonprofit purposes, and deferrals under subparagraphs (a)2., 3., and 4. In such event, however, the board may not certify any assessments under s. 193.122 until the Department of Revenue has approved the assessments in accordance with s. 193.1142 and all hearings have been held with respect to the particular parcel under appeal.

Section 16. Subsection (2) of section 194.181, Florida Statutes, is amended to read:

194.181 Parties to a tax suit.—

(2) In any case brought by the taxpayer, or condominium association, cooperative association, or homeowners’ association on behalf of some or all owners, contesting the assessment of any property, the county property appraiser shall be party defendant. In any case brought by the property appraiser pursuant to s. 194.036(1)(a) or (b), the taxpayer, condominium association, cooperative association, or homeowners’ association shall be party defendant. In any case brought by the property appraiser pursuant to s. 194.036(1)(c), the value adjustment board shall be party defendant.

Section 17. Subsection (2) of section 196.173, Florida Statutes, is amended to read:

196.173 Exemption for deployed servicemembers.—

(2) The exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of any of the following military operations:

- (a) Operation Joint Task Force Bravo, which began in 1995.
- (b) Operation Joint Guardian, which began on June 12, 1999.
- (c) Operation Noble Eagle, which began on September 15, 2001.
- (d) Operation Enduring Freedom, which began on October 7, 2001, and ended on December 31, 2014.
- (e) Operations in the Balkans, which began in 2004.
- (f) Operation Nomad Shadow, which began in 2007.

(g) Operation U.S. Airstrikes Al Qaeda in Somalia, which began in January 2007.

(h) Operation Copper Dune, which began in 2009.

(i) Operation Georgia Deployment Program, which began in August 2009.

~~(j) Operation New Dawn, which began on September 1, 2010, and ended on December 15, 2011.~~

~~(k) Operation Odyssey Dawn, which began on March 19, 2011, and ended on October 31, 2011.~~

(j) Operation Spartan Shield, which began in June 2011.

~~(k)~~ Operation Observant Compass, which began in October 2011.

~~(l)~~ Operation Inherent Resolve, which began on August 8, 2014.

~~(m)~~ Operation Atlantic Resolve, which began in April 2014.

~~(n)~~ Operation Freedom's Sentinel, which began on January 1, 2015.

~~(o)~~ Operation Resolute Support, which began in January 2015.

The Department of Revenue shall notify all property appraisers and tax collectors in this state of the designated military operations.

Section 18. Subsection (1) of section 196.24, Florida Statutes, is amended to read:

196.24 Exemption for disabled ex-servicemember or surviving spouse; evidence of disability.—

(1) Any ex-servicemember, as defined in s. 196.012, who is a bona fide resident of the state, who was discharged under honorable conditions, and who has been disabled to a degree of 10 percent or more by misfortune or while serving during a period of wartime service as defined in s. 1.01(14) is entitled to the exemption from taxation provided for in s. 3(b), Art. VII of the State Constitution as provided in this section. Property to the value of \$5,000 of such a person is exempt from taxation. The production by him or her of a certificate of disability from the United States Government or the United States Department of Veterans Affairs or its predecessor before the property appraiser of the county wherein the ex-servicemember's property lies is prima facie evidence of the fact that he or she is entitled to the exemption. The unmarried surviving spouse of such a disabled ex-servicemember ~~who, on the date of the disabled ex-servicemember's death, had been married to the disabled ex-servicemember for at least 5 years~~ is also entitled to the exemption.

Section 19. Effective upon this act becoming a law, section 197.318, Florida Statutes, is created to read:

197.318 Abatement of taxes for residential improvements damaged or destroyed by Hurricanes Hermine, Matthew, or Irma.—

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

(a) "Damage differential" means the product arrived at by multiplying the percent change in value by a ratio, the numerator of which is the number of days the residential improvement was rendered uninhabitable in the year the hurricane occurred, and the denominator of which is 365.

(b) "Disaster relief credit" means the product arrived at by multiplying the damage differential by the amount of timely paid taxes that were initially levied in the year the hurricane occurred.

(c) "Hurricane" means any of the following:

1. Hurricane Hermine, which occurred in calendar year 2016.
2. Hurricane Matthew, which occurred in calendar year 2016.
3. Hurricane Irma, which occurred in calendar year 2017.

(d) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in which a hurricane occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the hurricane occurred.

(e) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which a hurricane occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction and damage caused by the hurricane. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(f) "Residential improvement" means a residential dwelling or house that is owned and used as a homestead as defined in s. 196.012(13). A residential improvement does not include a structure that is not essential to the use and occupancy of the residential dwelling or house, including, but not limited to, a detached utility building, detached carport, detached garage, bulkhead, fence, or swimming pool, and does not include land.

(g) "Uninhabitable" means the loss of use or occupancy, resulting from Hurricanes Hermine or Matthew during the 2016 calendar year, or Hurricane Irma during the 2017 calendar year, of a residential improvement for the purpose for which it was constructed, as evidenced by documentation, including, but not limited to, utility bills, insurance information, contractors' statements, building permit applications, or building inspection certificates of occupancy.

(2) If a residential improvement is rendered uninhabitable for at least 30 days due to damage or destruction to the property caused by Hurricanes Hermine or Matthew during the 2016 calendar year or Hurricane Irma during the 2017 calendar year, taxes initially levied in 2019 may be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than March 1, 2019. A property owner who fails to file an application by March 1, 2019, waives a claim for abatement of taxes under this section.

(b) The application shall identify the residential parcel on which the residential improvement was damaged or destroyed, the date the damage or destruction occurred, and the number of days the property was uninhabitable during the calendar year that the hurricane occurred.

(c) The application shall be verified under oath and is subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser shall investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser shall issue an official written statement to the tax collector by April 1, 2019, which provides:

1. The number of days during the calendar year in which the hurricane occurred that the residential improvement was uninhabitable. To qualify for the abatement, the residential improvement must be uninhabitable for at least 30 days.

2. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the hurricane for which the applicant is claiming an abatement occurred.

3. The postdisaster just value of the residential parcel as determined by the property appraiser.

4. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the damage differential and disaster relief credit pursuant to this section. The tax collector shall reduce the taxes initially levied on the residential parcel in 2019 by an amount equal to the disaster relief credit. If the value of the credit exceeds the

taxes levied in 2019, the remaining value of the credit shall be applied to taxes due in subsequent years until the value of the credit is exhausted.

(4) No later than May 1, 2019, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that will occur pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2016, and expires January 1, 2021.

Section 20. Effective upon this act becoming a law, section 197.3631, Florida Statutes, is amended to read:

197.3631 Non-ad valorem assessments; general provisions.—

(1) Non-ad valorem assessments as defined in s. 197.3632 may be collected pursuant to the method provided for in ss. 197.3632 and 197.3635. Non-ad valorem assessments may also be collected pursuant to any alternative method which is authorized by law, but such alternative method shall not require the tax collector or property appraiser to perform those services as provided for in ss. 197.3632 and 197.3635. However, a property appraiser or tax collector may contract with a local government to supply information and services necessary for any such alternative method. Section 197.3632 is additional authority for local governments to impose and collect non-ad valorem assessments supplemental to the home rule powers pursuant to ss. 125.01 and 166.021 and chapter 170, or any other law. Any county operating under a charter adopted pursuant to s. 11, Art. VIII of the Constitution of 1885, as amended, as referred to in s. 6(e), Art. VIII of the Constitution of 1968, as amended, may use any method authorized by law for imposing and collecting non-ad valorem assessments.

(2) For non-ad valorem special assessments based on the size or area of the land containing a multiple parcel building, regardless of ownership, the special assessment must be levied on and allocated among all the parcels in the multiple parcel building on the same basis that the land value is allocated among the parcels in s. 193.0237(3). For non-ad valorem assessments not based on the size or area of the land, each parcel in the multiple parcel building shall be subject to a separate assessment. For purposes of this subsection, the terms "multiple parcel building" and "parcel" have the meanings as provided in s. 193.0237(1).

Section 21. Effective upon this act becoming a law, section 197.572, Florida Statutes, is amended to read:

197.572 Easements for conservation purposes, ~~or for~~ public service purposes, support of certain improvements, or for drainage or ingress and egress survive tax sales and deeds.—When any lands are sold for the nonpayment of taxes, or any tax certificate is issued thereon by a governmental unit or agency or pursuant to any tax lien foreclosure proceeding, the title to the lands shall continue to be subject to any easement for conservation purposes as provided in s. 704.06 or for telephone, telegraph, pipeline, power transmission, or other public service purpose; and shall continue to be subject to any easement that supports improvements that may be constructed above the lands; and any easement for the purposes of drainage or of ingress and egress to and from other land. The easement and the rights of the owner of it shall survive and be enforceable after the execution, delivery, and recording of a tax deed, a master's deed, or a clerk's certificate of title pursuant to foreclosure of a tax deed, tax certificate, or tax lien, to the same extent as though the land had been conveyed by voluntary deed. The easement must be evidenced by written instrument recorded in the office of the clerk of the circuit court in the county where such land is located before the recording of such tax deed or master's deed, or, if not recorded, an easement for a public service purpose must be evidenced by wires, poles, or other visible occupation, an easement for drainage must be evidenced by a waterway, water bed, or other visible occupation, and an easement for the purpose of ingress and egress must be evidenced by a road or other visible occupation to be entitled to the benefit of this section;

however, this shall apply only to tax deeds issued after the effective date of this act.

Section 22. Effective upon this act becoming a law, subsections (1) and (2) of section 197.573, Florida Statutes, are amended to read:

197.573 Survival of restrictions and covenants after tax sale.—

(1) When a deed or other recorded instrument in the chain of title contains restrictions and covenants running with the land, as herein-after defined and limited, the restrictions and covenants shall survive and be enforceable after the issuance of a tax deed or master's deed, or a clerk's certificate of title upon foreclosure of a tax deed, tax certificate, or tax lien, to the same extent that it would be enforceable against a voluntary grantee of the owner of the title immediately before the delivery of the tax deed, master's deed, or clerk's certificate of title.

(2) This section ~~applies~~ ~~shall apply~~ to the usual restrictions and covenants limiting the use of property; the type, character and location of building; covenants against nuisances and what the former parties deemed to be undesirable conditions, in, upon, and about the property; and other similar restrictions and covenants; but this section ~~does~~ ~~shall~~ not protect covenants that:

(a) ~~Create~~ ~~creating~~ any debt or lien against or upon the property, except one providing for satisfaction or survival of a lien of record held by a municipal or county governmental unit, or ~~one providing a lien for assessments accruing after such tax deed, master's deed, or clerk's certificate of title to a condominium association, homeowners' association, property owners' association, or person having assessment powers under such covenants; or~~

(b) ~~Require~~ ~~requiring~~ the grantee to expend money for any purpose, except one that may require that the premises be kept in a sanitary or slightly condition or one to abate nuisances or undesirable conditions.

Section 23. Subsection (7) of section 201.02, Florida Statutes, is amended to read:

201.02 Tax on deeds and other instruments relating to real property or interests in real property.—

(7) Taxes imposed by this section do not apply to:

(a) A deed, transfer, or conveyance between spouses or former spouses pursuant to an action for dissolution of their marriage wherein the real property is or was their marital home or an interest therein. Taxes paid pursuant to this section shall be refunded in those cases in which a deed, transfer, or conveyance occurred 1 year before a dissolution of marriage. This ~~paragraph subsection~~ applies in spite of any consideration as defined in subsection (1). This ~~paragraph subsection~~ does not apply to a deed, transfer, or conveyance executed before July 1, 1997.

(b) A deed or other instrument that transfers or conveys homestead property or any interest in homestead property between spouses, if the only consideration for the transfer or conveyance is the amount of a mortgage or other lien encumbering the homestead property at the time of the transfer or conveyance and if the deed or other instrument is recorded within 1 year after the date of the marriage. This paragraph applies to transfers or conveyances from one spouse to another, from one spouse to both spouses, or from both spouses to one spouse. For the purpose of this paragraph, the term "homestead property" has the same meaning as the term "homestead" as defined in s. 192.001.

Section 24. Section 201.25, Florida Statutes, is created to read:

201.25 Tax exemptions for certain loans.—There shall be exempt from all taxes imposed by this chapter:

(1) Any loan made by the Florida Small Business Emergency Bridge Loan Program in response to a disaster that results in a state of emergency declared by executive order or proclamation of the Governor pursuant to s. 252.36.

(2) Any loan made by the Agricultural Economic Development Program pursuant to s. 570.82.

Section 25. Section 205.055, Florida Statutes, is created to read:

205.055 Exemptions; veterans, spouses of veterans and certain servicemembers, and low-income persons.—

(1) *The following persons are entitled to an exemption from a business tax and any fees imposed under this chapter:*

(a) *A veteran of the United States Armed Forces who was honorably discharged upon separation from service, or the spouse or unremarried surviving spouse of such a veteran.*

(b) *The spouse of an active duty military servicemember who has relocated to the county or municipality pursuant to a permanent change of station order.*

(c) *A person who is receiving public assistance as defined in s. 409.2554.*

(d) *A person whose household income is below 130 percent of the federal poverty level based on the current year's federal poverty guidelines.*

(2) *A person must complete and sign, under penalty of perjury, a Request for Fee Exemption to be furnished by the local governing authority and provide written documentation in support of his or her request for an exemption under subsection (1).*

(3) *If a person who is exempt under subsection (1) owns a majority interest in a business with fewer than 100 employees, the business is exempt. Such person must complete and sign, under penalty of perjury, a Request for Fee Exemption to be furnished by the local governing authority and provide written documentation in support of his or her request for an exemption for the business under this subsection.*

Section 26. Section 205.171, Florida Statutes, is repealed.

Section 27. *Notwithstanding the creation of s. 205.055, Florida Statutes, and the repeal of s. 205.171, Florida Statutes, by this act, a municipality that imposes a business tax on merchants which is measured by gross receipts from the sale of merchandise or services, or both, may continue to impose such tax and may, by ordinance, revise the definition of the term "merchant." However, the municipality may not revise the rate of the tax measured by gross sales.*

Section 28. Subsection (2) of section 206.052, Florida Statutes, is renumbered as subsection (3), and a new subsection (2) is added to that section, to read:

206.052 Export of tax-free fuels.—

(2) *A terminal supplier may purchase taxable motor fuels from another terminal supplier at a terminal without paying the tax imposed pursuant to this part only under the following circumstances:*

(a) *The terminal supplier who purchased the motor fuel will sell the motor fuel to a licensed exporter for immediate export from the state.*

(b) *The terminal supplier who purchased the motor fuel has designated to the terminal supplier who sold the motor fuel the destination for delivery of the fuel to a location outside the state.*

(c) *The terminal supplier who purchased the motor fuel is licensed in the state of destination and has supplied the terminal supplier who sold the motor fuel with that license number.*

(d) *The licensed exporter has not been barred from making tax-free exports by the department for violation of s. 206.051(5).*

(e) *The terminal supplier who sold the motor fuel to the other terminal supplier collects and remits to the state of destination all taxes imposed by the destination state on the fuel.*

Section 29. Effective July 1, 2019, section 206.9826, Florida Statutes, is created to read:

206.9826 Refund for certain air carriers.—An air carrier conducting scheduled operations or all-cargo operations that are authorized under 14 C.F.R. part 121, 14 C.F.R. part 129, or 14 C.F.R. part 135, is entitled

to receive a refund of 1.42 cents per gallon of the taxes imposed by this part on aviation fuel purchased by such air carrier. The refund provided under this section plus the refund provided under s. 206.9855 may not exceed 4.27 cents per gallon of aviation fuel purchased by an air carrier.

Section 30. Subsections (3) and (8) of section 206.9952, Florida Statutes, are amended to read:

206.9952 Application for license as a natural gas fuel retailer.—

(3)(a) Any person who acts as a natural gas retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of \$200 for each month of operation without a license. This paragraph expires December 31, 2023 ~~2018~~.

(b) Effective January 1, 2024 ~~2019~~, any person who acts as a natural gas fuel retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of 25 percent of the tax assessed on the total purchases made during the unlicensed period.

(8) With the exception of a state or federal agency or a political subdivision licensed under this chapter, each person, as defined in this part, who operates as a natural gas fuel retailer shall report monthly to the department and pay a tax on all natural gas fuel purchases beginning January 1, 2024 ~~2019~~.

Section 31. Subsection (2) of section 206.9955, Florida Statutes, is amended to read:

206.9955 Levy of natural gas fuel tax.—

(2) Effective January 1, 2024 ~~2019~~, the following taxes shall be imposed:

(a) An excise tax of 4 cents upon each motor fuel equivalent gallon of natural gas fuel.

(b) An additional tax of 1 cent upon each motor fuel equivalent gallon of natural gas fuel, which is designated as the "ninth-cent fuel tax."

(c) An additional tax of 1 cent on each motor fuel equivalent gallon of natural gas fuel by each county, which is designated as the "local option fuel tax."

(d) An additional tax on each motor fuel equivalent gallon of natural gas fuel, which is designated as the "State Comprehensive Enhanced Transportation System Tax," at a rate determined pursuant to this paragraph. *Before January 1, 2024, and each year thereafter* ~~Each calendar year~~, the department shall determine the tax rate applicable to the sale of natural gas fuel for the following 12-month period beginning January 1, rounded to the nearest tenth of a cent, by adjusting the ~~initially established~~ tax rate of 5.8 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

(e)1. An additional tax is imposed on each motor fuel equivalent gallon of natural gas fuel for the privilege of selling natural gas fuel. *Before January 1, 2024, and each year thereafter* ~~Each calendar year~~, the department shall determine the tax rate applicable to the sale of natural gas fuel, rounded to the nearest tenth of a cent, for the following 12-month period beginning January 1, ~~The tax rate is calculated by adjusting the initially established~~ tax rate of 9.2 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

2. The department is authorized to adopt rules and publish forms to administer this paragraph.

Section 32. Subsection (1) of section 206.996, Florida Statutes, is amended to read:

206.996 Monthly reports by natural gas fuel retailers; deductions.—

(1) For the purpose of determining the amount of taxes imposed by s. 206.9955, each natural gas fuel retailer shall file beginning with February 2024 ~~2019~~, and each month thereafter, no later than the 20th day of each month, monthly reports electronically with the department showing information on inventory, purchases, nontaxable disposals, taxable uses, and taxable sales in gallons of natural gas fuel for the preceding month. However, if the 20th day of the month falls on a Saturday, Sunday, or federal or state legal holiday, a return must be accepted if it is electronically filed on the next succeeding business day. The reports must include, or be verified by, a written declaration stating that such report is made under the penalties of perjury. The natural gas fuel retailer shall deduct from the amount of taxes shown by the report to be payable an amount equivalent to 0.67 percent of the taxes on natural gas fuel imposed by s. 206.9955(2)(a) and (e), which deduction is allowed to the natural gas fuel retailer to compensate it for services rendered and expenses incurred in complying with the requirements of this part. This allowance is not deductible unless payment of applicable taxes is made on or before the 20th day of the month. This subsection may not be construed as authorizing a deduction from the constitutional fuel tax or the fuel sales tax.

Section 33. Section 210.205, Florida Statutes, is created to read:

210.205 Cigarette tax distribution reporting.—By March 15 of each year, each entity that received a distribution pursuant to s. 210.20(2)(b) in the preceding calendar year shall report to the Office of Economic and Demographic Research the following information:

(1) An itemized accounting of all expenditures of the funds distributed in the preceding calendar year, including amounts spent on debt service.

(2) A statement indicating what portion of the distributed funds have been pledged for debt service.

(3) The original principal amount and current debt service schedule of any bonds or other borrowing for which the distributed funds have been pledged for debt service.

Section 34. Effective January 1, 2019, paragraphs (c) and (d) of subsection (1) of section 212.031, Florida Statutes, are amended to read:

212.031 Tax on rental or license fee for use of real property.—

(1)

(c) For the exercise of such privilege, a tax is levied at the rate of 5.7 ~~5.8~~ percent of and on the total rent or license fee charged for such real property by the person charging or collecting the rental or license fee. The total rent or license fee charged for such real property shall include payments for the granting of a privilege to use or occupy real property for any purpose and shall include base rent, percentage rents, or similar charges. Such charges shall be included in the total rent or license fee subject to tax under this section whether or not they can be attributed to the ability of the lessor's or licensor's property as used or operated to attract customers. Payments for intrinsically valuable personal property such as franchises, trademarks, service marks, logos, or patents are not subject to tax under this section. In the case of a contractual arrangement that provides for both payments taxable as total rent or license fee and payments not subject to tax, the tax shall be based on a reasonable allocation of such payments and shall not apply to that portion which is for the nontaxable payments.

(d) When the rental or license fee of any such real property is paid by way of property, goods, wares, merchandise, services, or other thing of value, the tax shall be at the rate of 5.7 ~~5.8~~ percent of the value of the property, goods, wares, merchandise, services, or other thing of value.

Section 35. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the pur-

pose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term “infrastructure” means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term “public facilities” means facilities as defined in s. 163.3164(38), s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such

housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property, including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 36. Effective upon this act becoming a law, subsection (10) is added to section 212.055, Florida Statutes, to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(10)(a) For any referendum held on or after the effective date of this act to adopt or amend a discretionary sales surtax under this section, an independent certified public accountant licensed pursuant to chapter 473 shall conduct a performance audit of the county or school district holding the referendum. The Office of Program Policy Analysis and Government Accountability shall procure the certified public accountant and may use carryforward funds to pay for the services of the certified public accountant.

(b) At least 60 days before the referendum is held, the performance audit shall be completed and the audit report, including any findings, recommendations, or other accompanying documents shall be made available on the official website of the county or school district. The county or school district shall keep the information on its website for 2 years from the date it was posted.

(c) For purposes of this subsection, the term "performance audit" means an examination of the county or school district conducted according to applicable government auditing standards or auditing and evaluation standards of other appropriate authoritative bodies. At a minimum, a performance audit must include an examination of issues related to the following:

1. *The economy, efficiency, or effectiveness of the county or school district.*

2. *The structure or design of the county government or school district to accomplish its goals and objectives.*

3. *Alternative methods of providing county or school district services or products.*

4. *Goals, objectives, and performance measures used by the county or school district to monitor and report program accomplishments.*

5. *The accuracy or adequacy of public documents, reports, and requests prepared by the county or school district.*

6. *Compliance of the county or school district with appropriate policies, rules, and laws.*

Section 37. Paragraphs (e) and (p) of subsection (5) and paragraphs (ff) and (jjj) of subsection (7) of section 212.08, Florida Statutes, are amended, paragraph (t) is added to subsection (5) of that section, and paragraph (ooo) is added to subsection (7) of that section, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(e) *Gas or electricity used for certain agricultural purposes.—*

1. Butane gas, propane gas, natural gas, and all other forms of liquefied petroleum gases are exempt from the tax imposed by this chapter if used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm and no part of which gas is used in any vehicle or equipment driven or operated on the public highways of this state, or if used in any tractor, vehicle, or other farm equipment that is used directly or indirectly for the production, packing, or processing of aquacultural products as defined in s. 597.0015. This restriction does not apply to the movement of farm vehicles or farm equipment between farms. The transporting of bees by water and the operating of equipment used in the apiary of a beekeeper is also deemed an exempt use.

2. Electricity used directly or indirectly for production, packing, or processing of agricultural products on the farm, inclusive of the raising of aquaculture products as defined in s. 597.0015, or used directly or indirectly in a packinghouse, is exempt from the tax imposed by this chapter. As used in this subsection, the term "packinghouse" means any building or structure where fruits, vegetables, or meat from cattle or hogs or fish is packed or otherwise prepared for market or shipment in fresh form for wholesale distribution. The exemption does not apply to electricity used in buildings or structures where agricultural products are sold at retail. This exemption applies only if the electricity used for the exempt purposes is separately metered. If the electricity is not separately metered, it is conclusively presumed that some portion of the electricity is used for a nonexempt purpose, and all of the electricity used for such purposes is taxable. For purposes of this subparagraph, the term "fish" means any of numerous cold-blooded aquatic vertebrates of the superclass Pisces, characteristically having fins, gills, and a streamlined body, which is raised through aquaculture.

(p) *Community contribution tax credit for donations.—*

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than \$200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph, s. 220.183, and s. 624.5105 is \$12.5 million in the 2018-2019 fiscal year, \$13.5 million ~~\$21.4 million~~ in the 2019-2020 ~~2017-2018~~ fiscal year, and \$10.5 million in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and \$3.5 million each fiscal year for all other projects. As used in this paragraph, the term "person with special needs" has the same meaning as in s. 420.0004 and the terms "low-income person," "low-income household," "very-low-income person," and "very-low-income household" have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person's choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

- (I) Cash or other liquid assets;
- (II) Real property, including 100 percent ownership of a real property holding company;
- (III) Goods or inventory; or
- (IV) Other physical resources identified by the Department of Economic Opportunity.

For purposes of this sub-subparagraph, the term "real property holding company" means a Florida entity, such as a Florida limited liability company, that is wholly owned by the person; is the sole owner of real property, as defined in s. 192.001(12), located in the state; is disregarded as an entity for federal income tax purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii); and at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term "project" means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing, contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

- (I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;
- (II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;
- (III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution,

directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an "eligible sponsor," which includes:

- (I) A community action program;
- (II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;
- (III) A neighborhood housing services corporation;
- (IV) A local housing authority created under chapter 421;
- (V) A community redevelopment agency created under s. 163.356;
- (VI) A historic preservation district agency or organization;
- (VII) A local workforce development board;
- (VIII) A direct-support organization as provided in s. 1009.983;
- (IX) An enterprise zone development agency created under s. 290.0056;
- (X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;
- (XI) Units of local government;
- (XII) Units of state government; or
- (XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed \$200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed \$200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-paragraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(t) *Machinery and equipment used in aquacultural activities.—*

1. *Industrial machinery and equipment purchased for use in aquacultural activities at fixed locations are exempt from the tax imposed by this chapter.*

2. *As used in this paragraph, the term:*

a. *“Aquacultural activities” means the business of the cultivation of aquatic organisms and certification under s. 597.004. Aquacultural activities must produce an aquaculture product. For purposes of this sub-paragraph, the term “aquaculture product” means aquatic organisms and any product derived from aquatic organisms that are owned and propagated, grown, or produced under controlled conditions. Such products do not include organisms harvested from the wild for depuration, wet storage, or relay for purification.*

b. *“Industrial machinery and equipment” means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. The term includes a building and its structural components, including heating and air-conditioning systems. The term includes parts and accessories only to the extent that the exemption thereof is consistent with this paragraph.*

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(ff) *Certain electricity or steam uses.—*

1. Subject to the provisions of subparagraph 4., charges for electricity or steam used to operate machinery and equipment at a fixed location in this state when such machinery and equipment is used to manufacture, process, compound, produce, or prepare for shipment items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations are exempt to the extent provided in this paragraph. If 75 percent or more of the electricity or steam used at the fixed location is used to operate qualifying machinery or equipment, 100 percent of the charges for electricity or steam used at the fixed location are exempt. If less than 75 percent but 50 percent or more of the electricity or steam used at the fixed location is used to operate qualifying machinery or equipment, 50 percent of the charges for electricity or steam used at the fixed location are exempt. If less than 50 percent of the electricity or steam used at the fixed location is used to operate qualifying machinery or equipment, none of the charges for electricity or steam used at the fixed location are exempt.

2. This exemption applies only to industries classified under SIC Industry Major Group Numbers 10, 12, 13, 14, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39 and Industry Group Number 212 and industries classified under NAICS code 423930. As used in this paragraph, “SIC” means those classifications contained in the Standard Industrial Classification Manual, 1987, as published by the Office of Management and Budget, Executive Office of the President. As used in this subparagraph, the term “NAICS” means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

3. Possession by a seller of a written certification by the purchaser, certifying the purchaser’s entitlement to an exemption permitted by this subsection, relieves the seller from the responsibility of collecting the tax on the nontaxable amounts, and the department shall look so-

lity to the purchaser for recovery of such tax if it determines that the purchaser was not entitled to the exemption.

4. Such exemption shall be applied as follows: beginning July 1, 2000, 100 percent of the charges for such electricity or steam shall be exempt.

(jii) *Certain machinery and equipment.*—

1. Industrial machinery and equipment purchased by eligible manufacturing businesses which is used at a fixed location in this state for the manufacture, processing, compounding, or production of items of tangible personal property for sale is exempt from the tax imposed by this chapter. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this paragraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.

2. For purposes of this paragraph, the term:

a. "Eligible manufacturing business" means any business whose primary business activity at the location where the industrial machinery and equipment is located is within the industries classified under NAICS codes 31, 32, 33, 112511, and 423930.

b. "Eligible postharvest activity business" means a business whose primary business activity, at the location where the postharvest machinery and equipment is located, is within the industries classified under NAICS code 115114.

c. "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

d. "Primary business activity" means an activity representing more than 50 percent of the activities conducted at the location where the industrial machinery and equipment or postharvest machinery and equipment is located.

e. "Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. The term includes tangible personal property or other property that has a depreciable life of 3 years or more which is used as an integral part in the recycling of metals for sale. A building and its structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment are replaced. Heating and air conditioning systems are not industrial machinery and equipment unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonproduction activities. The term includes parts and accessories for industrial machinery and equipment only to the extent that the parts and accessories are purchased before the date the machinery and equipment are placed in service.

f. "Postharvest activities" means services performed on crops, after their harvest, with the intent of preparing them for market or further processing. Postharvest activities include, but are not limited to, crop cleaning, sun drying, shelling, fumigating, curing, sorting, grading, packing, and cooling.

g. "Postharvest machinery and equipment" means tangible personal property or other property with a depreciable life of 3 years or more which is used primarily for postharvest activities. A building and its structural components are not postharvest industrial machinery and equipment unless the building or structural component is so closely related to the postharvest machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the postharvest machinery and equipment is replaced. Heating and air conditioning systems are not postharvest machinery and equipment unless the sole justification for their installation is to meet the requirements of the postharvest activities process, even

though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonpostharvest activities.

3. Postharvest machinery and equipment purchased by an eligible postharvest activity business which is used at a fixed location in this state is exempt from the tax imposed by this chapter. All labor charges for the repair of, and parts and materials used in the repair of and incorporated into, such postharvest machinery and equipment are also exempt. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this subparagraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.

4. A mixer drum affixed to a mixer truck which is used at any location in this state to mix, agitate, and transport freshly mixed concrete in a plastic state for sale is exempt from the tax imposed by this chapter. Parts and labor required to affix a mixer drum exempt under this subparagraph to a mixer truck are also exempt. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this subparagraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption. This subparagraph is repealed April 30, 2017.

(ooo) *Recycling roll off containers.*—*Recycling roll off containers purchased by a business whose primary business activity is within the industry classified under NAICS code 423930 and which are used exclusively for business activities within the industry classified under NAICS code 423930 are exempt from the tax imposed by this chapter. As used in this paragraph, the term "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.*

Section 38. Subsection (11) of section 212.12, Florida Statutes, is amended to read:

212.12 Dealer's credit for collecting tax; penalties for non-compliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(11) The department shall make available in an electronic format or otherwise the tax amounts and brackets applicable to all taxable transactions that occur in counties that have a surtax at a rate other than 1 percent which would otherwise have been transactions taxable at the rate of 6 percent. Likewise, the department shall make available in an electronic format or otherwise the tax amounts and brackets applicable to transactions taxable at 4.35 percent pursuant to s. 212.05(1)(e)1.c. or the applicable tax rate pursuant to s. 212.031(1) and on transactions which would otherwise have been so taxable in counties which have adopted a discretionary sales surtax.

Section 39. Section 212.205, Florida Statutes, is created to read:

212.205 *Sales tax distribution reporting.*—*By March 15 of each year, each person who received a distribution pursuant to s. 212.20(6)(d)6.b.-f. in the preceding calendar year shall report to the Office of Economic and Demographic Research the following information:*

(1) *An itemized accounting of all expenditures of the funds distributed in the preceding calendar year, including amounts spent on debt service.*

(2) *A statement indicating what portion of the distributed funds have been pledged for debt service.*

(3) *The original principal amount, and current debt service schedule of any bonds or other borrowing for which the distributed funds have been pledged for debt service.*

Section 40. Subsection (1) of section 213.018, Florida Statutes, is amended to read:

213.018 Taxpayer problem resolution program; taxpayer assistance orders.—A taxpayer problem resolution program shall be available to taxpayers to facilitate the prompt review and resolution of taxpayer

complaints and problems which have not been addressed or remedied through normal administrative proceedings or operational procedures and to assure that taxpayer rights are safeguarded and protected during tax determination and collection processes.

(1) The Chief Inspector General shall appoint a taxpayers' rights advocate, and the executive director of the Department of Revenue shall designate a taxpayers' rights advocate and adequate staff to administer the taxpayer problem resolution program.

Section 41. Paragraph (a) of subsection (7) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(7)(a) Any information received by the Department of Revenue in connection with the administration of taxes, including, but not limited to, information contained in returns, reports, accounts, or declarations filed by persons subject to tax, shall be made available to the following in performance of their official duties:

1. The Auditor General or his or her authorized agent;
2. The director of the Office of Program Policy Analysis and Government Accountability or his or her authorized agent;
3. The Chief Financial Officer or his or her authorized agent;
4. The Director of the Office of Insurance Regulation of the Financial Services Commission or his or her authorized agent;
5. A property appraiser or tax collector or their authorized agents pursuant to s. 195.084(1);
6. Designated employees of the Department of Education solely for determination of each school district's price level index pursuant to s. 1011.62(2); ~~and~~
7. The executive director of the Department of Economic Opportunity or his or her authorized agent;
8. The taxpayers' rights advocate or his or her authorized agent pursuant to s. 20.21(3); and
9. The coordinator of the Office of Economic and Demographic Research or his or her authorized agent.

Section 42. Section 218.131, Florida Statutes, is created to read:

218.131 *Offset for tax loss associated with reductions in value of certain residences due to specified hurricanes.—*

(1) *In the 2019-2020 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by Monroe County and by fiscally constrained counties, as defined in s. 218.67(1), and all taxing jurisdictions within such counties, which occur as a direct result of the implementation of s. 197.318. The moneys appropriated for this purpose shall be distributed in January 2020 among the affected taxing jurisdictions based on each jurisdiction's reduction in ad valorem tax revenue resulting from the implementation of s. 197.318.*

(2) *On or before November 15, 2019, each affected taxing jurisdiction shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the taxing jurisdiction's reduction in ad valorem tax revenue in the form and manner prescribed by the department. The documentation must include a copy of the notice required by s. 197.318(4)(b) from the tax collector who reports to the affected taxing jurisdiction the reduction in ad valorem taxes it will incur as a result of implementation of s. 197.318. If Monroe County, a fiscally constrained county, or an eligible taxing jurisdiction within such county fails to apply for the distribution, its share shall revert to the fund from which the appropriation was made.*

Section 43. Section 218.135, Florida Statutes, is created to read:

218.135 *Offset for tax loss associated with reductions in value of certain citrus fruit packing and processing equipment.—*

(1) *For the 2018-2019 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of s. 193.4516. The moneys appropriated for this purpose shall be distributed in January 2019 among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation s. 193.4516.*

(2) *On or before November 15, 2018, each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the department. The documentation must include an estimate of the reduction in taxable value directly attributable to the implementation of s. 193.4516 for all county taxing jurisdictions within the county and shall be prepared by the property appraiser in each fiscally constrained county. The documentation shall also include the county millage rates applicable in all such jurisdictions for the current year. For purposes of this section, each fiscally constrained county's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value multiplied by the applicable millage rate for each county taxing jurisdiction in the current year. If a fiscally constrained county fails to apply for the distribution, its share shall revert to the fund from which the appropriation was made.*

Section 44. *For the 2018-2019 fiscal year, the sum of \$650,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue to implement s. 218.135, Florida Statutes.*

Section 45. Paragraph (c) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) **AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—**

(c) *The total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 624.5105 is \$12.5 million in the 2018-2019 fiscal year, \$13.5 million ~~\$21.4 million~~ in the 2019-2020 ~~2017-2018~~ fiscal year, and \$10.5 million in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 and homeownership opportunities for low-income households or very-low-income households as defined in s. 420.9071 and \$3.5 million each fiscal year for all other projects.*

Section 46. Paragraph (f) of subsection (2) of section 220.1845, Florida Statutes, is amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(2) **AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—**

(f) *The total amount of the tax credits which may be granted under this section is \$18.5 million in the 2018-2019 fiscal year and \$10 million each fiscal year thereafter.*

Section 47. Effective January 1, 2019, subsection (9) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial driver license or commercial learner's permit and who is cited while driving a non-commercial motor vehicle for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld, *any civil penalty that is imposed by s. 318.18(3) must be reduced by 9 percent*, and points, as provided by s. 322.27, may not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may not make

more than five elections within his or her lifetime under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 9 ~~18~~ percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

Section 48. Effective January 1, 2019, paragraph (b) of subsection (1) of section 318.15, Florida Statutes, is amended to read:

318.15 Failure to comply with civil penalty or to appear; penalty.—

(1)

(b) However, a person who elects to attend driver improvement school and has paid the civil penalty as provided in s. 318.14(9), but who subsequently fails to attend the driver improvement school within the time specified by the court ~~is shall~~ be deemed to have admitted the infraction and shall be adjudicated guilty. ~~If the person received a 9-percent~~ ~~In such a case in which there was an 18-percent~~ reduction pursuant to s. 318.14(9) ~~as it existed before February 1, 2009~~, the person must pay the clerk of the court that amount and a processing fee of up to \$18, after which ~~no~~ additional penalties, court costs, or surcharges ~~may not shall~~ be imposed for the violation. In all other such cases, the person must pay the clerk a processing fee of up to \$18, after which ~~no~~ additional penalties, court costs, or surcharges ~~may not shall~~ be imposed for the violation. The clerk of the court shall notify the department of the person's failure to attend driver improvement school and points shall be assessed pursuant to s. 322.27.

Section 49. Paragraphs (m) and (n) of subsection (4) of section 320.08, Florida Statutes, are amended to read:

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

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

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

1. The truck tractor is used exclusively for hauling forestry products; or

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

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

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

1. If such vehicle's declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

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

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or

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

Section 50. Subsection (4) of section 376.30781, Florida Statutes, is amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(4) The Department of Environmental Protection is responsible for allocating the tax credits provided for in s. 220.1845, which may not exceed a total of \$18.5 million in tax credits in fiscal year 2018-2019 and \$10 million in tax credits each fiscal year thereafter.

Section 51. Paragraph (c) of subsection (1) of section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is \$12.5 million in the 2018-2019 fiscal year, \$13.5 million ~~\$21.4 million~~ in the 2019-2020 ~~2017-2018~~ fiscal year, and \$10.5 million in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 and \$3.5 million each fiscal year for all other projects.

Section 52. Subsection (3) of section 718.111, Florida Statutes, is amended to read:

718.111 The association.—

(3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT, SUE, AND BE SUED; CONFLICT OF INTEREST.—

(a) The association may contract, sue, or be sued with respect to the exercise or nonexercise of its powers. For these purposes, the powers of the association include, but are not limited to, the maintenance, management, and operation of the condominium property.

(b) After control of the association is obtained by unit owners other than the developer, the association may:

1. Institute, maintain, settle, or appeal actions or hearings in its name on behalf of all unit owners concerning matters of common interest to most or all unit owners, including, but not limited to, the common elements; the roof and structural components of a building or other improvements; mechanical, electrical, and plumbing elements serving an improvement or a building; representations of the developer pertaining to any existing or proposed commonly used facilities; ~~and~~

2. Protest ~~protesting~~ ad valorem taxes on commonly used facilities and on units; ~~and may~~

3. Defend actions *pertaining to ad valorem taxation of commonly used facilities or units, or related to* ~~in~~ eminent domain; or

4. Bring inverse condemnation actions.

(c) If the association has the authority to maintain a class action, the association may be joined in an action as representative of that class with reference to litigation and disputes involving the matters for which the association could bring a class action.

(d) *The association, in its own name, or on behalf of some or all unit owners, may institute, file, protest, maintain, or defend any adminis-*

trative challenge, lawsuit, appeal, or other challenge to ad valorem taxes assessed on units, commonly used facilities, or common elements. The affected association members are not necessary or indispensable parties to any such action.

(e) Nothing herein limits any statutory or common-law right of any individual unit owner or class of unit owners to bring any action without participation by the association which may otherwise be available.

(f)(4) An association may not hire an attorney who represents the management company of the association.

Section 53. Effective January 1, 2019, subsection (3) of section 741.01, Florida Statutes, is amended to read:

741.01 County court judge or clerk of the circuit court to issue marriage license; fee.—

(3) An additional fee of \$25 shall be paid to the clerk upon receipt of the application for issuance of a marriage license. ~~Each month, The moneys collected shall be remitted by the clerk shall remit \$12.50 of the fee to the Department of Revenue, monthly, for deposit in the General Revenue Fund and \$12.50 of the fee to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.~~

Section 54. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) ~~Effective July 1, 2008,~~ A school district may expend, subject to the provisions of s. 200.065, up to \$150 ~~\$100~~ per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 55. *Clothing and school supplies; sales tax holiday.*—

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 3, 2018, through August 5, 2018, on the retail sale of:*

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term "clothing" means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, protractors, compasses, and calculators.*

(2) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(3) *The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by August 1, 2018, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.*

(4) *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.*

(5) *For the 2017-2018 fiscal year, the sum of \$243,814 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2018, shall revert and be reappropriated for the same purpose in the 2018-2019 fiscal year.*

(6) *This section shall take effect upon this act becoming a law.*

Section 56. *Disaster preparedness supplies; sales tax holiday.*—

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from June 1, 2018, through June 7, 2018, on the retail sale of:*

(a) *A portable self-powered light source selling for \$20 or less.*

(b) *A portable self-powered radio, two-way radio, or weather-band radio selling for \$50 or less.*

(c) *A tarpaulin or other flexible waterproof sheeting selling for \$50 or less.*

(d) *An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit and selling for \$50 or less.*

(e) *A gas or diesel fuel tank selling for \$25 or less.*

(f) *A package of AAA-cell, AA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for \$30 or less.*

(g) *A nonelectric food storage cooler selling for \$30 or less.*

(h) *A portable generator used to provide light or communications or preserve food in the event of a power outage and selling for \$750 or less.*

(i) *Reusable ice selling for \$10 or less.*

(2) *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.*

(3) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(4) *For the 2017-2018 fiscal year, the sum of \$70,072 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section.*

(5) *This section shall take effect upon this act becoming a law.*

Section 57. *Equipment used to generate emergency electric energy.*—

(1) *The purchase of any equipment to generate emergency electric energy at a nursing home facility as defined in s. 400.021(12), Florida Statutes, or an assisted living facility as defined in s. 429.02(5), Florida Statutes, is exempt from the tax imposed under chapter 212, Florida Statutes, during the period from July 1, 2017, through December 31, 2018. The electric energy that is generated must be used at the home or facility and meet the energy needs for emergency generation for that size and class of facility.*

(2) The purchaser of the equipment must provide the dealer with an affidavit certifying that the equipment will only be used as provided in subsection (1).

(3) The exemption provided in subsection (1) is limited to a maximum of \$15,000 in tax for the purchase of equipment for any single facility.

(4)(a) The exemption under this section may be applied at the time of purchase or is available through a refund from the Department of Revenue of previously paid taxes. For purchases made before the effective date of this section, an application for refund must be submitted to the department within 6 months after the effective date of this section. For purchases made on or after the effective date of this section, if the exemption was not applied to the purchase, an application for refund must be submitted to the department within 6 months after the date of purchase.

(b) The purchaser of the emergency electric equipment applying for a refund under this subsection must provide the department with an affidavit certifying that the equipment will only be used as provided in subsection (1).

(5) A person furnishing a false affidavit to the dealer pursuant to subsection (2) or the Department of Revenue pursuant to subsection (4) is subject to the penalty set forth in s. 212.085, Florida Statutes, and as otherwise authorized by law.

(6) The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

(7) Notwithstanding any other law, emergency rules adopted pursuant to subsection (6) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(8) This section is considered a revenue law for the purposes of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011, Florida Statutes, applies to this section.

(9) This section shall take effect upon becoming a law and operates retroactively to July 1, 2017.

Section 58. Fencing materials used in agriculture.—

(1) The purchase of fencing materials used in the repair of farm fences on land classified as agricultural under s. 193.461, Florida Statutes, is exempt from the tax imposed under chapter 212, Florida Statutes, during the period from September 10, 2017, through May 31, 2018, if the fencing materials will be or were used to repair damage to fences that occurred as a direct result of the impact of Hurricane Irma. The exemption provided by this section is available only through a refund from the Department of Revenue of previously paid taxes.

(2) To receive a refund pursuant to this section, the owner of the fencing materials or the real property into which the fencing materials were incorporated must apply to the Department of Revenue by December 31, 2018. The refund application must include the following information:

- (a) The name and address of the person claiming the refund.
- (b) The address and assessment roll parcel number of the agricultural land in which the fencing materials was or will be used.
- (c) The sales invoice or other proof of purchase of the fencing materials, showing the amount of sales tax paid, the date of purchase, and the name and address of the dealer from whom the materials were purchased.
- (d) An affidavit executed by the owner of the fencing materials or the real property into which the fencing materials were or will be incorporated, including a statement that the fencing materials were or will be used to repair fencing damaged as a direct result of the impact of Hurricane Irma.

(3) A person furnishing a false affidavit to the Department of Revenue pursuant to subsection (2) is subject to the penalty set forth in s. 212.085, Florida Statutes, and as otherwise authorized by law.

(4) The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

(5) Notwithstanding any other law, emergency rules adopted pursuant to subsection (4) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(6) This section is considered a revenue law for the purposes of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011, Florida Statutes, applies to this section.

(7) This section shall take effect upon becoming a law and operates retroactively to September 10, 2017.

Section 59. Building materials used in the repair of nonresidential farm buildings damaged by Hurricane Irma.—

(1) Building materials used to repair a nonresidential farm building damaged as a direct result of the impact of Hurricane Irma and purchased during the period from September 10, 2017, through May 31, 2018, are exempt from the tax imposed under chapter 212, Florida Statutes. The exemption provided by this section is available only through a refund of previously paid taxes.

(2) For purposes of the exemption provided in this section, the term:

- (a) "Building materials" means tangible personal property that becomes a component part of a nonresidential farm building.
- (b) "Nonresidential farm building" has the same meaning as in s. 604.50, Florida Statutes.

(3) To receive a refund pursuant to this section, the owner of the building materials or of the real property into which the building materials will be or were incorporated must apply to the Department of Revenue by December 31, 2018. The refund application must include the following information:

- (a) The name and address of the person claiming the refund.
- (b) The address and assessment roll parcel number of the real property where the building materials were or will be used.
- (c) The sales invoice or other proof of purchase of the building materials, showing the amount of sales tax paid, the date of purchase, and the name and address of the dealer from whom the materials were purchased.
- (d) An affidavit executed by the owner of the building materials or the real property into which the building materials will be or were incorporated, including a statement that the building materials were or will be used to repair the nonresidential farm building damaged as a direct result of the impact of Hurricane Irma.

(4) A person furnishing a false affidavit to the Department of Revenue pursuant to subsection (3) is subject to the penalty set forth in s. 212.085, Florida Statutes, and as otherwise provided by law.

(5) The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

(6) Notwithstanding any other law, emergency rules adopted pursuant to subsection (5) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(7) This section is considered a revenue law for the purposes of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011, Florida Statutes, applies to this section.

(8) This section shall take effect upon becoming a law and operates retroactively to September 10, 2017.

Section 60. *Refund of fuel taxes used for agricultural shipment after Hurricane Irma.*—

(1) *Fuel purchased and used in this state during the period from September 10, 2017, through June 30, 2018, which is or was used in any motor vehicle driven or operated upon the public highways of this state for agricultural shipment is exempt from all state and county taxes authorized or imposed under parts I and II of chapter 206, Florida Statutes, excluding the taxes imposed under s. 206.41(1)(a) and (h), Florida Statutes. The exemption provided by this section is available to the fuel purchaser in an amount equal to the fuel tax imposed on fuel that was purchased for agricultural shipment during the period from September 10, 2017, through June 30, 2018. The exemption provided by this section is only available through a refund from the Department of Revenue.*

(2) *For purposes of the exemption provided in this section, the term:*

(a) *“Agricultural processing or storage facility” means property used or useful in separating, cleaning, processing, converting, packaging, handling, storing, and other activities necessary to prepare crops, livestock, related products, and other products of agriculture, and includes nonfarm facilities that produce agricultural products in whole or in part through natural processes, animal husbandry, and apiaries.*

(b) *“Agricultural product” means the natural products of a farm, nursery, forest, grove, orchard, vineyard, garden, or apiary, including livestock as defined in s. 585.01(13), Florida Statutes.*

(c) *“Agricultural shipment” means the transport of any agricultural product from a farm, nursery, forest, grove, orchard, vineyard, garden, or apiary to an agricultural processing or storage facility.*

(d) *“Fuel” means motor fuel or diesel fuel, as those terms are defined in ss. 206.01 and 206.86, Florida Statutes, respectively.*

(e) *“Fuel tax” means all state and county taxes authorized or imposed on fuel under chapter 206, Florida Statutes.*

(f) *“Motor vehicle” and “public highways” have the same meanings as in s. 206.01, Florida Statutes.*

(3) *To receive a refund pursuant to this section, the fuel purchaser must apply to the Department of Revenue by December 31, 2018. The refund application must include the following information:*

(a) *The name and address of the person claiming the refund.*

(b) *The names and addresses of up to three owners of farms, nurseries, forests, groves, orchards, vineyards, gardens, or apiaries whose agricultural products were shipped by the person seeking the refund pursuant to this section.*

(c) *The sales invoice or other proof of purchase of the fuel, showing the number of gallons of fuel purchased, the type of fuel purchased, the date of purchase, and the name and place of business of the dealer from whom the fuel was purchased.*

(d) *The license number or other identification number of the motor vehicle that used the exempt fuel.*

(e) *An affidavit executed by the person seeking the refund pursuant to this section, including a statement that he or she purchased and used the fuel for which the refund is being claimed during the period from September 10, 2017, through June 30, 2018, for an agricultural shipment.*

(4) *A person furnishing a false affidavit to the Department of Revenue pursuant to subsection (3) is subject to the penalty set forth in s. 206.11, Florida Statutes, and as otherwise provided by law.*

(5) *The tax imposed under s. 212.0501, Florida Statutes, does not apply to fuel that is exempt under this section and for which a fuel purchaser received a refund under this section.*

(6) *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.*

(7) *Notwithstanding any other law, emergency rules adopted pursuant to subsection (6) are effective for 6 months after adoption and may*

be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(8) *This section is considered a revenue law for the purposes of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011, Florida Statutes, applies to this section.*

(9) *This section shall take effect upon becoming a law and operate retroactively to September 10, 2017.*

Section 61. *The amendments made by this act to ss. 197.3631, 197.572, and 197.573, Florida Statutes, and the creation by this act of s. 193.0237, Florida Statutes, first apply to taxes and special assessments levied in 2018.*

Section 62. *For the 2018-2019 fiscal year, the sum of \$91,319 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue to implement the provisions of this act.*

Section 63. *The Division of Law Revision and Information is directed to replace the phrase “the effective date of this act” wherever it occurs in this act, except in ss. 163.01 and 197.572, Florida Statutes, with the date this act becomes a law.*

Section 64. *Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2018.*

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 20.21, F.S.; providing for the appointment of the taxpayers’ rights advocate within the Department of Revenue by the Chief Inspector General rather than by the department’s executive director; revising the supervisory authority over the taxpayers’ rights advocate; providing that the taxpayers’ rights advocate may be removed from office only by the Chief Inspector General; requiring the taxpayers’ rights advocate to furnish an annual report to the Governor, the Legislature, and the Chief Inspector General by a specified date; providing requirements for the report; providing that the person who serves as the taxpayers’ rights advocate as of a certain date shall continue to serve in such capacity until he or she voluntarily leaves the position or is removed by the Chief Inspector General; amending s. 28.241, F.S.; providing for a specified distribution of certain trial and appellate proceeding filing fees to the Miami-Dade County Clerk of Court; requiring that a specified portion of filing fees for trial and appellate proceedings be deposited into the State Courts Revenue Trust Fund rather than the General Revenue Fund; amending s. 125.0104, F.S.; adding a requirement to conduct a certain analysis before a county that imposes the tourist development tax may use the tax revenues for authorized purposes; authorizing counties imposing the tax to use the tax revenues to finance channel, estuary, or lagoon improvements; authorizing such counties to use the tax revenues for the construction of beach groins; authorizing counties imposing the tax to use the tax revenues, under certain circumstances and subject to certain conditions and restrictions, for specified purposes and costs relating to public facilities; defining the term “public facilities”; specifying circumstances under which the tax revenues may be expended for such public facilities; amending s. 159.621, F.S.; providing a documentary stamp tax exemption for notes and mortgages that are given in connection with a loan made by or on behalf of a housing financing authority; providing requirements for the exemption; revising applicability; amending s. 163.01, F.S.; specifying the applicability of a certain tax exemption for property located within or outside the jurisdiction of specified legal entities created under the Florida Interlocal Cooperation Act of 1969; creating s. 193.0237, F.S.; defining terms; prohibiting separate ad valorem taxes or non-ad valorem assessments against the land upon which a multiple parcel building is located; specifying requirements for property appraisers in allocating the value of land containing a multiple parcel building among the parcels; providing that a condominium, timeshare, or cooperative may be created within a parcel in a multiple parcel building; specifying the allocation of land value to the assessed value of parcels containing condominiums and of parcels containing cooperatives; requiring that each parcel in a multiple parcel building be assigned a tax folio number; providing an exception; providing construction relating to the survival and enforceability of recorded instrument provisions affecting a certain parcel in a multiple parcel building; providing applicability; amending s. 193.155, F.S.;

providing that an owner of homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane may elect to have such property deemed abandoned, for the purpose of receiving a certain assessment reduction, if the owner establishes a new homestead property by a specified date; providing retroactive applicability; creating s. 193.4516, F.S.; specifying a limitation on ad valorem tax assessments for tangible personal property that is owned and operated by a citrus fruit packing or processing facility and that is unused due to the effects of a certain hurricane or to citrus greening; defining the term "citrus"; providing applicability; amending s. 193.461, F.S.; revising the definition of the term "agricultural purposes"; providing that certain lands classified for assessment purposes as agricultural lands which are not being used for agricultural production must continue to be classified as agricultural lands until a specified date; providing construction; providing applicability; amending s. 194.011, F.S.; providing that a condominium, cooperative, or homeowners' association filing a single joint petition with the value adjustment board may continue to represent the unit or parcel owners through any related subsequent proceeding; specifying notice and opt-out requirements; making technical changes; amending s. 194.032, F.S.; authorizing value adjustment boards to meet to hear appeals pertaining to specified tax abatements; amending s. 194.181, F.S.; specifying that a condominium, cooperative, or homeowners' association may be a party to an action contesting the assessment of ad valorem taxes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; amending s. 196.24, F.S.; deleting a condition for unremarried spouses of deceased disabled ex-servicemembers to claim a certain ad valorem tax exemption; creating s. 197.318, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements damaged or destroyed by certain hurricanes; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing construction; providing retroactive applicability; providing for expiration; amending s. 197.3631, F.S.; specifying requirements for the levy and allocation of non-ad valorem assessments on land containing a multiple parcel building; defining the terms "multiple parcel building" and "parcel"; amending s. 197.572, F.S.; providing that easements supporting improvements that may be constructed above lands survive tax sales and tax deeds of such lands; amending s. 197.573, F.S.; specifying that a provision relating to the survival and enforceability of restrictions and covenants after a tax sale applies to recorded instruments other than deeds; revising covenants that are excluded from applicability; amending s. 201.02, F.S.; providing a documentary stamp tax exemption for certain instruments transferring or conveying homestead property interests between spouses; providing applicability; defining the term "homestead property"; creating s. 201.25, F.S.; providing exemptions from documentary stamp taxes for certain loans made by the Florida Small Business Emergency Bridge Loan Program and the Agricultural Economic Development Program; creating s. 205.055, F.S.; providing an exemption from local business taxes and fees for certain veterans, spouses and unremarried surviving spouses of such veterans, spouses of certain active duty military servicemembers, specified low-income individuals, and certain businesses in which a majority interest is owned by exempt individuals; providing requirements for requesting the exemption; repealing s. 205.171, F.S., relating to exemptions allowed for disabled veterans of any war or their unremarried spouses; authorizing municipalities that impose certain business taxes to continue imposing such taxes and to revise the definition of the term "merchant" by ordinance; prohibiting such municipalities from revising certain tax rates; amending s. 206.052, F.S.; exempting certain terminal suppliers from paying the motor fuel tax under specified circumstances; creating s. 206.9826, F.S.; providing that certain air carriers are entitled to receive a specified refund on purchased aviation fuel; specifying a limitation on such refund; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; revising the calculation of certain taxes by the department; amending s. 206.996, F.S.; conforming a provision to changes made by the act; creating s. 210.205, F.S.; requiring the H. Lee Moffitt Cancer Center and Research Institute to annually report information regarding the expenditure of cigarette tax distributions to the Office of Economic and Demographic Research; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.055, F.S.; revising the definition of the term "infrastructure" for purposes of the local government infrastructure surtax; defining the term "infrastructural technology"; requiring performance audits of certain coun-

ties or school districts holding a referendum related to a local government discretionary sales surtax; requiring the Office of Program Policy Analysis and Government Accountability to hire an independent certified public accountant to conduct such performance audits; authorizing the office to use carryforward funds to pay for such services; specifying a time period within which the performance audit must be completed and made available; defining the term "performance audit"; amending s. 212.08, F.S.; providing a sales and use tax exemption for liquefied petroleum gases used in certain farm equipment; providing a sales and use tax exemption for electricity used on the farm in the raising of aquaculture products or used in packinghouses for packing or preparing fish; defining the term "fish"; revising, at specified timeframes, the total amount of community contribution tax credits which may be granted; providing a sales and use tax exemption for industrial machinery and equipment purchased for use in aquacultural activities; defining terms; revising applicability of sales and use tax exemptions for certain charges for electricity and steam uses and certain industrial machinery and equipment; defining the term "NAICS"; providing a sales and use tax exemption for recycling roll off containers used by certain businesses for certain purposes; defining the term "NAICS"; amending s. 212.12, F.S.; requiring the department to make available the tax amounts and brackets applicable to transactions subject to the sales tax on commercial leases of real property; creating s. 212.205, F.S.; requiring certain recipients of sales tax distributions to annually report information related to expenditures of those distributions to the Office of Economic and Demographic Research; amending s. 213.018, F.S.; conforming a provision to changes made by the act; amending s. 213.053, F.S.; requiring that information received by the department in connection with the administration of taxes be made available to the taxpayers' rights advocate and the coordinator of the Office of Economic and Demographic Research, or their authorized agents, in the performance of their official duties; creating s. 218.131, F.S.; requiring the Legislature to appropriate moneys, during a specified fiscal year, to a specified county and to fiscally constrained counties and taxing jurisdictions within such counties which experience a reduction in ad valorem tax revenue as a result of certain tax abatements related to specified hurricanes; specifying requirements for such counties and jurisdictions to apply to participate in the distribution; providing for a reversion of a share of funds if such county or jurisdiction fails to apply; creating s. 218.135, F.S.; requiring the Legislature to appropriate funds to offset reductions in ad valorem taxes as a result of certain assessment limitations on the value of certain citrus packing and processing equipment; specifying requirements for such counties and jurisdictions to apply to participate in the distribution; specifying the calculation of such reductions; providing for a reversion of a share of funds if such county or jurisdiction fails to apply; providing an appropriation; amending s. 220.183, F.S.; revising, at specified timeframes, the total amount of community contribution tax credits that may be granted; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; amending s. 318.14, F.S.; providing a specified reduction in civil penalty for persons who are cited for certain noncriminal traffic infractions and who elect to attend a certain driver improvement course; revising the percentage of a certain civil penalty that must be deposited in the State Courts Revenue Trust Fund; amending s. 318.15, F.S.; conforming a provision to changes made by the act; amending s. 320.08, F.S.; revising a condition under which certain truck tractors and heavy trucks used for certain purposes are eligible for specified license plate fees; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 624.5105, F.S.; revising, at specified timeframes, the total amount of community contribution tax credits that may be granted; amending s. 718.111, F.S.; revising condominium association powers to sue and be sued in actions related to certain ad valorem taxes; providing construction; amending s. 741.01, F.S.; providing for a specified portion of a fee paid to the clerk of the circuit court for the issuance of a marriage license to be monthly deposited into the State Courts Revenue Trust Fund rather than the General Revenue Fund; amending s. 1011.71, F.S.; increasing the per-student limit of district school taxes that may be expended by school districts for certain purposes; providing sales tax exemptions for the retail sale of certain clothing and school supplies during a specified timeframe; defining terms; providing exceptions; authorizing certain dealers to opt out of participating in such tax exemption; providing requirements for such dealers; authorizing the department to adopt emergency rules; providing an appropriation; providing a sales tax exemption for specified disaster preparedness

supplies during a specified timeframe; authorizing the department to adopt emergency rules; providing exceptions to the exemption; providing an appropriation; providing a sales tax exemption, during a specified timeframe, for certain equipment used to generate emergency electric energy in nursing homes and assisted living facilities; requiring a purchaser to provide a dealer with a specified affidavit; specifying a limit to the exemption; providing procedures and requirements for filing applications for a refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive operation; providing a sales tax exemption for certain fencing materials used in agriculture during a specified timeframe; providing procedures and requirements for filing applications for the refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive applicability; providing a sales tax exemption for certain building materials used to repair nonresidential farm buildings and purchased during a specified timeframe; defining terms; providing procedures and requirements for filing applications for a refund of taxes previously paid; providing penalties for the furnishing of false affidavits; providing rulemaking authority to the department; providing construction; providing retroactive applicability; providing an exemption from taxes on fuel used for agricultural shipment and purchased and used during a specified timeframe; defining terms; providing procedures and requirements for filing applications for a refund of previously paid taxes; providing penalties for the furnishing of false affidavits; providing applicability of a certain tax; providing rulemaking authority to the department; providing construction; providing retroactive applicability; providing applicability; providing an appropriation; providing a directive to the Division of Law Revision and Information; providing effective dates.

On motion by Senator Stargel, further consideration of **CS for HB 7087** with pending **Amendment 1 (486636)** was deferred.

RECESS

On motion by Senator Braynon, the Senate recessed at 4:23 p.m. to reconvene at 5:00 p.m., or upon call of the President.

EVENING SESSION

The Senate was called to order by the President at 5:20 p.m. A quorum present—34:

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

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for HB 7087—A bill to be entitled An act relating to taxation; amending s. 28.241, F.S.; providing for a distribution of certain filing fees; specifying that filing fees for trial and appellate proceedings must be deposited into the State Courts Revenue Trust Fund; amending s. 159.621, F.S.; providing an exemption from the excise tax on certain documents notes and mortgages that are part of a loan made by or on behalf of a housing financing authority; providing requirements for exemption; providing exceptions to the exemption; creating s. 193.0237, F.S.; providing definitions; providing for the valuation of land upon which a multiple parcel building is located; providing procedures and requirements for the allocation of land value by the property appraiser; specifying the effect of a forced sale on the provisions of a record instrument of a parcel in a multiple parcel building; providing applica-

bility; creating s. 193.4516, F.S.; providing a valuation reduction for tangible personal property owned and operated by a citrus fruit packing or processing facility; providing applicability; defining the term “citrus” for purposes of the reduction; providing retroactive applicability; amending s. 194.011, F.S.; specifying that the right of a condominium, cooperative, or homeowners’ association to petition a value adjustment board regarding an ad valorem tax assessment on behalf of some or all unit or parcel owners includes the right to represent unit or parcel owners in all related proceedings; amending s. 194.032, F.S.; authorizing value adjustment boards to meet to hear appeals pertaining to specified tax abatements; amending s. 194.181, F.S.; specifying that specified associations may be a party to an action contesting the assessment of ad valorem taxes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; amending s. 196.24, F.S.; authorizing certain unremarried spouses of deceased disabled ex-servicemembers to claim ad valorem tax exemptions; creating s. 197.318, F.S.; providing for the abatement of ad valorem taxes for residential improvements damaged or destroyed by certain hurricanes; providing definitions; providing procedures and requirements for filing applications; providing reporting requirements; providing retroactive applicability; amending s. 197.3631, F.S.; providing for the levy and allocation of non-ad valorem special assessments on parcels in a multiple parcel building; amending s. 197.572, F.S.; providing for the continued applicability of certain easements that support improvements that may be constructed above certain conservation land; amending s. 197.573, F.S.; protecting from tax sale certain covenants that provide specified liens against property for assessments accruing after issuance of certain deeds and titles; amending s. 201.02, F.S.; defining the term “homestead property”; providing a documentary stamp tax exemption for certain transfers of homestead property between spouses; creating s. 210.205, F.S.; requiring certain recipients of cigarette tax distributions to report information regarding the expenditure of such distributions; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.055, F.S.; revising the definition of “public facilities” for purposes of the local government infrastructure surtax; amending ss. 212.08, 220.183, and 624.5105, F.S.; revising the total amount of community contribution tax credits that may be granted for certain projects that provide housing opportunities for certain persons; creating s. 212.099, F.S.; establishing the Florida Sales Tax Credit Scholarship Program; providing definitions; authorizing certain persons to elect to direct certain state sales and use tax revenues to be transferred to a nonprofit scholarship-organization for the Florida Tax Credit Scholarship Program; providing procedures and requirements for filing applications; providing nonprofit scholarship-funding organization obligations; providing limits on the amount of tax credits; requiring the Department of Revenue to disregard certain tax credits for specified purposes; requiring the Department of Revenue to adopt rules to administer the program; amending s. 212.12, F.S.; directing the department to make available the tax amounts and brackets for the tax imposed under s. 212.031; amending s. 212.1831, F.S.; modifying the calculation of the dealer’s collection allowance under s. 212.12 to include certain contributions to eligible nonprofit scholarship-funding organizations; creating s. 212.205, F.S.; requiring certain recipients of sales tax distributions to report information related to expenditure of those distributions; amending s. 213.053, F.S.; providing definitions; authorizing the Department of Revenue to provide a list of certain taxpayers to certain nonprofit scholarship-funding organizations; creating s. 218.131, F.S.; requiring the Legislature to appropriate moneys to fiscally constrained counties and taxing jurisdictions within such counties that experience a reduction in ad valorem tax revenue as a result of tax abatements related to specified hurricanes; providing a method for distributing such moneys; creating s. 218.135, F.S.; requiring the Legislature to appropriate funds to offset reductions in ad valorem taxes as a result of reductions in the value of certain packing and processing equipment; providing a method for distributing such moneys; providing an appropriation; amending s. 220.13, F.S.; providing an exception to the additions to the calculation of adjusted taxable income for corporate income tax purposes; amending s. 220.1845, F.S.; increasing the total amount of contaminated site rehabilitation tax credits for 1 year; amending s. 220.1875, F.S.; providing a deadline for an eligible contribution to be made to an eligible nonprofit scholarship-funding organization; determining compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32 for tax credits under s. 1002.395; amending s. 318.14, F.S.; requiring a specified reduction of a civil penalty under certain circumstances; deleting the requirement that a specified percentage of the civil penalty be deposited in the State

Courts Revenue Trust Fund; amending s. 318.15, F.S.; requiring a person to pay the clerk of the court the amount of a reduction under certain circumstances; amending s. 376.30781, F.S.; increasing the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas for 1 year; amending s. 718.111, F.S.; providing how a condominium association may protest ad valorem valuation of some or all of the units of the association; amending s. 741.01, F.S.; providing a certain fee paid to the clerk of the circuit court for the issuance of a marriage license is deposited into the State Courts Revenue Trust Fund; amending s. 1002.395, F.S.; providing an application deadline for certain tax credits related to nonprofit scholarship-funding organizations; extending the carry forward period for unused tax credits from 5 years to 10 years; providing applicability of the carried forward tax credit for purposes of certain taxes; removing the requirement for a taxpayer to apply to the department for approval of a carry forward tax credit; providing sales tax exemptions for the retail sale of certain clothing, school supplies, personal computers, and personal computer-related accessories during a specified timeframe; providing exceptions; authorizing certain dealers to opt out of participating in such tax exemption; providing requirements for such dealers; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing a sales tax exemption for specified disaster preparedness supplies during specified timeframes; authorizing the Department of Revenue to adopt emergency rules; providing applicability; providing a sales tax exemption for certain generators used in nursing homes and assisted living facilities during a specified timeframe; providing procedures and requirements for filing applications; providing penalties; providing a sales tax exemption for certain fencing materials during a specified timeframe; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; providing a sales tax exemption for certain building materials used to repair nonresidential farm buildings during a specified timeframe; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; providing an exemption from taxes on fuel for certain agricultural uses; providing definitions; providing procedures and requirements for filing applications; providing penalties; authorizing the Department of Revenue to adopt emergency rules; providing retroactive applicability; amending s. 193.155, F.S.; providing that owners of homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane may elect to have such property deemed abandoned if the owner establishes a new homestead property by a specified date; amending s. 163.01, F.S.; providing the tax treatment of property located within or outside the jurisdiction of specified legal entities created under the Florida Interlocal Cooperation Act of 1969; amending s. 206.052, F.S.; exempting certain terminal suppliers from paying the motor fuel tax under specified circumstances; creating chapter 451, F.S.; providing definitions; specifying that certain contractors under specified conditions are to be treated as independent contractors under state and local laws and regulations; providing retroactive applicability; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing construction; providing retroactive applicability; providing an appropriation; providing effective dates.

—which was previously considered this day with pending **Amendment 1 (486636)**.

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

Senator Stargel moved the following amendment to **Amendment 1 (486636)** which was adopted:

Amendment 1A (202412)—Delete line 1418 and insert:

(10) *PERFORMANCE AUDIT.*—

(a) *For any referendum held on or after the effective*

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

Senator Simmons moved the following amendment to **Amendment 1 (486636)** which was adopted:

Amendment 1B (905850) (with title amendment)—Delete lines 225-229 and insert:

that county for the following purposes only:

And the title is amended as follows:

Delete lines 2657-2661 and insert: Revenue Fund; amending s. 125.0104, F.S.; authorizing counties imposing the tourist development tax to use the tax

Amendment 1 (486636), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 7087**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1348** was deferred.

CS for SB 1274—A bill to be entitled An act relating to community associations; amending s. 718.111, F.S.; deleting a provision prohibiting an association from hiring an attorney who represents the management company of the association; revising condominium association recordkeeping and financial reporting requirements; revising the list of documents that the association is required to post online; limiting an association's liability for inadvertent disclosure of protected or restricted information; providing that the failure of an association to post certain information is not sufficient, in and of itself, to invalidate any action or decision of the association; amending s. 718.112, F.S.; revising provisions relating to required association bylaws; authorizing an association to adopt rules for posting certain notices on the association's website; revising board term limits; providing responsibilities for unit owners who receive electronic notices; revising and providing board member recall and challenge requirements; authorizing the recovery of attorney fees and costs in an action to challenge the validity of a board member recall; amending s. 718.113, F.S.; revising voting requirements relating to alterations and additions to certain common elements or association property; amending s. 718.3026, F.S.; removing a provision relating to certain contracts or transactions regarding conflicts of interest; amending s. 718.3027, F.S.; providing requirements for proposed activity that is identified as a conflict of interest; amending s. 718.303, F.S.; revising fine and suspension requirements; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; revising cooperative association recordkeeping requirements; amending s. 719.106, F.S.; revising the composition of boards of administration; placing an additional restriction on service as a board member; prohibiting a board member from voting via e-mail; requiring that a notice for certain meetings contain certain information; authorizing an association to adopt rules for posting certain notices on a website; requiring that an adopted rule contain a certain requirement related to electronic notice; providing responsibilities for unit owners who receive electronic notices; providing that directors or officers who are delinquent in certain payments owed in excess of certain periods of time are deemed to have abandoned their offices; amending s. 719.107, F.S.; specifying that certain services that are obtained pursuant to a bulk contract are deemed a common expense; amending s. 719.303, F.S.; revising fine and suspension requirements; specifying a fine payment is due within a certain timeframe after the fine is approved by the committee; requiring the association to provide written notice of certain fines or suspensions to certain persons; amending s. 720.303, F.S.; prohibiting a board member from voting via e-mail; revising reserve account requirements; providing requirements for votes relating to reserve accounts; providing applicability; requiring that meetings at which a proposed annual budget will be considered be open to all parcel owners; providing requirements for special meetings held to consider a substitute annual budget; amending s. 720.305, F.S.; expanding the list of persons required to be notified of a fine or suspension before the fine or suspension may be imposed; specifying that a payment for a fine is due within a certain timeframe; amending s. 720.306, F.S.; prohibiting write-in nominations for certain elections; requiring certain candidates to commence service on the board of directors regardless of whether a quorum is attained; amending s. 720.3085, F.S.; clarifying applicability; amending s. 720.401, F.S.; revising the statements required to be included in the disclosure summary; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1274**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 841** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Rules.

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

CS for CS for CS for HB 841—A bill to be entitled An act relating to community associations; amending s. 194.011, F.S.; specifying that a condominium, cooperative, or homeowners' association may represent unit or parcel owners in certain proceedings; requiring notice to unit or parcel owners of such proceedings; amending s. 194.181, F.S.; specifying that a condominium, cooperative, or homeowners' association may be a party to an action contesting the assessment of ad valorem taxes; amending s. 718.111, F.S.; revising condominium association recordkeeping and financial reporting requirements; revising record retention policies; revising the list of documents that the association is required to post online; limiting an association's liability for inadvertent disclosure of protected or restricted information; amending s. 718.112, F.S.; revising provisions relating to required association bylaws; revising board term limits; authorizing an association to adopt rules for posting certain notices on a website; providing responsibilities for unit owners who receive electronic notices; revising and providing board member recall and challenge requirements; authorizing the recovery of attorney fees and costs in an action to challenge the validity of a board member recall; amending s. 718.113, F.S.; revising voting requirements relating to alterations and additions to certain common elements or association property; providing legislative findings; providing that an association may not prohibit a unit owner from installing an electronic vehicle charging station; providing requirements for installing such charging station; amending s. 718.121, F.S.; providing when the installation of an electronic vehicle charging station may be the basis of a lien; amending s. 718.3026, F.S.; removing a provision relating to certain contracts or transactions regarding conflicts of interest; amending s. 718.3027, F.S.; providing requirements for proposed activity that is identified as a conflict of interest; amending s. 718.303, F.S.; revising fine and suspension requirements; amending s. 718.707, F.S.; revising the time period for classification as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; revising cooperative association recordkeeping requirements; amending s. 719.106, F.S.; revising requirements to serve as a board member; prohibiting a board member from voting via e-mail; authorizing an association to adopt rules for posting certain notices on a website; providing responsibilities for unit owners who receive electronic notices; providing that directors or officers who are delinquent in certain payments owed in excess of certain periods of time be deemed to have abandoned their offices; amending s. 719.107, F.S.; specifying that certain services which are obtained pursuant to a bulk contract are deemed a common expense; amending s. 719.303, F.S.; revising fine and suspension requirements; amending s. 720.303, F.S.; prohibiting a board member from voting via e-mail; amending s. 720.305, F.S.; revising fine and suspension requirements; amending s. 720.306, F.S.; requiring an association to follow certain procedures when amending a governing document; providing limitations on and exceptions for associations when a parcel owner attempts to rent or lease his or her home; requiring certain notices to parcel owners be delivered in specified ways; revising election requirements; amending s. 720.3085, F.S.; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1274** and read the second time by title.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 6:30 p.m.

Senator Steube moved the following amendment which was adopted:

Amendment 1 (346340) (with directory and title amendments)—Delete lines 1824-1858 and insert:

(g) *A notice required under this section must be mailed or*

And the directory clause is amended as follows:

Delete line 1803 and insert: through (g) are added to subsection (1) of that section, to

And the title is amended as follows:

Delete lines 63-66 and insert: when amending a governing document; requiring that certain notices to parcel owners be

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

Senator Garcia moved the following amendment which failed:

Amendment 2 (894894)—Delete lines 189-190 and insert:

(b) An association may not hire an attorney who represents the management company of the association.

The vote was:

Yeas—15

Book	Gibson	Rodriguez
Bracy	Lee	Rouson
Braynon	Montford	Taddeo
Farmer	Powell	Thurston
Garcia	Rader	Torres

Nays—21

Mr. President	Gainer	Perry
Baxley	Galvano	Simmons
Bean	Grimsley	Simpson
Benacquisto	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Mayfield	Stewart
Broxson	Passidomo	Young

Pursuant to Rule 4.19, **CS for CS for CS for HB 841**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Perry—

CS for SB 1348—A bill to be entitled An act relating to community development districts; amending s. 190.046, F.S.; authorizing sufficiently contiguous lands located within the county or municipality which a petitioner anticipates adding to the boundaries of a new community development district to also be identified in a petition to establish the new district under certain circumstances; providing requirements for the petition; providing notification requirements for the petition; prohibiting a parcel from being included in the district without the written consent of the owner of the parcel; authorizing a person to petition the county or municipality to amend the boundaries of the district to include a certain parcel after establishment of the district; prohibiting a filing fee for such petition; providing requirements for the petition; requiring the person to provide the petition to the district and to the owner of the proposed additional parcel before filing the petition with the county or municipality; requiring the county or municipality to process the addition of the parcel to the district as an amendment to the ordinance that establishes the district once the petition is determined sufficient and complete; authorizing the county or municipality to process all such petitions even if the addition exceeds specified acreage; providing notice requirements for the intent to amend the ordinance establishing the district; providing that the amendment of a district by the addition of a parcel does not alter the transition from landowner voting to qualified elector voting; requiring the petitioner to cause to be recorded a certain notice of boundary amendment upon adoption of the ordinance expanding the district; providing construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1348** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1396—A bill to be entitled An act relating to the judicial branch; creating s. 25.025, F.S.; authorizing certain Supreme Court Justices to have an appropriate facility in their district of re-

sidence designated as their official headquarters; providing that an official headquarters may serve only as a justice's private chambers; providing that such justices are eligible for a certain subsistence allowance and reimbursement for certain transportation expenses; requiring that such allowance and reimbursement be made to the extent appropriated funds are available, as determined by the Chief Justice; requiring the Chief Justice to coordinate with certain persons in implementing designations of official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; authorizing counties to enter into agreements with the Supreme Court for the use of county courthouse space; prohibiting the Supreme Court from using state funds to lease space in a facility to allow a justice to establish an official headquarters; amending s. 26.031, F.S.; adding judges to the Ninth Judicial Circuit Court; amending s. 29.008, F.S.; providing applicability and construction; amending s. 30.15, F.S.; requiring sheriffs to provide security for trial court facilities; requiring sheriffs to coordinate with a certain the chief judge on security matters for trial court facilities and to retain operational control over how they provide security for such facilities; specifying that the chief judge has certain decision-making authority as part of his or her administrative supervision responsibility; specifying that sheriffs and their deputies, employees, and contractors are officers of the court when providing security for trial court facilities; amending s. 34.01, F.S.; increasing the limit of the amount in controversy in certain actions at law under which the county court has original jurisdiction of such actions; providing for adjustments to the limit at specified intervals due to inflation or deflation; specifying filing fees, services charges, and a requirement for the clerk of court's remittal of such fees in actions in which the amount in controversy exceeds a specified amount; amending s. 34.022, F.S.; adding judges to certain county courts; amending s. 105.031, F.S.; requiring the appropriate qualifying officer to refund the qualifying fee to an unopposed candidate for the office of circuit court judge or county court judge by a specified date; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1396**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7061** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for HB 7061—A bill to be entitled An act relating to the jurisdiction of county courts; amending s. 28.241, F.S.; requiring specified filing fees for appeals from certain county courts; amending s. 34.01, F.S.; increasing the jurisdictional limit for actions at law by county courts; amending s. 34.041, F.S.; providing county court civil filing fees for claims of a specified value; providing for distribution of said fees; amending s. 44.108, F.S.; providing that a certain mediation fee is not applicable to certain appeals; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1396** and read the second time by title.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 7:30 p.m.

Senator Brandes moved the following amendment:

Amendment 1 (136072) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 25.025, Florida Statutes, is created to read:

25.025 *Headquarters.*—

(1)(a) *A Supreme Court justice who permanently resides outside Leon County shall, if he or she so requests, have a district court of appeal courthouse, a county courthouse, or other appropriate facility in his or her district of residence designated as his or her official headquarters pursuant to s. 112.061. This official headquarters may serve only as the justice's private chambers.*

(b) *A justice for whom an official headquarters is designated in his or her district of residence under this subsection is eligible for subsistence at a rate to be established by the Chief Justice for each day or partial day that the justice is at the headquarters of the Supreme Court for the conduct of the business of the court. In addition to the subsistence allowance, a justice is eligible for reimbursement for transportation expenses as provided in s. 112.061(7) for travel between the justice's official headquarters and the headquarters of the Supreme Court for the conduct of the business of the court.*

(c) *Payment of subsistence and reimbursement for transportation expenses relating to travel between a justice's official headquarters and the headquarters of the Supreme Court shall be made to the extent appropriated funds are available, as determined by the Chief Justice.*

(2) *The Chief Justice shall coordinate with each affected justice and other state and local officials as necessary to implement paragraph (1)(a).*

(3)(a) *This section does not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.*

(b) *The Supreme Court may not use state funds to lease space in a district court of appeal courthouse, county courthouse, or other facility to allow a justice to establish an official headquarters pursuant to subsection (1).*

Section 2. Effective January 1, 2020, section 26.012, Florida Statutes, is amended to read:

26.012 *Jurisdiction of circuit court.*—

(1)(a) *The appellate jurisdiction of the circuit courts includes: ~~Circuit courts shall have jurisdiction of~~*

1. *Appeals from county courts court orders or judgments in actions at law in which the matter in controversy does not exceed the sum of \$15,000, exclusive of interest, costs, and attorney fees. This limit must be adjusted every 5 years after January 1, 2020, to reflect the rate of inflation or deflation as indicated in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The adjustments must be rounded to the nearest \$5,000.*

2. *Appeals from county court orders or judgments in misdemeanor cases.*

3. *Appeals of county court orders and judgments relating to family law matters and other matters within the jurisdiction of the county court under s. 34.01(2).*

4. *Appeals from final administrative orders of local government code enforcement boards.*

(b) *The appellate jurisdiction of the circuit courts does not include ~~except~~ appeals of county court orders or judgments that: ~~declaring~~*

1. *Declare invalid a state statute or a provision of the State Constitution. ~~and except orders or judgments of a county court which~~*

2. *Are certified by the county court to the district court of appeal to be of great public importance and which are accepted by the district court of appeal for review. ~~Circuit courts shall have jurisdiction of appeals from final administrative orders of local government code enforcement boards.~~*

(2) *Circuit courts ~~They shall~~ have exclusive original jurisdiction:*

(a) *In all actions at law not cognizable by the county courts;*

(b) *Of proceedings relating to the settlement of the estates of decedents and minors, the granting of letters testamentary, guardianship, involuntary hospitalization, the determination of incompetency, and other jurisdiction usually pertaining to courts of probate;*

(c) In all cases in equity including all cases relating to juveniles except traffic offenses as provided in chapters 316 and 985;

(d) Of all felonies and of all misdemeanors arising out of the same circumstances as a felony which is also charged;

(e) In all cases involving legality of any tax assessment or toll or denial of refund, except as provided in s. 72.011;

(f) In actions of ejectment; and

(g) In all actions involving the title and boundaries of real property.

(3) The circuit court may issue injunctions.

(4) The chief judge of a circuit may authorize a county court judge to order emergency hospitalizations pursuant to part I of chapter 394 in the absence from the county of the circuit judge; and the county court judge ~~has shall have~~ the power to issue all temporary orders and temporary injunctions necessary or proper to the complete exercise of such jurisdiction.

(5) A circuit court is a trial court.

Section 3. Subsection (9) of section 26.031, Florida Statutes, is amended to read:

26.031 Judicial circuits; number of judges.—The number of circuit judges in each circuit shall be as follows:

JUDICIAL CIRCUIT	TOTAL
(9) Ninth.....	45 43

Section 4. Subsection (2) of section 28.241, Florida Statutes, is amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(2)(a) Upon the institution of any appellate proceeding from any lower court to the circuit court of any such county, including appeals filed by a county or municipality as provided in s. 34.041(5), or from the circuit court to an appellate court of the state, the clerk shall charge and collect from the party or parties instituting such appellate proceedings:

1. A filing fee not to exceed \$280 for filing a notice of appeal from the county court to the circuit court for a claim of \$15,000 or less.

2. A filing fee not to exceed \$400 for filing a notice of appeal from the county court to the circuit court for a claim of more than \$15,000. The clerk shall remit \$250 of each filing fee collected under this subparagraph to the Department of Revenue for deposit into the General Revenue Fund, and the clerk shall remit \$50 of each such filing fee to the Department of Revenue for deposit into the State Courts Revenue Trust Fund to fund court operations as authorized in the General Appropriations Act. The clerk shall retain an account of each such remittance.

3. ~~and~~; In addition to the filing fee required under s. 25.241 or s. 35.22, \$100 for filing a notice of appeal from the circuit court to the district court of appeal or to the Supreme Court.

(b) If the party is determined to be indigent, the clerk shall defer payment of the fee required by this subsection.

Section 5. Subsection (1) of section 29.008, Florida Statutes, is amended to read:

29.008 County funding of court-related functions.—

(1) Counties are required by s. 14, Art. V of the State Constitution to fund the cost of communications services, existing radio systems, existing multiagency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the circuit and county courts, public defenders' offices, state attorneys' offices, guardian ad litem offices, and the offices of the clerks of the circuit and county courts performing court-related functions. For purposes of this section, the term "circuit and county courts" includes the offices and staffing of the guardian ad litem programs, and the term "public defenders' offices" includes the offices of criminal conflict and civil regional counsel. The county designated under s. 35.05(1) as the

headquarters for each appellate district shall fund these costs for the appellate division of the public defender's office in that county. For purposes of implementing these requirements, the term:

(a) "Facility" means reasonable and necessary buildings and office space and appurtenant equipment and furnishings, structures, real estate, easements, and related interests in real estate, including, but not limited to, those for the purpose of housing legal materials for use by the general public and personnel, equipment, or functions of the circuit or county courts, public defenders' offices, state attorneys' offices, and court-related functions of the office of the clerks of the circuit and county courts and all storage. The term "facility" includes all wiring necessary for court reporting services. The term also includes access to parking for such facilities in connection with such court-related functions that may be available free or from a private provider or a local government for a fee. The office space provided by a county may not be less than the standards for space allotment adopted by the Department of Management Services, except this requirement applies only to facilities that are leased, or on which construction commences, after June 30, 2003. County funding must include physical modifications and improvements to all facilities as are required for compliance with the Americans with Disabilities Act. Upon mutual agreement of a county and the affected entity in this paragraph, the office space provided by the county may vary from the standards for space allotment adopted by the Department of Management Services.

1. As of July 1, 2005, equipment and furnishings shall be limited to that appropriate and customary for courtrooms, hearing rooms, jury facilities, and other public areas in courthouses and any other facility occupied by the courts, state attorneys, public defenders, guardians ad litem, and criminal conflict and civil regional counsel. Court reporting equipment in these areas or facilities is not a responsibility of the county.

2. Equipment and furnishings under this paragraph in existence and owned by counties on July 1, 2005, except for that in the possession of the clerks, for areas other than courtrooms, hearing rooms, jury facilities, and other public areas in courthouses and any other facility occupied by the courts, state attorneys, and public defenders, shall be transferred to the state at no charge. This provision does not apply to any communications services as defined in paragraph (f).

(b) "Construction or lease" includes, but is not limited to, all reasonable and necessary costs of the acquisition or lease of facilities for all judicial officers, staff, jurors, volunteers of a tenant agency, and the public for the circuit and county courts, the public defenders' offices, state attorneys' offices, and for performing the court-related functions of the offices of the clerks of the circuit and county courts. This includes expenses related to financing such facilities and the existing and future cost and bonded indebtedness associated with placing the facilities in use.

(c) "Maintenance" includes, but is not limited to, all reasonable and necessary costs of custodial and groundskeeping services and renovation and reconstruction as needed to accommodate functions for the circuit and county courts, the public defenders' offices, and state attorneys' offices and for performing the court-related functions of the offices of the clerks of the circuit and county court and for maintaining the facilities in a condition appropriate and safe for the use intended.

(d) "Utilities" means all electricity services for light, heat, and power; natural or manufactured gas services for light, heat, and power; water and wastewater services and systems, stormwater or runoff services and systems, sewer services and systems, all costs or fees associated with these services and systems, and any costs or fees associated with the mitigation of environmental impacts directly related to the facility.

(e) "Security" includes but is not limited to, all reasonable and necessary costs of services of law enforcement officers or licensed security guards and all electronic, cellular, or digital monitoring and screening devices necessary to ensure the safety and security of all persons visiting or working in a facility; to provide for security of the facility, including protection of property owned by the county or the state; and for security of prisoners brought to any facility. This includes bailiffs while providing courtroom and other security for each judge and other quasi-judicial officers.

(f) “Communications services” are defined as any reasonable and necessary transmission, emission, and reception of signs, signals, writings, images, and sounds of intelligence of any nature by wire, radio, optical, audio equipment, or other electromagnetic systems and includes all facilities and equipment owned, leased, or used by judges, clerks, public defenders, state attorneys, guardians ad litem, criminal conflict and civil regional counsel, and all staff of the state courts system, state attorneys’ offices, public defenders’ offices, and clerks of the circuit and county courts performing court-related functions. Such system or services shall include, but not be limited to:

1. Telephone system infrastructure, including computer lines, telephone switching equipment, and maintenance, and facsimile equipment, wireless communications, cellular telephones, pagers, and video teleconferencing equipment and line charges. Each county shall continue to provide access to a local carrier for local and long distance service and shall pay toll charges for local and long distance service.

2. All computer networks, systems and equipment, including computer hardware and software, modems, printers, wiring, network connections, maintenance, support staff or services including any county-funded support staff located in the offices of the circuit court, county courts, state attorneys, public defenders, guardians ad litem, and criminal conflict and civil regional counsel; training, supplies, and line charges necessary for an integrated computer system to support the operations and management of the state courts system, the offices of the public defenders, the offices of the state attorneys, the guardian ad litem offices, the offices of criminal conflict and civil regional counsel, and the offices of the clerks of the circuit and county courts; and the capability to connect those entities and reporting data to the state as required for the transmission of revenue, performance accountability, case management, data collection, budgeting, and auditing purposes. The integrated computer system shall be operational by July 1, 2006, and, at a minimum, permit the exchange of financial, performance accountability, case management, case disposition, and other data across multiple state and county information systems involving multiple users at both the state level and within each judicial circuit and be able to electronically exchange judicial case background data, sentencing scoresheets, and video evidence information stored in integrated case management systems over secure networks. Once the integrated system becomes operational, counties may reject requests to purchase communications services included in this subparagraph not in compliance with standards, protocols, or processes adopted by the board established pursuant to former s. 29.0086.

3. Courier messenger and subpoena services.

4. Auxiliary aids and services for qualified individuals with a disability which are necessary to ensure access to the courts. Such auxiliary aids and services include, but are not limited to, sign language interpretation services required under the federal Americans with Disabilities Act other than services required to satisfy due-process requirements and identified as a state funding responsibility pursuant to ss. 29.004, 29.005, 29.006, and 29.007, real-time transcription services for individuals who are hearing impaired, and assistive listening devices and the equipment necessary to implement such accommodations.

(g) “Existing radio systems” includes, but is not limited to, law enforcement radio systems that are used by the circuit and county courts, the offices of the public defenders, the offices of the state attorneys, and for court-related functions of the offices of the clerks of the circuit and county courts. This includes radio systems that were operational or under contract at the time Revision No. 7, 1998, to Art. V of the State Constitution was adopted and any enhancements made thereafter, the maintenance of those systems, and the personnel and supplies necessary for operation.

(h) “Existing multiagency criminal justice information systems” includes, but is not limited to, those components of the multiagency criminal justice information system as defined in s. 943.045, supporting the offices of the circuit or county courts, the public defenders’ offices, the state attorneys’ offices, or those portions of the offices of the clerks of the circuit and county courts performing court-related functions that are used to carry out the court-related activities of those entities. This includes upgrades and maintenance of the current equipment, maintenance and upgrades of supporting technology infrastructure and associated staff, and services and expenses to assure continued information sharing and reporting of information to the state. The counties

shall also provide additional information technology services, hardware, and software as needed for new judges and staff of the state courts system, state attorneys’ offices, public defenders’ offices, guardian ad litem offices, and the offices of the clerks of the circuit and county courts performing court-related functions.

This subsection applies only to matters relating to court funding and may not be construed to enhance, limit, or define the authority of any court.

Section 6. Subsection (4) is added to section 30.15, Florida Statutes, to read:

30.15 Powers, duties, and obligations.—

(4)(a) *In accordance with each county’s obligation under s. 14, Art. V of the State Constitution and s. 29.008 to fund security for the trial court facilities, each county sheriff shall coordinate with the board of county commissioners and the chief judge of the circuit where the county is located on the development of a comprehensive plan for the provision of security for trial court facilities. Each sheriff shall retain authority over the operational control and provision of law enforcement services associated with the plan. The chief judge of the circuit shall retain decisionmaking authority to ensure the protection of due process rights, including, but not limited to, the scheduling and conduct of trial and other judicial proceedings, as part of his or her responsibility for the administrative supervision of trial courts under s. 43.26.*

(b) *Sheriffs and their deputies, employees, and contractors are officers of the court when providing security for trial court facilities under this subsection.*

Section 7. Section 34.01, Florida Statutes, is amended to read:

34.01 Jurisdiction of county court.—

(1) County courts shall have original jurisdiction:

(a) In all misdemeanor cases not cognizable by the circuit courts.;

(b) Of all violations of municipal and county ordinances.;

(c)1. *Of all actions at law filed on or before December 31, 2019, in which the matter in controversy does not exceed the sum of \$15,000, exclusive of interest, costs, and attorney ~~attorney’s~~ fees, except those within the exclusive jurisdiction of the circuit courts.;* ~~and~~

2. *Of all actions at law filed on or after January 1, 2020, in which the matter in controversy does not exceed the sum of \$50,000, exclusive of interest, costs, and attorney fees, except those within the exclusive jurisdiction of the circuit courts. This limit must be adjusted every 5 years after January 1, 2020, to reflect the rate of inflation or deflation as indicated in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Such adjustments must be rounded to the nearest \$5,000.*

(d) *Of disputes occurring in the homeowners’ associations as described in s. 720.311(2)(a), which shall be concurrent with jurisdiction of the circuit courts.*

The party instituting an action at law under subparagraph (c)2. in which the amount in controversy exceeds \$15,000 shall pay the filing fees and service charges in the same amounts and in the same manner as provided in s. 28.241, and the party appealing any judgment on such action shall pay the filing fees and service charges in the same amounts and in the same manner as provided in s. 35.22. The clerk of court shall remit the fees as provided in those sections.

(2) The county courts shall have jurisdiction previously exercised by county judges’ courts other than that vested in the circuit court by s. 26.012, except that county court judges may hear matters involving dissolution of marriage under the simplified dissolution procedure pursuant to the Florida Family Law Rules of Procedure or may issue a final order for dissolution in cases where the matter is uncontested, and the jurisdiction previously exercised by county courts, the claims court, small claims courts, small claims magistrates courts, magistrates courts, justice of the peace courts, municipal courts, and courts of chartered counties, including but not limited to the counties referred to

in ss. 9, 10, 11, and 24, Art. VIII of the State Constitution of 1885, as preserved by s. (6)(e), Art. VIII of the State Constitution of 1968.

(3) Judges of county courts shall also be committing trial court judges. Judges of county courts shall be coroners unless otherwise provided by law or by rule of the Supreme Court.

(4) Judges of county courts may hear all matters in equity involved in any case within the jurisdictional amount of the county court, except as otherwise restricted by the State Constitution or the laws of Florida.

(5) A county court is a trial court.

Section 8. Subsections (9), (12), (17), and (28) of section 34.022, Florida Statutes, are amended to read:

34.022 Number of county court judges for each county.—The number of county court judges in each county shall be as follows:

COUNTY	TOTAL
(9) Citrus	2 ±
(12) Columbia	2 ±
(17) Flagler	2 ±
(28) Hillsborough	19 ±

Section 9. Paragraphs (a) and (b) of subsection (1) of section 34.041, Florida Statutes, are amended, and paragraph (e) is added to that subsection, to read:

34.041 Filing fees.—

(1)(a) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246. Upon the institution of any civil action, suit, or proceeding in county court, the party shall pay the following filing fee, not to exceed:

1. For all claims less than \$100 \$50.
2. For all claims of \$100 or more but not more than \$500 . . . \$75.
3. For all claims of more than \$500 but not more than \$2,500 . . . \$170.
4. For all claims of more than \$2,500 but not more than \$15,000 . . . \$295.
5. For all claims of more than \$15,000 \$395.
6. In addition, for all proceedings of garnishment, attachment, replevin, and distress \$85.

7.6. Notwithstanding subparagraphs 3. and 6. 5., for all claims of not more than \$1,000 filed simultaneously with an action for replevin of property that is the subject of the claim \$125.

8.7. For removal of tenant action \$180.

The filing fee in subparagraph 7.6. is the total fee due under this paragraph for that type of filing, and no other filing fee under this paragraph may be assessed against such a filing.

(b) The first \$15 of the filing fee collected under subparagraph (a)4. and the first \$10 of the filing fee collected under subparagraph (a)8. ~~subparagraph (a)7.~~ shall be deposited in the State Courts Revenue Trust Fund. By the 10th day of each month, the clerk shall submit that portion of the fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget for the performance of court-related functions to the Department of Revenue for deposit into the Clerks of the Court Trust Fund. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall transfer \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall transfer 50

cents to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. Postal charges incurred by the clerk of the county court in making service by mail on defendants or other parties shall be paid by the party at whose instance service is made. Except as provided in this section, filing fees and service charges for performing duties of the clerk relating to the county court shall be as provided in ss. 28.24 and 28.241. Except as otherwise provided in this section, all filing fees shall be retained as fee income of the office of the clerk of the circuit court. Filing fees imposed by this section may not be added to any penalty imposed by chapter 316 or chapter 318.

(e) Of the first \$200 in filing fees payable under subparagraph (a)5., \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services. By the 10th day of each month, the clerk shall submit that portion of the filing fees collected pursuant to this subsection in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.

Section 10. Subsection (1) of section 44.108, Florida Statutes, is amended to read:

44.108 Funding of mediation and arbitration.—

(1) Mediation and arbitration should be accessible to all parties regardless of financial status. A filing fee of \$1 is levied on all proceedings in the circuit or county courts to fund mediation and arbitration services which are the responsibility of the Supreme Court pursuant to the provisions of s. 44.106. However, the filing fee shall not be levied upon an appeal from the county court to the circuit court for a claim of more than \$15,000. The clerk of the court shall forward the moneys collected to the Department of Revenue for deposit in the State Courts Revenue Trust Fund.

Section 11. Effective upon this act becoming a law, subsection (3) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate's oath; items required to be filed.—

(3) QUALIFYING FEE.—

(a) Each candidate qualifying for election to a judicial office or the office of school board member, except write-in judicial or school board candidates, shall, during the time for qualifying, pay to the officer with whom he or she qualifies a qualifying fee, which shall consist of a filing fee and an election assessment, or qualify by the petition process. The amount of the filing fee is 3 percent of the annual salary of the office sought. The amount of the election assessment is 1 percent of the annual salary of the office sought. Except as provided in paragraph (b), the Department of State shall transfer all filing fees to the Department of Legal Affairs for deposit in the Elections Commission Trust Fund and the supervisor of elections shall forward all filing fees to the Elections Commission Trust Fund. The election assessment shall be deposited into the Elections Commission Trust Fund. The annual salary of the office for purposes of computing the qualifying fee shall be computed by multiplying 12 times the monthly salary authorized for such office as of July 1 immediately preceding the first day of qualifying. This paragraph ~~subsection~~ does not apply to candidates qualifying for retention to judicial office.

(b) Not later than 20 days after the close of qualifying, the Department of State or the supervisor of elections, as appropriate, shall refund the full amount of the qualifying fee to a candidate for the office of circuit court judge or county court judge who is unopposed at the time the qualifying period closes.

Section 12. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the judicial branch; creating s. 25.025, F.S.; authorizing certain Supreme Court Justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that an official headquarters may serve only as a justice's private chambers; providing that such justices are eligible for a certain subsistence allowance and reimbursement for certain transportation expenses; requiring that such allowance and reimbursement be made to the extent appropriated funds are available, as determined by the Chief Justice; requiring the Chief Justice to coordinate with certain persons in implementing designations of official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; authorizing counties to enter into agreements with the Supreme Court for the use of county courthouse space; prohibiting the Supreme Court from using state funds to lease space in a facility to allow a justice to establish an official headquarters; amending s. 26.012, F.S.; revising the appellate jurisdiction of the circuit court; specifying the maximum monetary threshold for appeals from the county court to the circuit court; amending s. 26.031, F.S.; adding judges to the Ninth Judicial Circuit Court; amending s. 28.241, F.S.; imposing filing fees for appeals from county courts to the circuit courts based on the amount of the claim; requiring the clerk to remit specified amounts of certain fees to the Department of Revenue for deposit into the General Revenue Fund and the State Courts Revenue Trust Fund; requiring the clerk to retain an account of each such remittance; amending s. 29.008, F.S.; providing applicability and construction; amending s. 30.15, F.S.; requiring county sheriffs to coordinate with the board of county commissioners and the chief judge of the circuit in developing a plan for providing trial court facility security; providing that such sheriffs retain certain authority relating to such plan; providing that such chief judge retains certain decisionmaking authority; specifying that sheriffs and their deputies, employees, and contractors are officers of the court when providing security for trial court facilities; amending s. 34.01, F.S.; increasing the limit of the amount in controversy in certain actions at law under which the county court has original jurisdiction; providing for adjustments to the limit at specified intervals due to inflation or deflation; specifying filing fees, services charges, and a requirement for the clerk of court's remittance of such fees in actions in which the amount in controversy exceeds a specified amount; amending s. 34.022, F.S.; adding judges to certain county courts; amending s. 34.041, F.S.; providing county court civil filing fees for claims of a specified value; providing for distribution of said fees; amending s. 44.108, F.S.; providing that a certain mediation fee is not applicable to certain appeals; amending s. 105.031, F.S.; requiring the appropriate qualifying officer to refund the qualifying fee to an unopposed candidate for the office of circuit court judge or county court judge by a specified date; providing effective dates.

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

Senator Brandes moved the following amendment to **Amendment 1 (136072)** which was adopted:

Amendment 1A (390348)—Delete line 360 and insert:
\$25,000, exclusive of interest, costs, and attorney fees, except

The vote was:

Yeas—28

Mr. President	Grimsley	Rouson
Benacquisto	Hukill	Simmons
Book	Hutson	Simpson
Braynon	Mayfield	Stargel
Broxson	Montford	Taddeo
Farmer	Passidomo	Thurston
Gainer	Perry	Torres
Galvano	Powell	Young
Garcia	Rader	
Gibson	Rodriguez	

Nays—8

Baxley	Brandes	Steube
Bean	Flores	Stewart
Bradley	Lee	

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

Senator Passidomo moved the following amendment to **Amendment 1 (136072)** which was adopted:

Amendment 1B (564686) (with title amendment)—Between lines 368 and 369 insert:

By December 1, 2018, the State Courts Administrator shall make recommendations regarding the potential adjustment of county court jurisdiction to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The recommendation must include an analysis on workflow, timely access to court by litigants, and any resulting fiscal impact to the state as a result of adjusted jurisdictional limits.

And the title is amended as follows:

Delete line 591 and insert: inflation or deflation; requiring the State Courts Administrator to make certain recommendations to the Governor and Legislature by a specified date; specifying filing fees,

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

Senator Bradley moved the following amendments to **Amendment 1 (136072)** which were adopted:

Amendment 1C (533518) (with title amendment)—Delete lines 403-413.

And the title is amended as follows:

Delete lines 595-596 and insert: amending s. 34.041, F.S.; providing

Amendment 1D (101532) (with title amendment)—Delete lines 103-109.

And the title is amended as follows:

Delete lines 567-568 and insert: s. 28.241, F.S.; imposing

Amendment 1 (136072), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 7061**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

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

On motion by Senator Braynon, the rules were waived and the following bill was added to the Special Order Calendar for Friday, March 9, 2018: **CS for CS for CS for SB 296**.

On motion by Senator Braynon, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, March 9, 2018.

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, March 8, 2018: CS for CS for SB 536, SB 720, CS for SB 614, CS for SB 746, CS for CS for SB 762, SB 582, CS for SB 1128, SB 40, CS for CS for SB 1262, CS for SB 138, CS for CS for SB 1104, SB 42, SB 738, CS for SB 808, CS for SB 298, CS for SB 806, CS

for SB 1226, CS for SB 844, CS for CS for CS for SB 1308, CS for SB 44, CS for CS for SB 1314, CS for SB 1318, CS for SB 1066, CS for CS for SB 1244, SB 1094, CS for CS for SB 1418, CS for CS for SB 1576, CS for SB 1594, CS for CS for SB 1612, CS for CS for SB 310, SB 358, CS for SB 504, CS for SB 1504, CS for SB 848, CS for CS for SB 618, SB 856, CS for CS for SB 960, SM 940, CS for SB 756, CS for CS for SB 904, CS for CS for SB 784, CS for SB 820, CS for SB 1862, CS for CS for SB 620, CS for SB 1012, CS for SB 1328, CS for CS for SB 1548, CS for CS for SB 1396, CS for SB 1348, CS for SB 1274.

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

EXECUTIVE BUSINESS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Medicine Appointee: Falcone, Steven, Coral Springs	10/31/2018
Florida Real Estate Appraisal Board Appointee: Warren, Dawn, Confidential pursuant to s. 119.071(4), F.S.	10/31/2020

Referred to the Committee on Ethics and Elections.

COMMUNICATION

March 8, 2018

Pursuant to, Article III, Section 19(d) of the Florida Constitution, and Joint Rule 2.1, the Budget Conference Committee Report on **HB 5001** was electronically furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

The Conference Committee Report on HB 5001 was made available on Thursday, March 8, 2018, at 1:40 p.m.

Portia Palmer
 Clerk of the House

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 417, as amended.

Portia Palmer, Clerk

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 631, as amended.

Portia Palmer, Clerk

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/CS/HB 1059, as amended.

Portia Palmer, Clerk

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/HB 1173, as amended.

Portia Palmer, Clerk

HOUSE CONFEREES APPOINTED

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has refused to concur and acceded to the request of the Senate for the appointment of a conference committee for HB 7067.

The Speaker has appointed the following Representatives to the Conference Committee: Representative La Rosa, Chair and Representatives Geller, Moskowitz, Rodrigues, Massullo, Grant, M., Raschein, and Fine.

Portia Palmer, Clerk

ENROLLING REPORTS

SB 1940, SB 7024, and CS for SB 7026 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 8, 2018.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 7 was corrected and approved.

CO-INTRODUCERS

Senators Broxson—CS for SB 848, CS for CS for SB 1646; Campbell—SB 708, SM 940, CS for SB 1594; Grimsley—CS for CS for SB 732; Torres—SM 940

ADJOURNMENT

On motion by Senator Braynon, the Senate adjourned at 6:34 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Friday, March 9 or upon call of the President.