



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Galvano at 10:00 a.m. A quorum present—37:

Mr. President	Farmer	Rader
Albritton	Flores	Rodriguez
Baxley	Gainer	Rouson
Bean	Gruters	Simmons
Benacquisto	Harrell	Simpson
Berman	Hooper	Stargel
Book	Hutson	Stewart
Bracy	Mayfield	Taddeo
Bradley	Montford	Thurston
Brandes	Passidomo	Torres
Braynon	Perry	Wright
Broxson	Pizzo	
Diaz	Powell	

## PRAYER

The following prayer was offered by Rabbi Moshe Matz, Executive Director, Agudath Israel of Florida, Miami Beach:

In Jewish tradition, prayer is a formal and structured expression of our relationship and reliance on our Father in heaven. We gather together three times a day in prayer: once in the morning to begin our day with the right focus; once again in the middle of the afternoon to ensure we have not been distracted; and finally in the evening to conclude the day by reaffirming the recognition of G-d in our lives. The key to successful prayer is humility. With this in mind, we would like to beseech the almighty creator with sincere humility through a prayer that we say three times a day: "You graciously endow man with wisdom and teach insight to a frail mortal. Endow us graciously from yourself with wisdom, insight, and discernment. Blessed are you, Hashem, gracious giver of wisdom."

We should be able to use our G-d given wisdom to promote his values and to practice his will. And in these challenging days, people of faith are targeted for their beliefs and practices like we witnessed just this week in the hate-filled attack in a synagogue in Poway, California. We beg the almighty for his divine protection and guidance to be true ambassadors of love and respect.

May G-d bless you and all the selfless government officials that work on our behalf and the citizens of our beautiful State of Florida. May G-d

continue to bless and bestow bounty on the beacon of freedom that we know as the United States of America.

## MOMENT OF SILENCE

At the request of the President, the Senate observed a moment of silence for the Chabad of Poway congregation following a shooting at the synagogue on April 27 and to honor Lori Gilbert-Kaye, who was killed in the shooting.

## PLEDGE

Senate Pages, Malia Brown of Tallahassee; Aziza Davis of Tallahassee; Elon Davis of Tallahassee; and Timothy Glass of Tallahassee, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## MOTIONS

On motion by Senator Benacquisto, the rules were waived and **CS for SB 1272** was withdrawn from the committees of reference, placed on the Special Order Calendar, and taken up instanter. The motion was adopted.

By unanimous consent, the rules were waived and the Senate proceeded to—

## SPECIAL ORDER CALENDAR

**CS for SB 1272**—A bill to be entitled An act relating to anti-Semitism; amending s. 1000.05, F.S.; prohibiting discrimination in the Florida K-20 public education system based on religion; requiring public K-20 educational institutions to take into consideration anti-Semitism under certain instances of discrimination; defining the term "anti-Semitism"; providing an exception; providing construction; amending s. 1002.20, 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 1272**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 741** was withdrawn from the Committees on Judiciary; Education; and Rules.

On motion by Senator Gruters—

**CS for CS for HB 741**—A bill to be entitled An act relating to anti-Semitism; amending s. 1000.05, F.S.; prohibiting discrimination in the Florida K-20 public education system based on religion; requiring a public K-20 educational institution to take into consideration anti-Semitism under certain instances of discrimination; defining the term "anti-Semitism"; providing construction; amending s. 1002.20, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1272** and read the second time by title.

On motion by Senator Gruters, by two-thirds vote, **CS for CS for HB 741** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Farmer	Powell
Albritton	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Gruters	Simmons
Berman	Harrell	Simpson
Book	Hooper	Stargel
Bracy	Hutson	Stewart
Bradley	Lee	Taddeo
Brandes	Mayfield	Thurston
Braynon	Montford	Torres
Broxson	Passidomo	Wright
Cruz	Perry	
Diaz	Pizzo	

Nays—None

**CO-INTRODUCERS**

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 1272**, a companion bill to **CS for CS for HB 741**.

The vote was:

Yeas—38

Mr. President	Farmer	Powell
Albritton	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Harrell	Simmons
Berman	Hooper	Simpson
Book	Hutson	Stargel
Bracy	Lee	Stewart
Bradley	Mayfield	Taddeo
Brandes	Montford	Thurston
Braynon	Passidomo	Torres
Broxson	Perry	Wright
Diaz	Pizzo	

Nays—None

Vote after roll call:

Yea—Cruz

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

**BILLS ON THIRD READING**

Consideration of **CS for HB 281** was deferred.

**CS for CS for HB 23**—A bill to be entitled An act relating to telehealth; creating s. 220.197, F.S.; providing a tax credit for eligible taxpayers; authorizing an unused tax credit amount to be carried forward for a certain period of time; authorizing the Department of Revenue to perform audits and investigations under certain circumstances; authorizing the department to pursue recovery of tax credits if the taxpayer received such credit for which the taxpayer was not entitled; authorizing the transfer of a tax credit under certain circumstances; authorizing the department and the Office of Insurance Regulation to adopt rules; creating s. 456.47, F.S.; providing definitions; establishing a standard of care for telehealth providers; authorizing telehealth pro-

viders to use telehealth to perform patient evaluations; providing that telehealth providers, under certain circumstances, are not required to research a patient’s history or conduct physical examinations before providing services through telehealth; authorizing certain telehealth providers to use telehealth to prescribe specified controlled substances under certain circumstances; providing that a nonphysician telehealth provider using telehealth and acting within his or her relevant scope of practice is not deemed to be practicing medicine without a license; providing recordkeeping requirements for telehealth providers; providing registration requirements for out-of-state telehealth providers; requiring the Department of Health to publish certain information on its website; authorizing a board or the department if there is no board to revoke a telehealth provider’s registration under certain circumstances; providing venue; providing exemptions to the registration requirement; providing rulemaking authority; providing an appropriation; authorizing positions; amending s. 624.509, F.S.; providing that a health insurer or health maintenance organization is allowed a tax credit against a specified tax imposed if it covers services provided by telehealth; authorizing an unused tax credit amount to be carried forward for a certain period of time; authorizing the Department of Revenue to perform audits and investigations under certain circumstances; authorizing the department to pursue recovery of tax credits if the taxpayer received such credit for which the taxpayer was not entitled; authorizing the transfer of a tax credit under certain circumstances; authorizing the department and the Office of Insurance Regulation to adopt rules; providing that an insurer claiming the tax credit is not required to pay any additional retaliatory tax; providing definitions; providing effective dates.

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

On motion by Senator Harrell, **CS for CS for HB 23**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Cruz	Perry
Albritton	Diaz	Pizzo
Baxley	Flores	Rader
Bean	Gainer	Simmons
Benacquisto	Gruters	Simpson
Book	Harrell	Stargel
Bracy	Hooper	Stewart
Bradley	Lee	Taddeo
Brandes	Mayfield	Torres
Broxson	Passidomo	Wright

Nays—9

Berman	Gibson	Rodriguez
Braynon	Montford	Rouson
Farmer	Powell	Thurston

Vote after roll call:

Yea—Hutson

**CS for HB 19**—A bill to be entitled An act relating to prescription drug importation programs; creating s. 381.02035, F.S.; establishing the Canadian Prescription Drug Importation Program within the Agency for Health Care Administration for a specified purpose; providing definitions; requiring the agency to contract with a vendor to facilitate wholesale prescription drug importation under the program; providing responsibilities for the vendor; providing eligibility criteria for prescription drugs, Canadian suppliers, and importers under the program; requiring participating Canadian suppliers and importers to comply with specified federal requirements for distributing prescription drugs imported under the program; prohibiting Canadian suppliers and importers from distributing, dispensing, or selling prescription drugs imported under the program outside of the state; requiring the agency to request federal approval of the program; providing requirements for such request; requiring the agency to begin operating the program within a specified timeframe after receiving federal approval; requiring

the agency, in consultation with the vendor, to submit an annual report to the Governor and Legislature by a specified date; providing requirements for such report; requiring the agency to adopt rules; creating s. 499.0285, F.S.; requiring the Department of Business and Professional Regulation to establish the International Prescription Drug Importation Program for a specified purpose; providing definitions; providing eligibility criteria for prescription drugs, exporters, and importers under the program; requiring participating importers to submit certain documentation to the department for prescription drugs imported under the program; requiring the department to immediately suspend the importation of a specific prescription drug or importation by a specific importer if a violation has occurred under the program; authorizing the department to revoke such suspension under certain circumstances; requiring the department to adopt rules; creating s. 465.0157, F.S.; establishing an international export pharmacy permit for participation in the International Prescription Drug Importation Program; providing requirements for permit application and renewal; amending s. 465.017, F.S.; authorizing the department to inspect international export pharmacy permittees; amending s. 499.01, F.S.; requiring nonresident prescription drug manufacturers to register with the department to participate in the program; providing an exception; establishing an international prescription drug wholesale distributor permit; providing requirements for such permit; amending s. 499.012, F.S.; providing permit application requirements for international prescription drug wholesale distributors and nonresident prescription drug manufacturers to participate in the program; amending ss. 499.005, 499.0051, and 499.015, F.S.; conforming provisions to changes made by the act; amending s. 499.065, F.S.; requiring the department to inspect international prescription drug wholesale distributor establishments and require their immediate closure under certain circumstances; requiring the Department of Business and Professional Regulation, in collaboration with the Department of Health, to negotiate a federal arrangement to operate a pilot program for importing prescription drugs into the state; providing that implementation of the act is contingent upon such federal arrangement or obtaining federal guidance; providing an effective date.

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

On motion by Senator Bean, **CS for HB 19**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz	Passidomo
Albritton	Flores	Perry
Baxley	Gainer	Rader
Bean	Gruters	Simmons
Benacquisto	Harrell	Simpson
Book	Hooper	Stargel
Bradley	Hutson	Stewart
Brandes	Lee	Taddeo
Broxson	Mayfield	Wright

Nays—13

Berman	Gibson	Rouson
Bracy	Montford	Thurston
Braynon	Pizzo	Torres
Cruz	Powell	
Farmer	Rodriguez	

**CS for HB 21**—A bill to be entitled An act relating to health care facility market barriers; repealing ss. 154.245 and 154.246, F.S., relating to the issuance of a certificate of need by the Agency for Health Care Administration as a condition to bond validation and project construction; creating s. 381.4066, F.S.; establishing local health councils under ch. 381, F.S.; providing for the appointment of members; providing powers and duties; designating health service planning districts; providing for funding; requiring the agency to establish rules relating to the imposition of fees and financial accountability; requiring the agency to coordinate the planning of health care services in the state

and develop and maintain a comprehensive health care database; requiring the Department of Health to contract with local health councils for specified services; amending s. 395.003, F.S.; removing a provision requiring that certain hospital beds be specified as general beds for licensure; removing provisions relating to the prohibition of licensure for hospitals that treat specific populations; amending s. 395.1055, F.S.; removing provisions requiring the agency to adopt rules relating to data for certificate-of-need reviews; revising provisions relating to appointments to a technical advisory panel for certain pediatric cardiovascular programs; requiring the agency to adopt rules establishing licensure standards for providers of adult cardiovascular services; requiring such providers to comply with specified national standards; repealing s. 395.6025, F.S., relating to rural hospital replacement facilities; repealing ss. 408.031, 408.032, 408.033, 408.034, 408.035, 408.036, 408.0361, 408.037, 408.038, 408.039, 408.040, 408.041, 408.042, 408.043, 408.044, 408.045, and 408.0455, F.S., relating to the Health Facility and Services Development Act; amending ss. 159.27, 186.503, 189.08, 220.1845, 376.30781, 376.86, 383.216, 395.0191, 395.1065, 400.071, 400.606, 400.6085, 408.07, 408.806, 408.808, 408.810, and 408.820, F.S.; conforming provisions to changes made by the act and conforming cross-references; repealing s. 651.118, F.S., relating to the issuance of certificates of need by the Agency for Health Care Administration for nursing home beds; providing an effective date.

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

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

Yeas—23

Mr. President	Flores	Passidomo
Albritton	Gruters	Perry
Baxley	Harrell	Rouson
Benacquisto	Hooper	Simmons
Bradley	Hutson	Simpson
Brandes	Lee	Stargel
Broxson	Mayfield	Wright
Diaz	Montford	

Nays—17

Bean	Farmer	Rodriguez
Berman	Gainer	Stewart
Book	Gibson	Taddeo
Bracy	Pizzo	Thurston
Braynon	Powell	Torres
Cruz	Rader	

**HB 7067**—A bill to be entitled An act relating to registration fees; amending s. 456.47; requiring an out-of-state health care provider to pay an application fee and biennial renewal fee to be registered to provide telehealth services in this state; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Bradley, **HB 7067** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Broxson	Lee
Albritton	Cruz	Mayfield
Bean	Diaz	Montford
Benacquisto	Farmer	Passidomo
Berman	Flores	Perry
Book	Gainer	Pizzo
Bracy	Gibson	Powell
Bradley	Gruters	Rader
Brandes	Hooper	Rodriguez
Braynon	Hutson	Rouson

Simmons	Stewart	Torres
Simpson	Taddeo	Wright
Stargel	Thurston	

Nays—None

Vote after roll call:

Yea—Baxley, Harrell

Yea to Nay—Brandes

Consideration of **CS for SB 1622** and **CS for CS for CS for SB 1666** was deferred.

**CS for HB 843**—A bill to be entitled An act relating to patient access to primary care and specialist providers; creating s. 395.1052, F.S.; requiring a hospital to notify a patient’s primary care or specialist provider within a specified timeframe after the patient’s admission; requiring a hospital to inform a patient, upon admission, of the option to request consultation between the patient’s primary care or specialist provider and the treating physician at the hospital; requiring a hospital to notify a patient’s primary care or specialist provider of the patient’s discharge and provide specified information and records to the primary care or specialist provider within a specified timeframe after discharge; providing an effective date.

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

On motion by Senator Harrell, **CS for HB 843**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz	Perry
Albritton	Farmer	Powell
Baxley	Flores	Rader
Bean	Gainer	Rodriguez
Benacquisto	Gibson	Rouson
Berman	Gruters	Simmons
Book	Harrell	Simpson
Bracy	Hooper	Stargel
Bradley	Hutson	Stewart
Brandes	Lee	Taddeo
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Cruz	Passidomo	Wright

Nays—None

Vote after roll call:

Yea—Pizzo

**RECONSIDERATION OF BILL**

On motion by Senator Lee, the Senate reconsidered the vote by which—

**CS for HB 281**—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the telephone numbers and email addresses of voter registration applicants and voters; providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal; providing for retroactive application; providing statements of public necessity; providing an effective date.

—failed to pass by the required constitutional two-thirds vote of the members present and voting April 26.

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

Senator Farmer moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (113608) (with title amendment)**—Delete lines 34-85 and insert:

(d) All information concerning preregistered voter registration applicants who are 16 or 17 years of age. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

(3) This section applies to information held by an agency before, on, or after the effective date of this exemption.

Section 2. *The Legislature finds that it is a public necessity*

And the title is amended as follows:

Delete lines 3-11 and insert: 97.0585, F.S.; providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal of the exemption; providing for retroactive application; providing a statement of public necessity; providing an effective

On motion by Senator Lee, **CS for HB 281**, as amended, was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Farmer	Powell
Albritton	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Gruters	Simmons
Berman	Harrell	Simpson
Book	Hooper	Stargel
Bracy	Hutson	Stewart
Bradley	Lee	Taddeo
Brandes	Mayfield	Thurston
Braynon	Montford	Torres
Broxson	Passidomo	Wright
Cruz	Perry	
Diaz	Pizzo	

Nays—None

**CS for CS for CS for SB 1666**—A bill to be entitled An act relating to vessels; amending s. 327.395, F.S.; revising boating safety identification requirements for certain persons; requiring any person who rents and operates certain vessels to have certain photographic and safety identification in his or her possession before operating the vessel; authorizing the commission to appoint certain persons to issue temporary certificates; authorizing the commission to issue boating safety identification cards for temporary certificates in digital or electronic formats; authorizing the commission to appoint agents to administer and charge fees for the boating safety education course or temporary certificate examination; amending s. 327.4109, F.S.; defining a term; directing the Fish and Wildlife Conservation Commission to conduct, contingent upon appropriation, a specified study of the impacts of long-term stored vessels and certain anchored and moored vessels on local communities and the state and to submit a report to the Governor and Legislature within a specified timeframe; providing for expiration of the study requirements; amending s. 327.60, F.S.; authorizing certain counties to create no-discharge zones; providing requirements for discharge in specified areas outside the no-discharge zones; reenacting and amending s. 327.73, F.S., relating to noncriminal infractions; specifying the fines for violations related to no-discharge zones; amending s. 328.72, F.S.; revising the distribution of vessel registration fees to provide grants for derelict vessel removal; amending s. 376.15, F.S.; authorizing the commission to use certain funds to remove, or to pay private contractors to remove, derelict vessels; amending s. 823.11, F.S.; prohibiting persons from residing or dwelling on certain derelict vessels until certain conditions are met; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for CS for SB 1666** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Farmer	Powell
Albritton	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Gruters	Simmons
Berman	Harrell	Simpson
Book	Hooper	Stargel
Bracy	Hutson	Stewart
Bradley	Lee	Taddeo
Brandes	Mayfield	Thurston
Braynon	Montford	Torres
Broxson	Passidomo	Wright
Cruz	Perry	
Diaz	Pizzo	

Nays—None

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Consideration of **HB 647** was deferred.

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#### MOMENT OF SILENCE

In recognition of the annual Law Enforcement Memorial Service held at the Capitol this day, Senator Bean led the Senate in a moment of silence for all of the men and women in law enforcement who have made the ultimate sacrifice while serving the State of Florida. Senator Bean also honored the memory of Senator Broxson's father, a former sheriff of Santa Rosa County, who was killed in the line of duty in 1959.

#### SPECIAL ORDER CALENDAR, continued

**CS for CS for SB 92**—A bill to be entitled An act relating to the C-51 reservoir project; amending s. 373.4598, F.S.; revising the portions of the C-51 reservoir project for which the South Florida Water Management District may negotiate; revising water storage and use requirements specified for the project if state funds are appropriated for the project; specifying that Phase II of the project may be funded by appropriation, in addition to other sources; providing an effective date.

—was read the second time by title.

#### SENATOR SIMMONS PRESIDING

Pending further consideration of **CS for CS for SB 92**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 95** was withdrawn from the Committees on Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; and Appropriations.

On motion by Senator Book—

**CS for CS for HB 95**—A bill to be entitled An act relating to the C-51 reservoir project; amending s. 373.4598, F.S.; revising the portions of the C-51 reservoir project for which the South Florida Water Management District may negotiate; revising water storage and use requirements specified for the project if state funds are appropriated for the project; specifying that Phase II of the project may be funded by appropriation, in addition to other sources; authorizing the district to enter into certain capacity allocation agreements and to request a waiver for repayment of certain loans; authorizing the Department of Environmental Protection to waive such loan repayment under certain conditions; specifying that the district is not responsible for repayment of such waived loans; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 92** 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 Book moved the following amendment which was adopted:

**Amendment 1 (862984) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (c), (d), and (e) of subsection (9) of section 373.4598, Florida Statutes, are amended to read:

373.4598 Water storage reservoirs.—

(9) C-51 RESERVOIR PROJECT.—

(c) ~~For Phase II of the C-51 reservoir project,~~ The district may negotiate with the owners of the C-51 reservoir project site for the acquisition of *any portion of the project not already committed to utilities for alternative water supply purposes* or to enter into a public-private partnership. The district may acquire land near the C-51 reservoir through the purchase or exchange of land that is owned by the district or the state as necessary to implement ~~Phase II of the project.~~ The state and the district may consider potential swaps of land that is owned by the state or the district to achieve an optimal combination of water quality and water storage. The district may not exercise eminent domain for the purpose of implementing the C-51 reservoir project.

(d) If state funds are appropriated for ~~Phase I or Phase II~~ of the C-51 reservoir project:

1. The district, *to the extent practicable, must shall* operate the reservoir project to maximize the reduction of high-volume Lake Okeechobee regulatory releases to the St. Lucie or Caloosahatchee estuaries, in addition to *maximizing the reduction of harmful discharges providing relief* to the Lake Worth Lagoon. *However, the operation of Phase I of the C-51 reservoir project must be in accordance with any operation and maintenance agreement approved by the district;*

2. *In addition to any permitted amounts for water supply, water made available by the reservoir project must shall* be used for natural systems ~~in addition to any allocated amounts for water supply;~~ and

3. ~~Any~~ Water received from Lake Okeechobee may ~~not~~ be available to support consumptive use permits *only if such use is in accordance with district rules.*

(e) Phase I of the C-51 reservoir project may be funded by appropriation or through the water storage facility revolving loan fund as provided in s. 373.475. Phase II of the C-51 reservoir project may be funded *by appropriation*, pursuant to this section, pursuant to s. 373.475, as a project component of CERP, or pursuant to s. 375.041(3)(b) 4.

Section 2. This act shall take effect July 1, 2019.

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 C-51 reservoir project; amending s. 373.4598, F.S.; revising the portions of the C-51 reservoir project for which the South Florida Water Management District may negotiate; revising water storage and use requirements specified for the project if state funds are appropriated for the project; specifying that Phase II of the project may be funded by appropriation, in addition to other sources; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 95**, as amended, was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 302**—A bill to be entitled An act relating to nonemergency medical transportation services; amending s. 316.87, F.S.; authorizing certain transportation network companies to provide nonemergency medical transportation services to a Medicaid recipient under certain circumstances; requiring the Agency for Health Care Administration to update its regulations, policies, or other guidance by a specified date to reflect such authorization; providing limitations on requirements for transportation network companies and transportation

network company drivers; providing construction; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 302**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 411** was withdrawn from the Committees on Health Policy; Banking and Insurance; and Rules.

On motion by Senator Brandes—

**CS for HB 411**—A bill to be entitled An act relating to nonemergency medical transportation services; amending s. 316.87, F.S.; authorizing certain nonemergency medical transportation services to be provided to a Medicaid recipient by certain transportation network companies; requiring the Agency for Health Care Administration to update the Florida Medicaid Non-Emergency Transportation Services Coverage Policy and other regulations by a certain date; specifying requirements for transportation network companies and transportation network company drivers; providing construction; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 302** 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 Brandes moved the following amendment which was adopted:

**Amendment 1 (319712) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 316.87, Florida Statutes, is amended to read:

316.87 Nonemergency medical transportation services.—

(1) To ensure the availability of nonemergency medical transportation services throughout the state, a provider licensed by the county or operating under a permit issued by the county may not be required to use a vehicle that is larger than needed to transport the number of persons being transported or that is inconsistent with the medical condition of the individuals receiving the nonemergency medical transportation services. This ~~subsection~~ ~~section~~ does not apply to the procurement, contracting, or provision of paratransit transportation services, directly or indirectly, by a county or an authority, pursuant to the Americans with Disabilities Act of 1990, as amended.

(2) *Subject to compliance with state and federal Medicaid requirements, a transportation network company that:*

- (a) *Is under contract with a Medicaid managed care plan;*
- (b) *Is under contract with a transportation broker under contract with a Medicaid managed care plan;*
- (c) *Is under contract with a transportation broker under contract with the Agency for Health Care Administration; or*
- (d) *Receives referrals from a transportation broker under contract with a Medicaid managed care plan or the Agency for Health Care Administration,*

*may provide nonemergency medical transportation services under ss. 409.905 and 409.973 to a Medicaid recipient if all drivers and prospective drivers are screened pursuant to the procedures set forth in s. 435.03 or functionally equivalent procedures, as determined by the Agency for Health Care Administration. By October 1, 2019, the Agency for Health Care Administration shall update its regulations, policies, or other guidance, including its Medicaid Non-Emergency Transportation Services Coverage Policy, as necessary, to reflect this authorization. Requirements for transportation network companies and transportation network company drivers may not exceed those imposed under s. 627.748, except as necessary to conform to other applicable state and federal Medicaid transportation requirements administered by the Agency for Health Care Administration.*

(3) *Subsection (2) may not be construed to:*

(a) *Expand or limit the transportation benefits provided to Medicaid recipients or to require a Medicaid managed care plan to contract with a transportation network company or transportation broker.*

(b) *Exempt any person, firm, corporation, association, or governmental entity that engages in the business or service of providing advanced life support or basic life support transportation services from the licensure requirements provided in s. 401.25.*

Section 2. This act shall take effect July 1, 2019.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to nonemergency medical transportation services; amending s. 316.87, F.S.; authorizing certain transportation network companies to provide nonemergency medical transportation services to a Medicaid recipient under certain circumstances; requiring the Agency for Health Care Administration to update its regulations, policies, or other guidance by a specified date to reflect such authorization; providing limitations on requirements for transportation network companies and transportation network company drivers; providing construction; providing an effective date.

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

**CS for CS for SB 464**—A bill to be entitled An act relating to prepaid college plans; amending s. 1009.98, F.S.; authorizing the transfer of fees associated with dormitory residency to approved qualified nonprofit organizations under certain circumstances; prohibiting transferred fees from exceeding a specified amount; defining the term “qualified nonprofit organization”; amending s. 1009.983, F.S.; revising the governance of the Florida Prepaid College Board’s direct-support organization; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 464**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 547** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Flores—

**CS for CS for HB 547**—A bill to be entitled An act relating to the Stanley G. Tate Florida Prepaid College Program; amending s. 1009.98, F.S.; authorizing the transfer of fees associated with dormitory residency to approved qualified nonprofit organizations under certain circumstances; prohibiting transferred fees from exceeding a specified amount; providing a definition; amending s. 1009.983, F.S.; revising the composition of a certain direct-support organization’s board of directors; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 464** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 547** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 536**—A bill to be entitled An act relating to 911 services; amending s. 365.172, F.S.; revising the applicability of definitions; creating s. 365.177, F.S.; requiring that the Technology Program within the Department of Management Services develop a plan to require that emergency dispatchers be able to transfer an emergency call from one E911 system to another E911 system in this state; providing a declaration of important state interest; creating s. 365.179, F.S.; defining the terms “first responder agency” and “911 public safety answering point”; requiring each sheriff, in collaboration with certain first responder agencies, to enter into specified written agreements; requiring each agreement to require a PSAP to be able to directly communicate with first responder agencies; requiring each PSAP to be able to broadcast certain emergency communications and public safety information; requiring law enforcement agency heads to authorize the installation of their agency’s dispatch channels on certain other law enforcement agency radios, upon request; providing an exception; re-

quiring each county sheriff to certify compliance in writing with the Department of Law Enforcement by a specified date; 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 441** was withdrawn from the Committees on Innovation, Industry, and Technology; Infrastructure and Security; and Appropriations.

On motion by Senator Brandes—

**CS for CS for HB 441**—A bill to be entitled An act relating to E911 systems; amending s. 365.172, F.S.; revising applicability of definitions; requiring counties to develop a plan for implementing a text-to-911 system and implement a system by a specified date; creating s. 365.177, F.S.; requiring the Technology Program within the Department of Management Services to develop a plan to upgrade 911 public safety answer points to allow the transfer of emergency calls from one E911 system to another one in the state; providing duties relating to the development of such plan; creating s. 365.179, F.S.; defining the terms “first responder agency” and “911 public safety answering point”; requiring each sheriff, in collaboration with certain first responder agencies, to enter into specified written agreements; requiring each agreement to require a PSAP to be able to directly communicate with first responder agencies; requiring each PSAP to be able to broadcast certain emergency communications and public safety information; requiring law enforcement agency heads to authorize the installation of its dispatch channels on certain other law enforcement agency radios, upon request; providing an exception; requiring each county sheriff to certify compliance in writing with the Department of Law Enforcement by a specified date; providing a declaration of important state interest; 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 441** was placed on the calendar of Bills on Third Reading.

**CS for SB 630**—A bill to be entitled An act relating to nonopioid alternatives; amending s. 456.44, F.S.; providing a legislative finding; requiring the Department of Health to develop and publish on its website an educational pamphlet regarding the use of nonopioid alternatives for the treatment of pain; requiring that the pamphlet include specified information, including the advantages and disadvantages of the use of such alternatives; providing requirements for health care practitioners; providing an exception; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 630**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 451** was withdrawn from the Committees on Health Policy; Judiciary; and Rules.

On motion by Senator Perry—

**CS for CS for HB 451**—A bill to be entitled An act relating to nonopioid alternatives; amending s. 456.44, F.S.; providing legislative intent; requiring the Department of Health to develop and publish on its website an educational pamphlet regarding the use of nonopioid alternatives for the treatment of pain; requiring the pamphlet to include specified information, including the advantages and disadvantages of the use of such alternatives; providing requirements for health care practitioners; providing an effective date.

—a companion measure, was substituted for **CS for SB 630** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 451** was placed on the calendar of Bills on Third Reading.

**CS for SB 718**—A bill to be entitled An act relating to the Honor and Remember flag; creating s. 256.16, F.S.; designating the Honor and Remember flag as an emblem of the state; authorizing the display of the flag at specified locations, on specified days, and in a specified manner;

requiring the flags to be manufactured in the United States; authorizing local governments to display the flag at certain locations; authorizing certain departments, agencies, and local governments to adopt certain regulations by a specified date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 718**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 427** was withdrawn from the Committees on Military and Veterans Affairs and Space; Community Affairs; and Appropriations.

On motion by Senator Gruters—

**CS for CS for HB 427**—A bill to be entitled An act relating to the Honor and Remember flag; creating s. 256.16, F.S.; designating the Honor and Remember flag as the emblem of the state; authorizing the display of the flag at specified locations, on specified days, and in a specified manner; requiring the flags to be manufactured in the United States; authorizing local governments to display the flag at certain locations; authorizing certain departments, agencies, and local governments to adopt certain regulations by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 718** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 427** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 722**—A bill to be entitled An act relating to carrying of firearms by tactical medical professionals; amending s. 790.25, F.S.; exempting certain licensed medical professionals from specified provisions concerning the carrying of firearms; requiring certain policies and procedures for law enforcement agencies; providing immunities and privileges for such professionals; providing construction; requiring the appointing law enforcement agency to issue any firearm or ammunition to tactical medical professionals; providing a definition; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 722**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 487** was withdrawn from the Committees on Judiciary; Infrastructure and Security; and Rules.

On motion by Senator Hooper—

**CS for HB 487**—A bill to be entitled An act relating to carrying of firearms by tactical medical professionals; amending s. 790.25, F.S.; exempting certain licensed medical professionals from specified provisions concerning the carrying of firearms; requiring certain policies and procedures for law enforcement agencies; providing such professionals have no duty to retreat in certain circumstances; providing a limitation on liability; providing a definition; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 722** 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 Hooper moved the following amendment which was adopted:

**Amendment 1 (764278) (with title amendment)**—Delete lines 52-56 and insert:

*c. Has the same immunities and privileges as a law enforcement officer, as defined in s. 943.10, in a civil or criminal action arising out of a tactical law enforcement operation when acting within the scope of his or her official duties.*

*3. This paragraph may not be construed to authorize a tactical medical professional to carry, transport, or store any firearm or ammunition on any fire apparatus or EMS vehicle*

4. *The appointing law enforcement agency shall issue any firearm or ammunition that the tactical medical professional carries in accordance with this paragraph.*

5. *For the purposes of this paragraph, the term “tactical*

And the title is amended as follows:

Delete line 9 and insert: circumstances; providing immunities and privileges for such professionals; providing construction; requiring the appointing law enforcement agency to issue to tactical medical professionals any firearm or ammunition;

Pursuant to Rule 4.19, **CS for HB 487**, as amended, was placed on the calendar of Bills on Third Reading.

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**CS for SB 728**—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; authorizing community development districts to merge with another type of special district created by special act or by filing a petition for establishment of a new district; authorizing a community development district merging with another type of district to enter into merger agreements for certain purposes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 728**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 437** was withdrawn from the Committees on Community Affairs; Infrastructure and Security; and Rules.

On motion by Senator Lee—

**CS for CS for HB 437**—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; authorizing community development districts to merge with another type of special district created by special act or by filing a petition for establishment of a new district; authorizing a community development district merging with another type of district to enter into merger agreements for certain purposes; providing an effective date.

—a companion measure, was substituted for **CS for SB 728** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 437** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 772**—A bill to be entitled An act relating to liens against motor vehicles and vessels; amending s. 559.917, F.S.; authorizing a person claiming a lien against a motor vehicle to obtain the release of the vehicle from a lien claimed by a motor vehicle repair shop under certain circumstances; amending s. 559.920, F.S.; prohibiting a motor vehicle repair shop from violating certain provisions; amending s. 713.585, F.S.; revising notice requirements for enforcing a lien by sale of a motor vehicle; revising requirements for notice of lien and notice of sale of a motor vehicle; requiring a lienor to make the motor vehicle available for inspection by notice recipients; revising requirements for transfer of title; authorizing a lienor to charge an administrative fee up to a certain amount; defining the term “administrative fee”; requiring a motor vehicle repair shop, garage, automotive service facility, or storage operator to use a third-party service to provide notices of lien and sale; providing an exception; defining the term “third-party service”; requiring a third-party service to apply to and be approved by the Department of Highway Safety and Motor Vehicles; providing requirements; authorizing the department to deny, suspend, or revoke approval under certain circumstances; providing recordkeeping requirements; providing requirements for retaining approved status; requiring maintenance of a website for access to certain information; requiring a lienor to release certain personal property; requiring the lienor to release the vehicle upon payment of charges; requiring a lienor to accept a copy of an electronic title or a paper title as evidence of a person’s interest in a vehicle; amending s. 713.78, F.S.; revising requirements for notice of lien for recovering, towing, or storing a vehicle or vessel; revising requirements for notice of the sale of such vehicle or vessel; revising requirements for transfer of title; authorizing a lienor to charge an administrative fee up to a certain amount; defining the term “administrative fee”; requiring a towing-storage operator to use a third-party service to provide notices of lien and sale; providing an exception; defining the term “third-party service”; requiring a third-party service to apply to and be approved by the department; providing requirements; authorizing the department to deny, suspend, or revoke approval under certain circumstances; providing recordkeeping requirements; providing requirements for retaining approved status; requiring maintenance of a website for access to certain information; requiring a lienor to accept a copy of an electronic title or a paper title as evidence of a person’s interest in a vehicle or vessel; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 772**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 431** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Rules.

On motion by Senator Stargel—

**CS for CS for CS for HB 431**—A bill to be entitled An act relating to liens against motor vehicles and vessels; amending s. 559.917, F.S.; authorizing a person claiming a lien against a motor vehicle to obtain the release of the vehicle from a lien claimed by a motor vehicle repair shop under certain circumstances; amending s. 559.920, F.S.; prohibiting a motor vehicle repair shop from violating certain provisions; amending s. 713.585, F.S.; revising notice requirements for enforcing a lien by sale of a motor vehicle; revising requirements for notice of lien and notice of sale of a motor vehicle; requiring the lienor to make the motor vehicle available for inspection by notice recipients; revising requirements for transfer of title; authorizing a lienor to charge an administrative fee up to a certain amount; defining the term “adminis-



trative fee”; requiring a motor vehicle repair shop, garage, automotive service facility, or storage operator to use a third-party service to provide notices of lien and sale; providing an exception; defining the term “third-party service”; requiring a third-party service to apply to and be approved by the department; providing requirements; authorizing the department to deny, suspend, or revoke approval under certain circumstances; providing recordkeeping requirements; providing requirements for retaining approved status; requiring maintenance of a website for access to certain information; requiring a lienor to release certain personal property; requiring release of the vehicle upon payment of charges; requiring a lienor to accept a copy of an electronic title or a paper title as evidence of a person’s interest in a vehicle; amending s. 713.78, F.S.; revising requirements for notice of lien for recovering, towing, or storing a vehicle or vessel; revising requirements for notice of the sale of such vehicle or vessel; revising requirements for transfer of title; authorizing a lienor to charge an administrative fee up to a certain amount; defining the term “administrative fee”; requiring a towing-storage operator to use a third-party service to provide notices of lien and sale; providing an exception; defining the term “third-party service”; requiring a third-party service to apply to and be approved by the department; providing requirements; authorizing the department to deny, suspend, or revoke approval under certain circumstances; providing recordkeeping requirements; providing requirements for retaining approved status; requiring maintenance of a website for access to certain information; requiring a lienor to accept a copy of an electronic title or a paper title as evidence of a person’s interest in a vehicle or vessel; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 772** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 431** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 816** was deferred.

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**CS for CS for SB 892**—A bill to be entitled An act relating to business organizations; amending s. 607.0101, F.S.; providing applicability; amending s. 607.0102, F.S.; making technical changes; amending s. 607.0120, F.S.; making technical changes; providing requirements, authorizations, and prohibitions relating to when the terms of a plan or a filed document may be dependent on facts objectively ascertainable outside of the plan or filed document; defining the terms “filed document” and “plan”; amending s. 607.0121, F.S.; making technical changes; conforming provisions to changes made by the act; amending s. 607.0122, F.S.; conforming provisions to changes made by the act; amending s. 607.0123, F.S.; revising provisions, requirements, and authorizations relating to the effective time and date of a document; amending s. 607.0124, F.S.; revising the process authorizing a domestic or foreign corporation to correct a document filed by the Department of State; authorizing a filing to be withdrawn before it takes effect if certain requirements are met; amending s. 607.0125, F.S.; revising the filing duties of the department; amending s. 607.0126, F.S.; revising the appeals process relating to the department’s refusal to file a document; amending s. 607.0127, F.S.; requiring certain certificates to be taken by certain entities as prima facie evidence of the facts stated; revising when a certificate and a copy of a document are conclusive evidence that the original document is on file with the department; amending s. 607.0128, F.S.; revising provisions relating to department-issued certificates of status; amending s. 607.0130, F.S.; deleting provisions relating to the powers of the department; amending s. 607.01401, F.S.; defining and redefining terms; amending s. 607.0141, F.S.; revising provisions relating to written and oral notice under ch. 607, F.S.; providing construction; creating s. 607.0143, F.S.; defining the terms “qualified director,” “material relationship,” and “material interest”; providing for circumstances under which a director is not automatically prevented from being a qualified director; amending s. 607.0201, F.S.; conforming provisions to changes made by the act; amending s. 607.0202, F.S.; revising requirements and authorizations for the contents of articles of incorporation; authorizing provisions of the articles of incorporation to be made dependent upon facts objectively ascertainable outside of the articles of incorporation; prohibiting the articles of incorporation from containing certain provisions; amending s. 607.0203, F.S.; conforming provisions to changes made by the act; amending s. 607.0204, F.S.; deleting an exemption from liability related to persons

who have actual knowledge that there is no incorporation when purporting to act as or on behalf of a corporation; making a technical change; amending s. 607.0205, F.S.; making technical changes; requiring directors or incorporators calling an organizational meeting to give at least 2, rather than 3, days’ notice; amending s. 607.0206, F.S.; revising provisions relating to the contents of the bylaws of a corporation; amending s. 607.0207, F.S.; making technical changes; creating s. 607.0208, F.S.; authorizing provisions of the articles of incorporation or the bylaws to create exclusive jurisdiction for certain claims; providing applicability for such provisions; prohibiting the articles or bylaws from prohibiting certain actions; defining the term “internal corporate claim”; amending s. 607.0301, F.S.; revising purposes and applicability; amending s. 607.0302, F.S.; making technical changes; amending s. 607.0303, F.S.; revising the requirements relating to the liability of certain persons acting in accordance with emergency bylaws; making technical changes; amending s. 607.0304, F.S.; revising when a corporation’s power to act may be challenged; amending s. 607.0401, F.S.; authorizing a corporation to register under a name that is not otherwise distinguishable on the records of the department under certain circumstances; providing applicability; creating s. 607.04021, F.S.; authorizing a person to reserve the exclusive use of a corporate name and to transfer the reservation; authorizing the department to revoke a reservation under certain circumstances; amending s. 607.0403, F.S.; making technical changes; conforming a cross-reference; amending s. 607.0501, F.S.; revising requirements for registered offices and registered agents; providing for the duties of a registered agent; authorizing a court to stay a proceeding until a corporation is compliant with requirements relating to registered agents and registered offices; making technical changes; amending s. 607.0502, F.S.; revising the procedures relating to a corporation changing its registered agent or its registered office; creating s. 607.0503, F.S.; revising procedures and requirements relating to the resignation of a registered agent; creating s. 607.05031, F.S.; revising procedures and requirements relating to the change of name or address by a registered agent; creating s. 607.05032, F.S.; providing for the delivery of notice or other communication; amending s. 607.0504, F.S.; revising the procedures for service of process, notice, or demand on a corporation; amending s. 607.0505, F.S.; conforming provisions to changes made by the act; amending s. 607.0601, F.S.; revising provisions relating to shares authorized by articles of incorporation; amending s. 607.0602, F.S.; revising provisions relating to the determination of the board of directors to classify or reclassify certain shares; amending s. 607.0604, F.S.; deleting a provision relating to the good faith judgment of the board of directors as to the fair value of fractions of a share; making technical changes; amending s. 607.0620, F.S.; revising provisions relating to subscriptions for shares; amending s. 607.0621, F.S.; expanding the circumstances in which shares that are escrowed or restricted and distributions that are credited may be canceled; amending s. 607.0622, F.S.; making a technical change; amending s. 607.0623, F.S.; authorizing the board to fix a record date for determining shareholders entitled to a share dividend; amending s. 607.0624, F.S.; revising provisions relating to rights, options, warrants, and awards for the purchase of shares of the corporation; defining the term “shares”; amending ss. 607.0625, 607.0626, and 607.0627, F.S.; making technical changes; amending s. 607.0630, F.S.; revising provisions relating to shareholders’ preemptive rights; amending s. 607.0631, F.S.; revising provisions relating to a corporation’s acquisition of its own shares; amending s. 607.06401, F.S.; revising provisions relating to distributions to shareholders; providing applicability; making technical changes; amending s. 607.0701, F.S.; revising provisions relating to a corporation’s annual meeting; amending s. 607.0702, F.S.; revising provisions relating to a corporation’s special meeting of the shareholders; amending s. 607.0703, F.S.; revising provisions relating to court-ordered meetings; amending s. 607.0704, F.S.; revising provisions relating to actions by shareholders without a meeting; making technical changes; amending s. 607.0705, F.S.; revising provisions relating to notices of meetings; amending s. 607.0706, F.S.; relocating and revising requirements for a shareholder to waive certain required notice; amending s. 607.0707, F.S.; revising provisions relating to record dates; creating s. 607.0709, F.S.; relocating and revising provisions relating to remote participation in the annual and special meetings of shareholders; amending s. 607.0720, F.S.; revising provisions relating to shareholders’ lists for meetings; amending s. 607.0721, F.S.; revising provisions relating to when certain shares are entitled to vote; defining the term “voting power”; amending s. 607.0722, F.S.; revising provisions relating to the appointment of a proxy; amending s. 607.0723, F.S.; revising provisions relating to shares held by intermediaries and nominees being treated as the record shareholder; amending s. 607.0724,

F.S.; revising provisions relating to the acceptance of votes and other instruments; requiring that ballots and shareholder demands be accepted under certain circumstances; amending s. 607.0725, F.S.; making technical changes; providing applicability for provisions that provide for voting of classes or series as separate voting groups; amending s. 607.0726, F.S.; making clarifying changes; amending s. 607.0728, F.S.; requiring that certain corporations have shares registered pursuant to s. 12 of the Securities Exchange Act of 1934 rather than pursuant to a list on a national securities exchange, for the purposes of certain voting requirements; creating s. 607.0729, F.S.; requiring certain corporations to appoint one or more inspectors to determine voting results; authorizing the inspectors to appoint or retain certain persons for specific reasons; providing requirements for inspectors; authorizing the inspectors to take certain actions; providing for review of determinations of law by the inspectors; providing for the closing of polls for elections; amending s. 607.0730, F.S.; making technical changes; amending s. 607.0731, F.S.; making clarifying changes; expanding the circumstances under which a transferee is deemed to have notice of a voting agreement; amending s. 607.0732, F.S.; revising provisions relating to shareholder agreements; providing construction; repealing s. 607.07401, F.S., relating to Shareholders' derivative actions; creating s. 607.0741, F.S.; providing standing requirements for a shareholder commencing a derivative proceeding; defining the term "shareholder"; creating s. 607.0742, F.S.; relocating and revising provisions relating to a complaint brought in a proceeding in the right of a corporation; creating s. 607.0743, F.S.; authorizing a court to stay a derivative proceeding under certain circumstances; creating s. 607.0744, F.S.; relocating and revising provisions relating to the dismissal of a derivative proceeding; creating s. 607.0745, F.S.; relocating a provision relating to the discontinuance or settlement of a derivative action; creating s. 607.0746, F.S.; relocating and revising provisions relating to proceeds and expenses after the termination of a derivative proceeding; creating s. 607.0747, F.S.; providing applicability relating to foreign corporations; creating s. 607.0748, F.S.; authorizing a circuit court to appoint one or more persons to be custodians or receivers of and for a corporation for certain proceedings; providing guidance to the court for appointing such custodians and receivers; creating s. 607.0749, F.S.; authorizing a provisional director to be appointed at the discretion of the court in a proceeding by a shareholder and under certain circumstances; providing requirements for the provisional director; requiring the court to allow reasonable compensation paid by the corporation to the provisional director for certain services; amending s. 607.0801, F.S.; making technical changes; amending s. 607.0802, F.S.; revising provisions relating to the qualifications of directors; amending s. 607.0803, F.S.; making clarifying changes; amending s. 607.0804, F.S.; providing applicability; amending s. 607.0805, F.S.; revising provisions relating to terms of directors; amending s. 607.0806, F.S.; revising provisions relating to staggered terms for directors; amending s. 607.0807, F.S.; revising provisions relating to the resignation of directors; amending s. 607.0808, F.S.; revising provisions relating to the removal of directors by shareholders; creating s. 607.08081, F.S.; authorizing circuit courts to remove a director from office and order certain relief under certain circumstances; amending s. 607.0809, F.S.; revising provisions relating to vacancies on a board of directors; amending s. 607.0820, F.S.; making technical changes; amending s. 607.0821, F.S.; revising provisions relating to action by directors without a meeting; amending s. 607.0823, F.S.; revising provisions relating to the waiver of notice of a meeting of a board of directors; amending s. 607.0824, F.S.; revising provisions relating to what constitutes a quorum of the board of directors; amending s. 607.0825, F.S.; revising provisions relating to the establishment and the powers of executive and board committees; creating s. 607.0826, F.S.; authorizing a corporation to agree to submit a matter that the board of directors determines it no longer recommends to a vote of the corporation's shareholders; amending s. 607.0830, F.S.; revising the general standards for directors; amending s. 607.0831, F.S.; revising provisions relating to the liability of directors; amending s. 607.0832, F.S.; defining terms; revising provisions relating to directors' conflicts of interest; amending s. 607.0833, F.S.; making a technical change; amending s. 607.0834, F.S.; revising provisions relating to liability for unlawful distributions; amending s. 607.08401, F.S.; authorizing the board of directors to appoint one or more individuals to act as officers of the corporation; specifying which records must be authenticated by an officer; creating s. 607.08411, F.S.; providing general standards for officers of the corporation; amending s. 607.0842, F.S.; revising provisions relating to the resignation and removal of officers; amending s. 607.0850, F.S.; defining terms; deleting provisions relating to the indemnification of officers, directors, employees, and agents; creating s.

607.0851, F.S.; relocating and revising provisions relating to the permissible indemnification of certain persons by a corporation; creating s. 607.0852, F.S.; relocating and revising provisions relating to the mandatory indemnification of certain persons by a corporation; creating s. 607.0853, F.S.; authorizing a corporation to advance funds to pay for or reimburse certain expenses; providing requirements for the authorization of advanced funds; creating s. 607.0854, F.S.; relocating and revising provisions related to court-ordered indemnification and advance for expenses; creating s. 607.0855, F.S.; relocating and revising provisions relating to the determination and authorization of indemnification; creating s. 607.0857, F.S.; relocating and revising provisions relating to a corporation purchasing and maintaining certain insurance; creating s. 607.0858, F.S.; relocating and revising provisions relating to indemnification by a corporation which is not specifically provided for by law; providing applicability; creating s. 607.0859, F.S.; relocating and revising provisions relating to overriding restrictions on indemnification; amending s. 607.0901, F.S.; revising defined terms; revising provisions related to affiliated transactions; revising applicability; amending s. 607.0902, F.S.; conforming a cross-reference; amending s. 607.1001, F.S.; making a technical change; amending s. 607.1002, F.S.; expanding the list of types of amendments a corporation's board of directors may adopt without shareholder approval; making technical changes; amending s. 607.10025, F.S.; making technical changes; conforming a cross-reference; deleting a provision exempting corporations with less than a specified number of shareholders of record from applicability; amending s. 607.1003, F.S.; revising provisions relating to amendments to the articles of incorporation; amending s. 607.1004, F.S.; revising provisions relating to voting on amendments by voting groups; amending s. 607.1005, F.S.; requiring that a corporation have no board of directors for a majority of its incorporators to be authorized to adopt amendments to the corporation's articles of incorporation; amending s. 607.1006, F.S.; revising provisions relating to articles of amendment; amending s. 607.1007, F.S.; revising provisions relating to restated articles of incorporation; amending s. 607.1008, F.S.; revising provisions relating to an amendment pursuant to reorganization; amending s. 607.1009, F.S.; specifying when new interest holder liability as a result of an amendment takes effect; amending s. 607.1020, F.S.; revising provisions relating to amendments of the bylaws by boards of directors or shareholders; amending s. 607.1021, F.S.; making a technical change; amending s. 607.1022, F.S.; revising provisions relating to bylaws that increase a quorum or voting requirement for directors; creating s. 607.1023, F.S.; authorizing a corporation to elect in its bylaws to be governed in the election of directors under certain circumstances; providing applicability; authorizing certain bylaws to be repealed by the board of directors or shareholders under certain circumstances; amending s. 607.1101, F.S.; revising provisions relating to the merger of certain corporations and eligible entities; amending s. 607.1102, F.S.; revising provisions relating to plans of share exchange; amending s. 607.1103, F.S.; revising provisions relating to actions on a plan of merger or a plan of share exchange; creating s. 607.11035, F.S.; specifying when shareholder approval of a plan of merger or a plan of share exchange is not required; defining terms; amending s. 607.1104, F.S.; revising provisions relating to the mergers involving subsidiary corporations; amending s. 607.11045, F.S.; revising applicability; amending s. 607.1105, F.S.; revising provisions relating to articles of merger or share exchange; amending s. 607.1106, F.S.; revising provisions relating to the effectiveness of a merger or share exchange; amending s. 607.1107, F.S.; revising provisions relating to the abandonment of a merger or share exchange; deleting provisions relating to mergers or share exchanges with foreign corporations; repealing s. 607.1108, F.S., relating to merger of domestic corporation and other business entity; repealing s. 607.1109, F.S., relating to articles of merger; repealing s. 607.11101, F.S., relating to the effect of a merger of domestic corporation and other business entity; repealing s. 607.1112, F.S., relating to the conversion of a domestic corporation into another business entity; repealing s. 607.1113, F.S., relating to certificates of conversion; repealing s. 607.1114, F.S., relating to the effect of the conversion of a domestic corporation into another business entity; repealing s. 607.1115, F.S., relating to the conversion of another business entity into a domestic corporation; creating s. 607.11920, F.S.; authorizing a foreign corporation to become a domestic corporation under certain circumstances; authorizing a domestic corporation to become a foreign corporation under certain circumstances; requiring that a plan of domestication include certain information; authorizing a domestication to include certain provisions; authorizing a plan of domestication to be made dependent upon facts objectively ascertainable outside of the plan; providing applicability; creating s. 607.11921, F.S.; requiring a

plan of domestication to be adopted in a certain manner; creating s. 607.11922, F.S.; requiring a domesticating corporation to sign articles of domestication under certain circumstances; requiring that the articles of domestication contain certain information; providing procedures and requirements relating to the filing of the articles of domestication and the effectiveness of the domestication; providing that certain domesticating corporations' certificates of authority are automatically canceled upon the domestication becoming effective; providing that a copy of the articles of domestication may be filed in certain official records; creating s. 607.11923, F.S.; providing for the amendment of a plan of domestication; providing for the abandonment of a plan of domestication; creating s. 607.11924, F.S.; specifying the effects of a domestication; specifying that a domestication does not constitute or cause the dissolution of the domesticating corporation; prohibiting certain property from being diverted as a result of a domestication unless certain requirements are met; providing applicability; creating ss. 607.11930 and 607.11931, F.S.; relocating and revising provisions relating to the conversion of corporations; creating s. 607.11932, F.S.; relocating and revising provisions relating to actions on plans of conversion; providing applicability; creating s. 607.11933, F.S.; relocating and revising provisions relating to articles of conversion and the effectiveness of such articles; creating s. 607.11934, F.S.; relocating and revising provisions relating to amendments to plans of conversion; creating s. 607.11935, F.S.; relocating and revising provisions relating to the effectiveness of a conversion; amending s. 607.1201, F.S.; revising provisions relating to the disposition of assets not requiring shareholder approval; amending s. 607.1202, F.S.; revising provisions relating to shareholder approval of certain dispositions; amending s. 607.1301, F.S.; defining, deleting, and revising terms; amending s. 607.1302, F.S.; revising provisions relating to appraisal rights of shareholders; amending s. 607.1303, F.S.; making technical changes; amending s. 607.1320, F.S.; revising provisions relating to notice of appraisal rights; amending s. 607.1321, F.S.; revising provisions relating to notice of intent to demand payment; amending s. 607.1322, F.S.; revising provisions relating to appraisal notice and form; amending s. 607.1323, F.S.; making technical changes; amending s. 607.1324, F.S.; specifying that a shareholder ceases to have certain rights upon payment of an agreed value; amending s. 607.1326, F.S.; making technical changes; amending s. 607.1330, F.S.; revising provisions relating to court action to determine the fair value of shares and accrued interest; amending ss. 607.1331, 607.1332, and 607.1333, F.S.; making technical changes; creating s. 607.1340, F.S.; relocating provisions relating to certain shareholders challenging certain actions; making technical changes; amending s. 607.1401, F.S.; revising provisions relating to incorporators or directors dissolving a corporation; amending s. 607.1402, F.S.; revising provisions relating to the dissolution of a corporation by the board of directors and the shareholders; amending s. 607.1403, F.S.; revising provisions relating to articles of dissolution; defining the terms "dissolved corporation" and "successor entity"; amending s. 607.1404, F.S.; revising provisions relating to revocation of dissolution; amending s. 607.1405, F.S.; revising provisions relating to the effect of dissolution; amending s. 607.1406, F.S.; revising provisions relating to known claims against a dissolved corporation; defining the term "known claims"; deleting the term "successor entity"; amending s. 607.1407, F.S.; revising provisions relating to unknown claims against a dissolved corporation; creating s. 607.1408, F.S.; relocating provisions relating to claims against dissolved corporations; creating s. 607.1409, F.S.; authorizing certain dissolved corporations to file an application with the circuit court for a certain determination; providing guidelines for the proceedings; creating s. 607.1410, F.S.; providing duties for directors of dissolved corporations; amending s. 607.1420, F.S.; revising provisions relating to the administrative dissolution of a corporation; repealing s. 607.1421, F.S., relating to the procedure for and effect of administrative dissolution; amending s. 607.1422, F.S.; revising provisions relating to reinstatement following administrative dissolution; amending s. 607.1423, F.S.; revising provisions relating to judicial review of denials of reinstatement; amending s. 607.1430, F.S.; revising provisions relating to grounds for judicial dissolution; defining the term "shareholder"; amending s. 607.1431, F.S.; revising provisions relating to procedures for judicial dissolution; amending s. 607.1432, F.S.; revising provisions relating to receivership and custodianship; amending s. 607.1433, F.S.; revising provisions relating to judgment of dissolution; amending s. 607.1434, F.S.; revising provisions relating to alternative remedies to judicial dissolution; amending s. 607.1435, F.S.; revising provisions relating to court-appointed provisional directors; amending s. 607.1436, F.S.; revising provisions relating to elections to purchase instead of dissolution; amending s. 607.14401, F.S.; revising provisions relating to deposits

associated with a dissolved corporation; amending s. 607.1501, F.S.; revising provisions relating to the authority of a foreign corporation to transact business in this state; creating s. 607.15015, F.S.; providing for applicability of certain laws for a foreign corporation; providing that a foreign corporation may not be denied a certificate of authority for certain reasons; specifying that a certificate of authority does not authorize a foreign corporation to take certain actions; amending s. 607.1502, F.S.; revising provisions relating to transacting business in this state without a certificate of authority; providing applicability; amending s. 607.1503, F.S.; revising provisions relating to applications for a certificate of authority; amending s. 607.1504, F.S.; revising provisions relating to amendments to certificates of authority; amending s. 607.1505, F.S.; revising provisions relating to the effect of a certificate of authority; amending s. 607.1506, F.S.; revising provisions relating to the corporate name of a foreign corporation; amending s. 607.1507, F.S.; revising provisions relating to the registered offices and registered agents of foreign corporations; providing a civil penalty; amending s. 607.1508, F.S.; revising provisions relating to changing the names of registered offices and registered agents of foreign corporations; amending s. 607.1509, F.S.; revising provisions relating to resignations of registered agents of foreign corporations; creating s. 607.15091, F.S.; revising provisions relating to name and address changes for registered agents of foreign corporations; creating s. 607.15092, F.S.; providing requirements for delivery of notice or other communication; amending s. 607.15101, F.S.; revising provisions relating to service of process, notice, or demand on a foreign corporation; amending s. 607.1520, F.S.; revising provisions relating to the withdrawal of a certificate of authority for a foreign corporation; requiring a foreign corporation to take certain actions to cancel its certificate of authority; creating s. 607.1521, F.S.; specifying that certain foreign corporations are deemed to have withdrawn their certificate of authority under certain circumstances; creating s. 607.1522, F.S.; requiring a foreign corporation to deliver a notice of withdrawal of a certificate of authority under certain circumstances; providing for effective service of process on such foreign corporations; creating s. 607.1523, F.S.; authorizing the Department of Legal Affairs to maintain certain actions and to enjoin a foreign corporation under certain circumstances; amending s. 607.1530, F.S.; revising provisions relating to revocation of a foreign corporation's certificate of authority; repealing s. 607.1531, F.S., relating to the procedure for and effect of revocation; amending s. 607.15315, F.S.; revising provisions relating to reinstatement of a foreign corporation's certificate of authority; amending s. 607.1532, F.S.; revising provisions relating to judicial review of a denial of reinstatement; amending s. 607.1601, F.S.; revising provisions relating to the maintenance of corporate records; amending s. 607.1602, F.S.; revising provisions relating to inspection of records by shareholders; revising the definition of the term "shareholder"; amending s. 607.1603, F.S.; revising provisions relating to the scope of shareholders' inspection rights; amending s. 607.1604, F.S.; revising provisions relating to court-ordered inspections; amending s. 607.1605, F.S.; revising provisions relating to directors' inspection rights; amending s. 607.1620, F.S.; revising provisions relating to financial statements for shareholders; repealing s. 607.1621, F.S., relating to other reports to shareholders; amending s. 607.1622, F.S.; revising provisions relating to annual reports that are required to be filed with the Department of State; amending s. 607.1701, F.S.; making a technical change; revising applicability; amending s. 607.1702, F.S.; revising applicability; amending s. 607.1711, F.S.; making a technical change; repealing s. 607.1801, F.S., relating to domestication of foreign corporations; amending s. 607.1907, F.S.; revising provisions relating to savings provisions; creating s. 607.1908, F.S.; providing for severability; amending s. 607.604, F.S.; revising provisions relating to an election of social purpose corporation status; amending s. 607.604, F.S.; revising provisions relating to an election of benefit corporation status; conforming a cross-reference; amending s. 605.0102, F.S.; conforming a cross-reference; revising the definitions of the terms "private organic rules" and "public organic record"; amending s. 605.0105, F.S.; revising provisions relating to operating agreements; amending s. 605.0112, F.S.; revising provisions relating to names of limited liability companies; creating s. 605.01125, F.S.; authorizing a person to reserve the exclusive use of the name of a limited liability company; providing requirements for reserving the name; authorizing the department to revoke reservations under certain circumstances; amending s. 605.0113, F.S.; revising provisions relating to registered agents of limited liability companies; defining the term "authorized entity"; amending s. 605.0114, F.S.; revising provisions relating to changes of a registered agent or registered office; amending s. 605.0115, F.S.; requiring a registered agent to promptly mail a copy of a statement of resignation to a

limited liability company's or foreign limited liability company's current mailing address; amending s. 605.0116, F.S.; making clarifying changes; amending s. 605.0117, F.S.; revising provisions relating to service of process, notice, and demand on limited liability companies and registered foreign limited liability companies; amending s. 605.0118, F.S.; conforming a provision to changes made by the act; amending s. 605.0207, F.S.; revising provisions relating to effective dates and times for records filed with the Department of State; amending s. 605.0209, F.S.; revising what a statement of correction must contain; amending s. 605.0210, F.S.; revising provisions relating to the department's refusal to file a record; amending s. 605.0211, F.S.; revising provisions relating to certificates of status for foreign limited liability companies; amending s. 605.0215, F.S.; specifying that a copy of a document filed by the department must bear the signature of the Secretary of State and the seal of this state in order to be conclusive evidence that the original document is on file with the department; amending s. 605.04092, F.S.; defining terms; revising provisions relating to conflict of interest transactions; amending s. 605.0410, F.S.; conforming a cross-reference; amending s. 605.0702, F.S.; revising provisions relating to grounds for judicial dissolution of a limited liability company; amending s. 605.0706, F.S.; revising provisions relating to an election to purchase the entire interest of a petitioner instead of dissolving the limited liability company; amending s. 605.0715, F.S.; conforming a provision to changes made by the act; requiring a dissolved limited liability company to amend its articles of organization to change its name under certain circumstances; amending s. 605.0716, F.S.; revising provisions relating to judicial review of denial of reinstatement; amending ss. 605.0803 and 605.0903, F.S.; making clarifying changes; amending s. 605.0904, F.S.; revising provisions relating to a foreign limited liability company's failure to have a certificate of authority; amending s. 605.0906, F.S.; requiring, rather than authorizing, certain foreign limited liability companies to use an alternate name to transact business in this state; amending s. 605.0907, F.S.; revising provisions relating to foreign limited liability companies' amendments to certificates of authority; amending s. 605.0908, F.S.; making technical changes; creating s. 605.09091, F.S.; providing requirements relating to the judicial review of denial of reinstatement for foreign limited liability companies; amending ss. 605.0910 and 605.0911, F.S.; revising provisions relating to the withdrawal or cancellation of a foreign limited liability company's certificate of authority; amending s. 605.0912, F.S.; revising provisions relating to a foreign limited liability company's withdrawal on the dissolution, merger, or conversion to a nonfiling entity; amending ss. 605.1025 and 605.1035, F.S.; conforming cross-references; amending s. 605.1061, F.S.; making a technical change; amending s. 605.1063, F.S.; providing requirements for when an appraisal event is required to be approved by written consent of members; amending s. 605.1072, F.S.; revising provisions relating to other remedies for a member to challenge certain completed appraisal events; providing construction; amending s. 617.0302, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; amending s. 617.0501, F.S.; revising provisions relating to registered offices and registered agents of corporations not for profit; defining the term "authorized entity"; creating s. 617.05015, F.S.; authorizing a person to reserve the exclusive use of the name of a corporation not for profit; providing requirements for such reservation; amending s. 617.0831, F.S.; conforming cross-references; amending ss. 617.1102 and 617.1108, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 617.1507, F.S.; revising provisions relating to registered offices and registered agents of foreign corporations not for profit; defining the term "authorized entity"; amending s. 620.1108, F.S.; revising provisions relating to the names of certain limited partnerships; creating s. 620.11085, F.S.; authorizing a person to reserve the exclusive use of the name of a limited partnership; providing requirements for such reservation; amending ss. 620.2104, 620.2108, and 620.8918, F.S.; conforming cross-references; amending s. 621.12, F.S.; revising provisions relating to the names of certain corporations and limited liability companies; amending s. 865.09, F.S.; prohibiting certain fictitious names from containing "PA"; amending s. 662.150, F.S.; conforming a provision to changes made by the act; conforming cross-references; amending ss. 331.355, 339.12, 628.530, 631.0515, 658.44, 663.03, 663.403, and 694.16, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 892**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1009** was

withdrawn from the Committees on Commerce and Tourism; Judiciary; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Passidomo—

**CS for CS for HB 1009**—A bill to be entitled An act relating to business organizations; amending s. 607.0101, F.S.; providing applicability; amending s. 607.0102, F.S.; making technical changes; amending s. 607.0120, F.S.; making technical changes; providing requirements, authorizations, and prohibitions relating to when the terms of a plan or a filed document may be dependent on facts objectively ascertainable outside of the plan or filed document; defining the terms "filed document" and "plan"; amending s. 607.0121, F.S.; making technical changes; conforming provisions to changes made by the act; amending s. 607.0122, F.S.; conforming provisions to changes made by the act; amending s. 607.0123, F.S.; revising provisions, requirements, and authorizations relating to the effective time and date of a document; amending s. 607.0124, F.S.; revising the process authorizing a domestic or foreign corporation to correct a document filed by the Department of State; authorizing a filing to be withdrawn before it takes effect if certain requirements are met; amending s. 607.0125, F.S.; revising the filing duties of the department; amending s. 607.0126, F.S.; revising the appeals process relating to the department's refusal to file a document; amending s. 607.0127, F.S.; requiring certain certificates to be taken by certain entities as prima facie evidence of the facts stated; revising when a certificate and a copy of a document are conclusive evidence that the original document is on file with the department; amending s. 607.0128, F.S.; revising provisions relating to department-issued certificates of status; amending s. 607.0130, F.S.; deleting provisions relating to the powers of the department; amending s. 607.01401, F.S.; defining and redefining terms; amending s. 607.0141, F.S.; revising provisions relating to written and oral notice under ch. 607, F.S.; providing construction; creating s. 607.0143, F.S.; defining the terms "qualified director," "material relationship," and "material interest"; providing for circumstances under which a director is not automatically prevented from being a qualified director; amending s. 607.0201, F.S.; conforming provisions to changes made by the act; amending s. 607.0202, F.S.; revising requirements and authorizations for the contents of articles of incorporation; authorizing provisions of the articles of incorporation to be made dependent upon facts objectively ascertainable outside of the articles of incorporation; prohibiting the articles of incorporation from containing certain provisions; amending s. 607.0203, F.S.; conforming provisions to changes made by the act; amending s. 607.0204, F.S.; deleting an exemption from liability related to persons who have actual knowledge that there is no incorporation when purporting to act as or on behalf of a corporation; making a technical change; amending s. 607.0205, F.S.; making technical changes; requiring directors or incorporators calling an organizational meeting to give at least 2, rather than 3, days' notice; amending s. 607.0206, F.S.; revising provisions relating to the contents of the bylaws of a corporation; amending s. 607.0207, F.S.; making technical changes; creating s. 607.0208, F.S.; authorizing provisions of the articles of incorporation or the bylaws to create exclusive jurisdiction for certain claims; providing applicability for such provisions; prohibiting the articles or bylaws from prohibiting certain actions; defining the term "internal corporate claim"; amending s. 607.0301, F.S.; revising purposes and applicability; amending s. 607.0302, F.S.; making technical changes; amending s. 607.0303, F.S.; revising the requirements relating to the liability of certain persons acting in accordance with emergency bylaws; making technical changes; amending s. 607.0304, F.S.; revising when a corporation's power to act may be challenged; amending s. 607.0401, F.S.; authorizing a corporation to register under a name that is not otherwise distinguishable on the records of the department under certain circumstances; providing applicability; creating s. 607.04021, F.S.; authorizing a person to reserve the exclusive use of a corporate name and to transfer the reservation; authorizing the department to revoke a reservation under certain circumstances; amending s. 607.0403, F.S.; making technical changes; conforming a cross-reference; amending s. 607.0501, F.S.; revising requirements for registered offices and registered agents; providing for the duties of a registered agent; authorizing a court to stay a proceeding until a corporation is compliant with requirements relating to registered agents and registered offices; making technical changes; amending s. 607.0502, F.S.; revising the procedures relating to a corporation changing its registered agent or its registered office; creating s. 607.0503, F.S.; revising procedures and requirements relating to the resignation of a registered agent; creating s. 607.05031,

F.S.; revising procedures and requirements relating to the change of name or address by a registered agent; creating s. 607.05032, F.S.; providing for the delivery of notice or other communication; amending s. 607.0504, F.S.; revising the procedures for service of process, notice, or demand on a corporation; amending s. 607.0505, F.S.; conforming provisions to changes made by the act; amending s. 607.0601, F.S.; revising provisions relating to shares authorized by articles of incorporation; amending s. 607.0602, F.S.; revising provisions relating to the determination of the board of directors to classify or reclassify certain shares; amending s. 607.0604, F.S.; deleting a provision relating to the good faith judgment of the board of directors as to the fair value of fractions of a share; making technical changes; amending s. 607.0620, F.S.; revising provisions relating to subscriptions for shares; amending s. 607.0621, F.S.; expanding the circumstances in which shares that are escrowed or restricted and distributions that are credited may be canceled; amending s. 607.0622, F.S.; making a technical change; amending s. 607.0623, F.S.; authorizing the board to fix a record date for determining shareholders entitled to a share dividend; amending s. 607.0624, F.S.; revising provisions relating to rights, options, warrants, and awards for the purchase of shares of the corporation; defining the term “shares”; amending ss. 607.0625, 607.0626, and 607.0627, F.S.; making technical changes; amending s. 607.0630, F.S.; revising provisions relating to shareholders’ preemptive rights; amending s. 607.0631, F.S.; revising provisions relating to a corporation’s acquisition of its own shares; amending s. 607.06401, F.S.; revising provisions relating to distributions to shareholders; providing applicability; making technical changes; amending s. 607.0701, F.S.; revising provisions relating to a corporation’s annual meeting; amending s. 607.0702, F.S.; revising provisions relating to a corporation’s special meeting of the shareholders; amending s. 607.0703, F.S.; revising provisions relating to court-ordered meetings; amending s. 607.0704, F.S.; revising provisions relating to actions by shareholders without a meeting; making technical changes; amending s. 607.0705, F.S.; revising provisions relating to notices of meetings; amending s. 607.0706, F.S.; relocating and revising requirements for a shareholder to waive certain required notice; amending s. 607.0707, F.S.; revising provisions relating to record dates; creating s. 607.0709, F.S.; relocating and revising provisions relating to remote participation in the annual and special meetings of shareholders; amending s. 607.0720, F.S.; revising provisions relating to shareholders’ lists for meetings; amending s. 607.0721, F.S.; revising provisions relating to when certain shares are entitled to vote; defining the term “voting power”; amending s. 607.0722, F.S.; revising provisions relating to the appointment of a proxy; amending s. 607.0723, F.S.; revising provisions relating to shares held by intermediaries and nominees being treated as the record shareholder; amending s. 607.0724, F.S.; revising provisions relating to the acceptance of votes and other instruments; requiring that ballots and shareholder demands be accepted under certain circumstances; amending s. 607.0725, F.S.; making technical changes; providing applicability for provisions that provide for voting of classes or series as separate voting groups; amending s. 607.0726, F.S.; making clarifying changes; amending s. 607.0728, F.S.; requiring that certain corporations have shares registered pursuant to s. 12 of the Securities Exchange Act of 1934 rather than pursuant to a list on a national securities exchange, for the purposes of certain voting requirements; creating s. 607.0729, F.S.; requiring certain corporations to appoint one or more inspectors to determine voting results; authorizing the inspectors to appoint or retain certain persons for specific reasons; providing requirements for inspectors; authorizing the inspectors to take certain actions; providing for review of determinations of law by the inspectors; providing for the closing of polls for elections; amending s. 607.0730, F.S.; making technical changes; amending s. 607.0731, F.S.; making clarifying changes; expanding the circumstances under which a transferee is deemed to have notice of a voting agreement; amending s. 607.0732, F.S.; revising provisions relating to shareholder agreements; providing construction; repealing s. 607.07401, F.S., relating to Shareholders’ derivative actions; creating s. 607.0741, F.S.; providing standing requirements for a shareholder commencing a derivative proceeding; defining the term “shareholder”; creating s. 607.0742, F.S.; relocating and revising provisions relating to a complaint brought in a proceeding in the right of a corporation; creating s. 607.0743, F.S.; authorizing a court to stay a derivative proceeding under certain circumstances; creating s. 607.0744, F.S.; relocating and revising provisions relating to the dismissal of a derivative proceeding; creating s. 607.0745, F.S.; relocating a provision relating to the discontinuance or settlement of a derivative action; creating s. 607.0746, F.S.; relocating and revising provisions relating to proceeds and expenses after the termination of a derivative proceeding; creating

s. 607.0747, F.S.; providing applicability relating to foreign corporations; creating s. 607.0748, F.S.; authorizing a circuit court to appoint one or more persons to be custodians or receivers of and for a corporation for certain proceedings; providing guidance to the court for appointing such custodians and receivers; creating s. 607.0749, F.S.; authorizing a provisional director to be appointed at the discretion of the court in a proceeding by a shareholder and under certain circumstances; providing requirements for the provisional director; requiring the court to allow reasonable compensation paid by the corporation to the provisional director for certain services; creating s. 607.0750, F.S.; providing for direct action by a shareholder; amending s. 607.0801, F.S.; making technical changes; amending s. 607.0802, F.S.; revising provisions relating to the qualifications of directors; amending s. 607.0803, F.S.; making clarifying changes; amending s. 607.0804, F.S.; providing applicability; amending s. 607.0805, F.S.; revising provisions relating to terms of directors; amending s. 607.0806, F.S.; revising provisions relating to staggered terms for directors; amending s. 607.0807, F.S.; revising provisions relating to the resignation of directors; amending s. 607.0808, F.S.; revising provisions relating to the removal of directors by shareholders; creating s. 607.08081, F.S.; authorizing circuit courts to remove a director from office and order certain relief under certain circumstances; amending s. 607.0809, F.S.; revising provisions relating to vacancies on a board of directors; amending s. 607.0820, F.S.; making technical changes; amending s. 607.0821, F.S.; revising provisions relating to action by directors without a meeting; amending s. 607.0823, F.S.; revising provisions relating to the waiver of notice of a meeting of a board of directors; amending s. 607.0824, F.S.; revising provisions relating to what constitutes a quorum of the board of directors; amending s. 607.0825, F.S.; revising provisions relating to the establishment and the powers of executive and board committees; creating s. 607.0826, F.S.; authorizing a corporation to agree to submit a matter that the board of directors determines it no longer recommends to a vote of the corporation’s shareholders; amending s. 607.0830, F.S.; revising the general standards for directors; amending s. 607.0831, F.S.; revising provisions relating to the liability of directors; amending s. 607.0832, F.S.; defining terms; revising provisions relating to directors’ conflicts of interest; amending s. 607.0833, F.S.; making a technical change; amending s. 607.0834, F.S.; revising provisions relating to liability for unlawful distributions; amending s. 607.08401, F.S.; authorizing the board of directors to appoint one or more individuals to act as officers of the corporation; specifying which records must be authenticated by an officer; creating s. 607.08411, F.S.; providing general standards for officers of the corporation; amending s. 607.0842, F.S.; revising provisions relating to the resignation and removal of officers; amending s. 607.0850, F.S.; defining terms; deleting provisions relating to the indemnification of officers, directors, employees, and agents; creating s. 607.0851, F.S.; relocating and revising provisions relating to the permissible indemnification of certain persons by a corporation; creating s. 607.0852, F.S.; relocating and revising provisions relating to the mandatory indemnification of certain persons by a corporation; creating s. 607.0853, F.S.; authorizing a corporation to advance funds to pay for or reimburse certain expenses; providing requirements for the authorization of advanced funds; creating s. 607.0854, F.S.; relocating and revising provisions related to court-ordered indemnification and advance for expenses; creating s. 607.0855, F.S.; relocating and revising provisions relating to the determination and authorization of indemnification; creating s. 607.0857, F.S.; relocating and revising provisions relating to a corporation purchasing and maintaining certain insurance; creating s. 607.0858, F.S.; relocating and revising provisions relating to indemnification by a corporation which is not specifically provided for by law; providing applicability; creating s. 607.0859, F.S.; relocating and revising provisions relating to overriding restrictions on indemnification; amending s. 607.0901, F.S.; revising defined terms; revising provisions related to affiliated transactions; revising applicability; amending s. 607.0902, F.S.; conforming a cross-reference; amending s. 607.1001, F.S.; making a technical change; amending s. 607.1002, F.S.; expanding the list of types of amendments a corporation’s board of directors may adopt without shareholder approval; making technical changes; amending s. 607.10025, F.S.; making technical changes; conforming a cross-reference; deleting a provision exempting corporations with less than a specified number of shareholders of record from applicability; amending s. 607.1003, F.S.; revising provisions relating to amendments to the articles of incorporation; amending s. 607.1004, F.S.; revising provisions relating to voting on amendments by voting groups; amending s. 607.1005, F.S.; requiring that a corporation have no board of directors for a majority of its incorporators to be authorized to adopt amendments to the corporation’s articles of incorporation;

amending s. 607.1006, F.S.; revising provisions relating to articles of amendment; amending s. 607.1007, F.S.; revising provisions relating to restated articles of incorporation; amending s. 607.1008, F.S.; revising provisions relating to an amendment pursuant to reorganization; amending s. 607.1009, F.S.; specifying when new interest holder liability as a result of an amendment takes effect; amending s. 607.1020, F.S.; revising provisions relating to amendments of the bylaws by boards of directors or shareholders; amending s. 607.1021, F.S.; making a technical change; amending s. 607.1022, F.S.; revising provisions relating to bylaws that increase a quorum or voting requirement for directors; creating s. 607.1023, F.S.; authorizing a corporation to elect in its bylaws to be governed in the election of directors under certain circumstances; providing applicability; authorizing certain bylaws to be repealed by the board of directors or shareholders under certain circumstances; amending s. 607.1101, F.S.; revising provisions relating to the merger of certain corporations and eligible entities; amending s. 607.1102, F.S.; revising provisions relating to plans of share exchange; amending s. 607.1103, F.S.; revising provisions relating to actions on a plan of merger or a plan of share exchange; creating s. 607.11035, F.S.; specifying when shareholder approval of a plan of merger or a plan of share exchange is not required; defining terms; amending s. 607.1104, F.S.; revising provisions relating to the mergers involving subsidiary corporations; amending s. 607.11045, F.S.; revising applicability; amending s. 607.1105, F.S.; revising provisions relating to articles of merger or share exchange; amending s. 607.1106, F.S.; revising provisions relating to the effectiveness of a merger or share exchange; amending s. 607.1107, F.S.; revising provisions relating to the abandonment of a merger or share exchange; deleting provisions relating to mergers or share exchanges with foreign corporations; repealing s. 607.1108, F.S., relating to merger of domestic corporation and other business entity; repealing s. 607.1109, F.S., relating to articles of merger; repealing s. 607.11101, F.S., relating to the effect of a merger of domestic corporation and other business entity; repealing s. 607.1112, F.S., relating to the conversion of a domestic corporation into another business entity; repealing s. 607.1113, F.S., relating to certificates of conversion; repealing s. 607.1114, F.S., relating to the effect of the conversion of a domestic corporation into another business entity; repealing s. 607.1115, F.S., relating to the conversion of another business entity into a domestic corporation; creating s. 607.11920, F.S.; authorizing a foreign corporation to become a domestic corporation under certain circumstances; authorizing a domestic corporation to become a foreign corporation under certain circumstances; requiring that a plan of domestication include certain information; authorizing a domestication to include certain provisions; authorizing a plan of domestication to be made dependent upon facts objectively ascertainable outside of the plan; providing applicability; creating s. 607.11921, F.S.; requiring a plan of domestication to be adopted in a certain manner; creating s. 607.11922, F.S.; requiring a domesticating corporation to sign articles of domestication under certain circumstances; requiring that the articles of domestication contain certain information; providing procedures and requirements relating to the filing of the articles of domestication and the effectiveness of the domestication; providing that certain domesticating corporations' certificates of authority are automatically canceled upon the domestication becoming effective; providing that a copy of the articles of domestication may be filed in certain official records; creating s. 607.11923, F.S.; providing for the amendment of a plan of domestication; providing for the abandonment of a plan of domestication; creating s. 607.11924, F.S.; specifying the effects of a domestication; specifying that a domestication does not constitute or cause the dissolution of the domesticating corporation; prohibiting certain property from being diverted as a result of a domestication unless certain requirements are met; providing applicability; creating ss. 607.11930 and 607.11931, F.S.; relocating and revising provisions relating to the conversion of corporations; creating s. 607.11932, F.S.; relocating and revising provisions relating to actions on plans of conversion; providing applicability; creating s. 607.11933, F.S.; relocating and revising provisions relating to articles of conversion and the effectiveness of such articles; creating s. 607.11934, F.S.; relocating and revising provisions relating to amendments to plans of conversion; creating s. 607.11935, F.S.; relocating and revising provisions relating to the effectiveness of a conversion; amending s. 607.1201, F.S.; revising provisions relating to the disposition of assets not requiring shareholder approval; amending s. 607.1202, F.S.; revising provisions relating to shareholder approval of certain dispositions; amending s. 607.1301, F.S.; defining, deleting, and revising terms; amending s. 607.1302, F.S.; revising provisions relating to appraisal rights of shareholders; amending s. 607.1303, F.S.; making technical changes; amending s. 607.1320, F.S.; revising provisions relating

to notice of appraisal rights; amending s. 607.1321, F.S.; revising provisions relating to notice of intent to demand payment; amending s. 607.1322, F.S.; revising provisions relating to appraisal notice and form; amending s. 607.1323, F.S.; making technical changes; amending s. 607.1324, F.S.; specifying that a shareholder ceases to have certain rights upon payment of an agreed value; amending s. 607.1326, F.S.; making technical changes; amending s. 607.1330, F.S.; revising provisions relating to court action to determine the fair value of shares and accrued interest; amending ss. 607.1331, 607.1332, and 607.1333, F.S.; making technical changes; creating s. 607.1340, F.S.; relocating provisions relating to certain shareholders challenging certain actions; making technical changes; amending s. 607.1401, F.S.; revising provisions relating to incorporators or directors dissolving a corporation; amending s. 607.1402, F.S.; revising provisions relating to the dissolution of a corporation by the board of directors and the shareholders; amending s. 607.1403, F.S.; revising provisions relating to articles of dissolution; defining the terms "dissolved corporation" and "successor entity"; amending s. 607.1404, F.S.; revising provisions relating to revocation of dissolution; amending s. 607.1405, F.S.; revising provisions relating to the effect of dissolution; amending s. 607.1406, F.S.; revising provisions relating to known claims against a dissolved corporation; defining the term "known claims"; deleting the term "successor entity"; amending s. 607.1407, F.S.; revising provisions relating to unknown claims against a dissolved corporation; creating s. 607.1408, F.S.; relocating provisions relating to claims against dissolved corporations; creating s. 607.1409, F.S.; authorizing certain dissolved corporations to file an application with the circuit court for a certain determination; providing guidelines for the proceedings; creating s. 607.1410, F.S.; providing duties for directors of dissolved corporations; amending s. 607.1420, F.S.; revising provisions relating to the administrative dissolution of a corporation; repealing s. 607.1421, F.S., relating to the procedure for and effect of administrative dissolution; amending s. 607.1422, F.S.; revising provisions relating to reinstatement following administrative dissolution; amending s. 607.1423, F.S.; revising provisions relating to judicial review of denials of reinstatement; amending s. 607.1430, F.S.; revising provisions relating to grounds for judicial dissolution; defining the term "shareholder"; amending s. 607.1431, F.S.; revising provisions relating to procedures for judicial dissolution; amending s. 607.1432, F.S.; revising provisions relating to receivership and custodianship; amending s. 607.1433, F.S.; revising provisions relating to judgment of dissolution; amending s. 607.1434, F.S.; revising provisions relating to alternative remedies to judicial dissolution; amending s. 607.1435, F.S.; revising provisions relating to court-appointed provisional directors; amending s. 607.1436, F.S.; revising provisions relating to elections to purchase instead of dissolution; amending s. 607.14401, F.S.; revising provisions relating to deposits associated with a dissolved corporation; amending s. 607.1501, F.S.; revising provisions relating to the authority of a foreign corporation to transact business in this state; creating s. 607.15015, F.S.; providing for applicability of certain laws for a foreign corporation; providing that a foreign corporation may not be denied a certificate of authority for certain reasons; specifying that a certificate of authority does not authorize a foreign corporation to take certain actions; amending s. 607.1502, F.S.; revising provisions relating to transacting business in this state without a certificate of authority; providing applicability; amending s. 607.1503, F.S.; revising provisions relating to applications for a certificate of authority; amending s. 607.1504, F.S.; revising provisions relating to amendments to certificates of authority; amending s. 607.1505, F.S.; revising provisions relating to the effect of a certificate of authority; amending s. 607.1506, F.S.; revising provisions relating to the corporate name of a foreign corporation; amending s. 607.1507, F.S.; revising provisions relating to the registered offices and registered agents of foreign corporations; providing a civil penalty; amending s. 607.1508, F.S.; revising provisions relating to changing the names of registered offices and registered agents of foreign corporations; amending s. 607.1509, F.S.; revising provisions relating to resignations of registered agents of foreign corporations; creating s. 607.15091, F.S.; revising provisions relating to name and address changes for registered agents of foreign corporations; creating s. 607.15092, F.S.; providing requirements for delivery of notice or other communication; amending s. 607.15101, F.S.; revising provisions relating to service of process, notice, or demand on a foreign corporation; amending s. 607.1520, F.S.; revising provisions relating to the withdrawal of a certificate of authority for a foreign corporation; requiring a foreign corporation to take certain actions to cancel its certificate of authority; creating s. 607.1521, F.S.; specifying that certain foreign corporations are deemed to have withdrawn their certificate of authority under certain circumstances;

creating s. 607.1522, F.S.; requiring a foreign corporation to deliver a notice of withdrawal of a certificate of authority under certain circumstances; providing for effective service of process on such foreign corporations; creating s. 607.1523, F.S.; authorizing the Department of Legal Affairs to maintain certain actions and to enjoin a foreign corporation under certain circumstances; amending s. 607.1530, F.S.; revising provisions relating to revocation of a foreign corporation's certificate of authority; repealing s. 607.1531, F.S., relating to the procedure for and effect of revocation; amending s. 607.15315, F.S.; revising provisions relating to reinstatement of a foreign corporation's certificate of authority; amending s. 607.1532, F.S.; revising provisions relating to judicial review of a denial of reinstatement; amending s. 607.1601, F.S.; revising provisions relating to the maintenance of corporate records; amending s. 607.1602, F.S.; revising provisions relating to inspection of records by shareholders; revising the definition of the term "shareholder"; amending s. 607.1603, F.S.; revising provisions relating to the scope of shareholders' inspection rights; amending s. 607.1604, F.S.; revising provisions relating to court-ordered inspections; amending s. 607.1605, F.S.; revising provisions relating to directors' inspection rights; amending s. 607.1620, F.S.; revising provisions relating to financial statements for shareholders; repealing s. 607.1621, F.S., relating to other reports to shareholders; amending s. 607.1622, F.S.; revising provisions relating to annual reports that are required to be filed with the Department of State; amending s. 607.1701, F.S.; making a technical change; revising applicability; amending s. 607.1702, F.S.; revising applicability; amending s. 607.1711, F.S.; making a technical change; repealing s. 607.1801, F.S., relating to domestication of foreign corporations; amending s. 607.1907, F.S.; revising provisions relating to savings provisions; creating s. 607.1908, F.S.; providing for severability; amending s. 607.504, F.S.; revising provisions relating to an election of social purpose corporation status; amending s. 607.604, F.S.; revising provisions relating to an election of benefit corporation status; conforming a cross-reference; amending s. 605.0102, F.S.; conforming a cross-reference; revising the definitions of the terms "private organic rules" and "public organic record"; amending s. 605.0105, F.S.; revising provisions relating to operating agreements; amending s. 605.0112, F.S.; revising provisions relating to names of limited liability companies; creating s. 605.01125, F.S.; authorizing a person to reserve the exclusive use of the name of a limited liability company; providing requirements for reserving the name; authorizing the department to revoke reservations under certain circumstances; amending s. 605.0113, F.S.; revising provisions relating to registered agents of limited liability companies; defining the term "authorized entity"; amending s. 605.0114, F.S.; revising provisions relating to changes of a registered agent or registered office; amending s. 605.0115, F.S.; requiring a registered agent to promptly mail a copy of a statement of resignation to a limited liability company's or foreign limited liability company's current mailing address; amending s. 605.0116, F.S.; making clarifying changes; amending s. 605.0117, F.S.; revising provisions relating to service of process, notice, and demand on limited liability companies and registered foreign limited liability companies; amending s. 605.0118, F.S.; conforming a provision to changes made by the act; amending s. 605.0207, F.S.; revising provisions relating to effective dates and times for records filed with the Department of State; amending s. 605.0209, F.S.; revising what a statement of correction must contain; amending s. 605.0210, F.S.; revising provisions relating to the department's refusal to file a record; amending s. 605.0211, F.S.; revising provisions relating to certificates of status for foreign limited liability companies; amending s. 605.0215, F.S.; specifying that a copy of a document filed by the department must bear the signature of the Secretary of State and the seal of this state in order to be conclusive evidence that the original document is on file with the department; amending s. 605.04092, F.S.; defining terms; revising provisions relating to conflict of interest transactions; amending s. 605.0410, F.S.; conforming a cross-reference; amending s. 605.0702, F.S.; revising provisions relating to grounds for judicial dissolution of a limited liability company; amending s. 605.0706, F.S.; revising provisions relating to an election to purchase the entire interest of a petitioner instead of dissolving the limited liability company; amending s. 605.0715, F.S.; conforming a provision to changes made by the act; requiring a dissolved limited liability company to amend its articles of incorporation to change its name under certain circumstances; amending s. 605.0716, F.S.; revising provisions relating to judicial review of denial of reinstatement; amending s. 605.0801, F.S.; providing for direct action by a member; amending ss. 605.0803 and 605.0903, F.S.; making clarifying changes; amending s. 605.0904, F.S.; revising provisions relating to a foreign limited liability company's failure to have a certificate of authority; amending s. 605.0906, F.S.;

requiring, rather than authorizing, certain foreign limited liability companies to use an alternate name to transact business in this state; amending s. 605.0907, F.S.; revising provisions relating to foreign limited liability companies' amendments to certificates of authority; amending s. 605.0908, F.S.; making technical changes; creating s. 605.09091, F.S.; providing requirements relating to the judicial review of denial of reinstatement for foreign limited liability companies; amending ss. 605.0910 and 605.0911, F.S.; revising provisions relating to the withdrawal or cancellation of a foreign limited liability company's certificate of authority; amending s. 605.0912, F.S.; revising provisions relating to a foreign limited liability company's withdrawal on the dissolution, merger, or conversion to a nonfiling entity; amending ss. 605.1025 and 605.1035, F.S.; conforming cross-references; amending s. 605.1061, F.S.; making a technical change; amending s. 605.1063, F.S.; providing requirements for when an appraisal event is required to be approved by written consent of members; amending s. 605.1072, F.S.; revising provisions relating to other remedies for a member to challenge certain completed appraisal events; providing construction; amending s. 617.0302, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; amending s. 617.0501, F.S.; revising provisions relating to registered offices and registered agents of corporations not for profit; defining the term "authorized entity"; creating s. 617.05015, F.S.; authorizing a person to reserve the exclusive use of the name of a corporation not for profit; providing requirements for such reservation; amending s. 617.0831, F.S.; conforming cross-references; amending ss. 617.1102 and 617.1108, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 617.1507, F.S.; revising provisions relating to registered offices and registered agents of foreign corporations not for profit; defining the term "authorized entity"; amending s. 620.1108, F.S.; revising provisions relating to the names of certain limited partnerships; creating s. 620.11085, F.S.; authorizing a person to reserve the exclusive use of the name of a limited partnership; providing requirements for such reservation; amending ss. 620.2104, 620.2108, and 620.8918, F.S.; conforming cross-references; amending s. 621.12, F.S.; revising provisions relating to the names of certain corporations and limited liability companies; amending s. 865.09, F.S.; prohibiting certain fictitious names from containing "PA"; amending s. 662.150, F.S.; conforming a provision to changes made by the act; conforming cross-references; amending ss. 331.355, 339.12, 628.530, 631.0515, 658.44, 663.03, 663.403, and 694.16, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 892** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1009** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 980** and **CS for SB 990** was deferred.

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**CS for SB 1164**—A bill to be entitled An act relating to postsecondary fee waivers; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions serving counties directly impacted by a hurricane to waive out-of-state fees for students for a specified time period; providing requirements; prohibiting certain students enrolled in certain Florida College System institutions who qualify for such fee waivers from being included in the enrollment totals of such institutions for a specified purpose; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1164**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 593** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Gainer—

**CS for CS for HB 593**—A bill to be entitled An act relating to postsecondary fee waivers; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions serving counties directly impacted by a hurricane to waive out-of-state fees for students for a specified time period; providing reporting requirements; providing that students enrolled under such fee waivers may not be included in certain enrollment totals; providing an effective date.

—a companion measure, was substituted for **CS for SB 1164** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 593** was placed on the calendar of Bills on Third Reading.

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**CS for SB 980**—A bill to be entitled An act relating to public records; amending s. 119.0714, F.S.; providing an exemption from public records requirements for any information that can be used to identify a petitioner or respondent in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 980**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 845** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Harrell—

**CS for HB 845**—A bill to be entitled An act relating to public records; amending s. 119.0714, F.S.; providing an exemption from public records requirements for any information that can be used to identify a petitioner or respondent in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 980** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 845** was placed on the calendar of Bills on Third Reading.

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**CS for SB 990**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; making editorial changes; prohibiting certain victims of domestic violence from being disqualified for benefits for voluntarily leaving work; prohibiting the employment record of an employing unit from being charged in certain circumstances; amending s. 443.131, F.S.; adding a circumstance under which the employment record of an employing unit may not be charged; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 990**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 563** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Rules.

On motion by Senator Gibson—

**CS for HB 563**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; making editorial changes; prohibiting certain victims of domestic violence from being disqualified for benefits for voluntarily leaving work; prohibiting the employment record of an employing unit from being charged in certain circumstances; amending s. 443.131, F.S.; adding a circumstance under which the employment record of an employing unit may not be charged; providing an effective date.

—a companion measure, was substituted for **CS for SB 990** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 563** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 1432**—A bill to be entitled An act relating to foster parents; creating s. 39.4087, F.S.; providing a short title; providing legislative intent; creating a bill of rights for foster parents; providing for mediation; requiring the Department of Children and Families to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1432**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1209** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Rules.

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

**CS for HB 1209**—A bill to be entitled An act relating to caregivers for children in out-of-home care; creating s. 39.4087, F.S.; providing legislative intent; establishing goals for the Department of Children and Families relating to caregivers; providing responsibilities of the department; providing for dispute resolution; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1432** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1209** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 1618** was deferred.

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**CS for CS for SB 1650**—A bill to be entitled An act relating to child welfare; creating s. 39.0012, F.S.; requiring the Department of Children and Families to establish a direct-support organization to assist the Children and Youth Cabinet with carrying out certain purposes and responsibilities; providing purposes and duties of the direct-support organization; providing for a board of directors; providing membership requirements; delineating contract and other governance requirements; providing for the future repeal of the direct-support organization; amending s. 39.01, F.S.; revising definitions; amending s. 39.201, F.S.; requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring the Department of Children and Families to initiate an investigation when a report is received from an emergency room physician; amending s. 39.303, F.S.; expanding the types of reports that the department must refer to Child Protection Teams; amending s. 39.4015, F.S.; revising definitions; amending s. 39.402, F.S.; requiring that the order for placement of a child in shelter care contain a written finding specifying that the Department of Children and Families has placement and care responsibility for certain children; amending s. 39.407, F.S.; authorizing certain advanced practice registered nurses to prescribe psychotropic medications to certain children; revising the time period within which a court must review a child's residential treatment plan; amending s. 39.5085, F.S.; requiring information to be provided to relatives and nonrelatives regarding the Guardianship Assistance Program and the Relative Caregiver Program; amending s. 39.5086, F.S.; deleting the term "fictive kin"; amending s. 39.6225, F.S.; revising who the department must provide guardianship assistance payments to; defining the term "relative"; revising the requirements that must be met for approval of an application for the Guardianship Assistance Program; revising when guardianship assistance benefits must be terminated; conforming provisions to changes made by the act; amending s. 39.6251, F.S.; requiring a young adult in extended foster care to provide certain documentation or authorize release of certain records; revising permanency goals for young adults in extended foster care; requiring execution of a voluntary placement agreement under certain circumstances; requiring the department to adopt rules; amending s. 39.701, F.S.; revising when a court must return a child to the custody of his or her parents after making certain determinations; requiring the court to enter certain orders if a young adult enters extended foster care; amending s. 402.56, F.S.; revising membership of the Children and Youth Cabinet; amending s. 409.1451, F.S.; authorizing certain financial awards to be disregarded when a young adult is applying for other federal assistance; amending s. 409.175, F.S.; revising definitions; revising provisions related to the licensure of family foster homes and certain child-caring and child-placing agencies; requiring the department to post certain information on its website; deleting required numbers of training hours for foster parents; amending s. 409.903, F.S.; revising eligibility for Medicaid coverage; amending s. 409.991, F.S.; revising a definition; amending s. 414.045, F.S.; revising eligibility for child-only funding; amending s. 1009.25, F.S.; revising eligibility for tuition fee exemptions; providing an effective date.



—was read the second time by title.

Pending further consideration of **CS for CS for SB 1650**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7099** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; and Appropriations.

On motion by Senator Albritton—

**CS for HB 7099**—A bill to be entitled An act relating to child welfare; amending ss. 39.01 and 39.4015, F.S.; revising definitions; amending s. 39.402, F.S.; requiring certain judicial orders to specify that the Department of Children and Families has placement and care responsibility for certain children; amending s. 39.407, F.S.; authorizing psychiatric nurses to prescribe psychotropic medications to certain children; revising the time period within which a court must review a child's residential treatment plan; amending s. 39.5085, F.S.; revising eligibility for the Relative Caregiver Program; amending s. 39.5086, F.S.; removing a definition; amending s. 39.6225, F.S.; providing a definition; providing for the termination of guardianship assistance benefits under certain circumstances; conforming provisions to changes made by the act; authorizing the department to adopt rules; amending s. 39.6251, F.S.; requiring a young adult in extended foster care to provide certain documentation or execute a consent for release of certain records; revising permanency goals for young adults in extended foster care; allowing return to care through the execution of a voluntary placement agreement; authorizing the department to adopt rules; amending s. 39.701, F.S.; revising the determinations a court must make to return a child to the custody of his or her parents; requiring the court to make certain orders when a young adult enters extended foster care; amending s. 402.56, F.S.; revising membership of the Children and Youth Cabinet; creating s. 402.57, F.S.; directing the department to establish a direct-support organization; providing responsibilities and requirements of the direct-support organization; providing for membership and term limits; providing for future repeal; amending s. 409.1451, F.S.; authorizing certain financial awards to be disregarded when applying for other federal assistance; amending s. 409.175, F.S.; revising definitions; revising provisions related to the licensure of family foster homes and certain child-caring and child-placing agencies; requiring the department to post certain information on its website; deleting required number of training hours for foster parents; amending s. 409.903, F.S.; revising eligibility for Medicaid coverage for children eligible for the Guardianship Assistance Program; amending s. 409.991, F.S.; revising a definition; amending s. 414.045, F.S.; revising eligibility for child-only funding; amending s. 1009.25, F.S.; revising eligibility for tuition and fee exemptions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1650** and read the second time by title.

Senator Albritton moved the following amendments which were adopted:

**Amendment 1 (796068) (with title amendment)**—Between lines 65 and 66 insert:

Section 2. Paragraph (d) of subsection (2) of section 39.201, Florida Statutes, is amended, and paragraph (l) is added to that subsection, to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(2)

(d) If the report is of an instance of known or suspected child abuse, abandonment, or neglect *which that* occurred out of state and the alleged perpetrator and the child alleged to be a victim live out of state, the central abuse hotline *may shall* not accept the report or call for investigation *unless the child is currently being evaluated in a medical facility in this state*.

1. *If the child is currently being evaluated in a medical facility in this state, the central abuse hotline shall accept the report or call for investigation and shall transfer the information on the report or call to the appropriate state or country.*

2. *If the child is not currently being evaluated in a medical facility in this state, the central abuse hotline, but shall transfer the information on the report to or call to the appropriate state or country.*

(l) *The department shall initiate an investigation when it receives a report from an emergency room physician.*

Section 3. Paragraph (i) is added to subsection (4) of section 39.303, Florida Statutes, to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(4) The child abuse, abandonment, and neglect reports that must be referred by the department to Child Protection Teams of the Department of Health for an assessment and other appropriate available support services as set forth in subsection (3) must include cases involving:

(i) *A child who does not live in this state who is currently being evaluated in a medical facility in this state.*

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to child welfare; amending s. 39.01, F.S.; revising the definition of the term “institutional child abuse or neglect”; amending s. 39.201, F.S.; requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring the Department of Children and Families to initiate an investigation when a report is received from an emergency room physician; amending s. 39.303, F.S.; expanding the types of reports that the department must refer to Child Protection Teams; amending s. 39.4015, F.S.; deleting the definition of the term “fictive kin”; amending s.

**Amendment 2 (765116) (with title amendment)**—Delete lines 430-492.

And the title is amended as follows:

Delete lines 11-13 and insert: residential treatment plan; amending s. 39.5086, F.S.; removing a

Pursuant to Rule 4.19, **CS for HB 7099**, as amended, was placed on the calendar of Bills on Third Reading.

**SB 7020**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.28, F.S., relating to an exemption from public meeting requirements for specified meetings of a university direct-support organization at which proposals seeking research funding or research plans are discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7020**, pursuant to Rule 3.11(3), there being no objection, **HB 7001** was withdrawn from the Committees on Education; Governmental Oversight and Accountability; and Rules.

On motion by Senator Diaz—

**HB 7001**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.28, F.S., relating to an exemption from public meeting requirements for portions of certain state university direct-support organization meetings at which a proposal seeking research funding or a plan for initiating or supporting research is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7020** and read the second time by title.

Pursuant to Rule 4.19, **HB 7001** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

CS for SB 7024—A bill to be entitled An act relating to the Department of Environmental Protection citizen support organizations; amending s. 20.2551, F.S.; requiring the department to submit a report to the Legislature by a specified date; providing requirements for the report; abrogating the scheduled repeal of provisions governing citizen support organizations established under the department; amending s. 258.015, F.S.; abrogating the scheduled repeal of provisions governing citizen support organizations established under the department for the benefit of the state park system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, CS for SB 7024 was placed on the calendar of Bills on Third Reading.

SB 7032—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 252.905, F.S., which provides an exemption from public records requirements for information furnished by a person or a business to the Division of Emergency Management for emergency planning assistance; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of SB 7032, pursuant to Rule 3.11(3), there being no objection, HB 7011 was withdrawn from the Committees on Infrastructure and Security; Governmental Oversight and Accountability; and Rules.

On motion by Senator Lee—

HB 7011—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 252.905, F.S., which provides an exemption from public record requirements for information provided to the Division of Emergency Management for the purpose of being provided assistance with emergency planning; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for SB 7032 and read the second time by title.

Pursuant to Rule 4.19, HB 7011 was placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Benacquisto, the Senate recessed at 11:55 a.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p.m. A quorum present—40:

Table with 3 columns: Mr. President, Farmer, Pizzo, Albritton, Flores, Powell, Baxley, Gainer, Rader, Bean, Gibson, Rodriguez, Benacquisto, Gruters, Rouson, Berman, Harrell, Simmons, Book, Hooper, Simpson, Bracy, Hutson, Stargel, Brandes, Lee, Stewart, Braynon, Mayfield, Taddeo, Broxson, Montford, Thurston, Cruz, Passidomo, Torres, Diaz, Perry, Wright

BILLS ON THIRD READING, continued

HB 647—A bill to be entitled An act relating to community association fire and life safety systems; creating s. 633.2225, F.S.; requiring

certain condominium or cooperative associations to post certain signs or symbols on buildings; requiring the State Fire Marshal to adopt rules governing such signs and symbols; providing for enforcement; providing penalties; amending ss. 718.112 and 719.1055, F.S.; revising provisions relating to evidence of condominium and cooperative association compliance with the fire and life safety code; revising unit and common elements required to be retrofitted; revising provisions relating to an association vote to forego retrofitting; requiring the State Fire Marshal to issue a data call to all local fire officials to collect data on certain high-rise condominiums by a specified date; specifying the data that local fire officials must submit; requiring that all data be received and compiled into a report by a specified date; requiring that the report be sent to the Governor and the Legislature by a specified date; providing an effective date.

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

RECONSIDERATION OF AMENDMENT

On motion by Senator Hooper, the Senate reconsidered the vote by which Amendment 1 (799580) was adopted April 26.

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 (799580) which was adopted by two-thirds vote:

Amendment 1A (630038) (with title amendment)—Delete lines 85-250 and insert:

(4) The procedures set forth in this section do not apply to the installation or replacement of a fire alarm system if a plans review is not required by the local enforcement agency.

(5) For repairs to an existing fire alarm system that was previously permitted by the local enforcement agency, the contractor may begin the repair upon filing the uniform fire alarm permit application with the local enforcement agency if the local enforcement agency requires fire alarm permits for repairs.

Section 2. Subsection (1) of section 633.216, Florida Statutes, is amended to read:

633.216 Inspection of buildings and equipment; orders; firesafety inspection training requirements; certification; disciplinary action.—The State Fire Marshal and her or his agents or persons authorized to enforce laws and rules of the State Fire Marshal shall, at any reasonable hour, when the State Fire Marshal has reasonable cause to believe that a violation of this chapter or s. 509.215, or a rule adopted thereunder, or a minimum firesafety code adopted by the State Fire Marshal or a local authority, may exist, inspect any and all buildings and structures which are subject to the requirements of this chapter or s. 509.215 and rules adopted thereunder. The authority to inspect shall extend to all equipment, vehicles, and chemicals which are located on or within the premises of any such building or structure.

(1) Each county, municipality, and special district that has firesafety enforcement responsibilities shall employ or contract with a firesafety inspector. Except as provided in s. 633.312(2), and (3), and (4), the firesafety inspector must conduct all firesafety inspections that are required by law. The governing body of a county, municipality, or special district that has firesafety enforcement responsibilities may provide a schedule of fees to pay only the costs of inspections conducted pursuant to this subsection and related administrative expenses. Two or more counties, municipalities, or special districts that have firesafety enforcement responsibilities may jointly employ or contract with a firesafety inspector.

Section 3. Present subsections (4) and (5) of section 633.312, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and subsection (3) of that section is amended, to read:

633.312 Inspection of fire control systems, fire hydrants, and fire protection systems.—

(3)(a) The inspecting contractor shall provide to the building owner or hydrant owner and the local authority having jurisdiction a copy of

the applicable *uniform summary* inspection report established under this chapter. *The local authority having jurisdiction may accept uniform summary inspection reports by United States mail, by hand delivery, by electronic submission, or through a third-party vendor that collects the reports on behalf of the local authority having jurisdiction.*

(b) *The State Fire Marshal shall adopt rules to implement a uniform summary inspection report and submission procedures to be used by all third-party vendors and local authorities having jurisdiction. For purposes of this section, a uniform summary inspection report must record the address where the fire protection system or hydrant is located, the company and person conducting the inspection and their license number, the date of the inspection, and the fire protection system or hydrant inspection status, including a brief summary of each deficiency, critical deficiency, noncritical deficiency, or impairment found. A contractor's detailed inspection report is not required to follow the uniform summary inspection report format. The State Fire Marshal shall establish by rule a submission procedure for each means provided under paragraph (a) by which a local authority having jurisdiction may accept uniform summary inspection reports. Each of the submission procedures must allow a contractor to attach additional documents with the submission of a uniform summary inspection report, including a physical copy of the contractor's detailed inspection report. A submission procedure may not require a contractor to submit information contained within the detailed inspection report unless the information is required to be included in the uniform summary inspection report.*

(4) The maintenance of fire hydrant and fire protection systems as well as corrective actions on deficient systems is the responsibility of the owner of the system or hydrant. Equipment requiring periodic testing or operation to ensure its maintenance shall be tested or operated as specified in the Fire Prevention Code, Life Safety Code, National Fire Protection Association standards, or as directed by the appropriate authority, provided that such appropriate authority may not require a sprinkler system not required by the Fire Prevention Code, Life Safety Code, or National Fire Protection Association standards to be removed regardless of its condition. This section does not prohibit governmental entities from inspecting and enforcing firesafety codes.

Section 4. Paragraph (1) of subsection (2) of section 718.112, Florida Statutes, is amended to read:

718.112 Bylaws.—

(2) **REQUIRED PROVISIONS.**—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(1) *Certificate of compliance.*—A provision that a certificate of compliance from a licensed electrical contractor or electrician may be accepted by the association's board as evidence of compliance of the condominium units with the applicable fire and life safety code must be included. Notwithstanding chapter 633 or of any other code, statute, ordinance, administrative rule, or regulation, or any interpretation of the foregoing, an association, residential condominium, or unit owner is not obligated to retrofit the common elements, association property, or units of a residential condominium with a fire sprinkler system in a building that has been certified for occupancy by the applicable governmental entity if the unit owners have voted to forego such retrofitting by the affirmative vote of a majority of all voting interests in the affected condominium. The local authority having jurisdiction may not require completion of retrofitting with a fire sprinkler system or *completion of installation of an engineered life safety system* before January 1, ~~2024~~ ~~2020~~. By December 31, ~~2016~~ ~~2016~~, a residential condominium association that is not in compliance with the requirements for a fire sprinkler system and *that had* ~~has~~ not voted to forego retrofitting of such a system by *December 31, 2016*, must initiate an application for a building permit for the required installation with the local government having jurisdiction demonstrating that the association will become compliant by December 31, ~~2019~~ ~~2019~~.

1. A vote to forego retrofitting may be obtained by limited proxy or by a ballot personally cast at a duly called membership meeting, or by execution of a written consent by the member, and is effective upon recording a certificate attesting to such vote in the public records of the county where the condominium is located. The association shall mail or hand deliver to each unit owner written notice at least 14 days before the membership meeting in which the vote to forego retrofitting of the required fire sprinkler system is to take place. Within 30 days after the

association's opt-out vote, notice of the results of the opt-out vote must be mailed or hand delivered to all unit owners. Evidence of compliance with this notice requirement must be made by affidavit executed by the person providing the notice and filed among the official records of the association. After notice is provided to each owner, a copy must be provided by the current owner to a new owner before closing and by a unit owner to a renter before signing a lease.

2. If there has been a previous vote to forego retrofitting, a vote to require retrofitting may be obtained at a special meeting of the unit owners called by a petition of at least 10 percent of the voting interests. Such a vote may only be called once every 3 years. Notice shall be provided as required for any regularly called meeting of the unit owners, and must state the purpose of the meeting. Electronic transmission may not be used to provide notice of a meeting called in whole or in part for this purpose.

3. As part of the information collected annually from condominiums, the division shall require condominium associations to report the membership vote and recording of a certificate under this subsection and, if retrofitting has been undertaken, the per-unit cost of such work. The division shall annually report to the Division of State Fire Marshal of the Department of Financial Services the number of condominiums that have elected to forego retrofitting.

4. Notwithstanding s. 553.509, a residential association may not be obligated to, and may forego the retrofitting of, any improvements required by s. 553.509(2) upon an affirmative vote of a majority of the voting interests in the affected condominium.

5. *This paragraph does not apply to timeshare condominium associations, which shall be governed by s. 721.24.*

And the title is amended as follows:

Delete lines 280-311 and insert: applications; providing applicability; authorizing contractors, under certain circumstances, to begin fire alarm system repairs upon filing the uniform fire alarm permit application; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.312, F.S.; authorizing local authorities having jurisdiction to accept uniform summary inspection reports of certain fire hydrants and fire protection systems by certain means; requiring the State Fire Marshal to adopt rules implementing a uniform summary inspection report and certain submission procedures; providing requirements for such uniform report and procedures; providing that such procedures may not require a contractor to submit certain information; amending s. 718.112, F.S.; extending and specifying the date before which a local authority having jurisdiction may not require a condominium to complete retrofitting with a fire sprinkler system or complete installation of an engineered life safety system, respectively; requiring certain residential condominium associations that had not voted to forego retrofitting as of a certain date to initiate a certain building permit application by a certain date; providing applicability; requiring the State

**Amendment 1 (799580)**, as amended, was adopted by two-thirds vote.

On motion by Senator Hooper, **HB 647**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz	Perry
Albritton	Farmer	Pizzo
Baxley	Flores	Powell
Bean	Gainer	Rader
Benacquisto	Gibson	Rodriguez
Berman	Gruters	Rouson
Book	Harrell	Simmons
Bracy	Hooper	Stargel
Bradley	Hutson	Stewart
Brandes	Lee	Taddeo
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Cruz	Passidomo	Wright

Nays—None

## SPECIAL ORDER CALENDAR, continued

## SENATOR BENACQUISTO PRESIDING

**SB 7044**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., relating to an exemption from public records requirements for personal identifying information of an individual who has applied for a license to carry a concealed weapon or firearm through a tax collector appointed by the Department of Agriculture and Consumer Services to receive applications and fees; abrogating the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7044**, pursuant to Rule 3.11(3), there being no objection, **HB 7059** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

On motion by Senator Perry—

**HB 7059**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., which provides an exemption from public records requirements for certain personal identifying information held by the tax collector when an individual applies for a license to carry a concealed weapon or firearm; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7044** and read the second time by title.

Pursuant to Rule 4.19, **HB 7059** was placed on the calendar of Bills on Third Reading.

**SB 7082**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to Schedule V of the controlled substances list certain drug products in their finished dosage formulations which are approved by the United States Food and Drug Administration; reenacting ss. 817.563(2), 831.31, 893.07(5)(b), and 893.13(1)(a), (2)(a), (5)(c), and (6)(d), F.S., relating to controlled substances named or described in s. 893.03, F.S.; the sale, manufacture, delivery, or possession, with intent to sell, manufacture, or deliver, of counterfeit controlled substances; required reporting of certain theft or significant loss of controlled substances; and prohibited acts and penalties relating to controlled substances, respectively, to incorporate the amendment made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7082**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7107** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Perry—

**CS for HB 7107**—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; amending the definition of “cannabis”; amending s. 893.03, F.S.; scheduling a certain drug product containing cannabidiol to Schedule V; reenacting ss. 817.563(2), 831.31, 893.07(5)(b), and 893.13(1)(a), (2)(a), (5)(c), and (6)(d), F.S., relating to controlled substances named or described in s. 893.03, F.S.; the sale, manufacture, delivery, or possession, with intent to sell, manufacture, or deliver, of counterfeit controlled substances; required reporting of certain theft or significant loss of controlled substances; and prohibited acts and penalties relating to controlled substances, respectively, to incorporate amendments made by the act; providing an effective date.

—a companion measure, was substituted for **SB 7082** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7107** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1704**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.56, F.S.; requiring the Division of Treasury to maintain, rather than turn over to the Division of Accounting and Auditing, warrants drawn by the Chief Financial Officer; specifying the timeframe during which such warrants must be maintained; making a technical change; amending ss. 497.263 and 497.266, F.S.; deleting a requirement that trust companies, where certain care and maintenance trust funds may be established, must operate pursuant to ch. 660, F.S.; amending s. 497.376, F.S.; specifying required educational credentials for certain applicants for a combination license as both funeral director and embalmer; amending s. 497.377, F.S.; specifying qualifications for certain applicants for a combination funeral director and embalmer intern license; providing application requirements; specifying limitations on and authorized actions of interns; specifying the expiration of intern licenses; authorizing the licensing authority to adopt certain rules; amending s. 497.380, F.S.; revising requirements for the supervision of licensed funeral establishments by funeral directors in charge; revising establishments a funeral director may be in charge of; revising funeral director licensing requirements for certain establishments; amending s. 497.385, F.S.; revising requirements for the supervision of licensed centralized embalming facilities; amending s. 497.452, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to be exempt from a certain preneed licensing requirement; amending s. 497.453, F.S.; specifying annual trust reporting requirements for certain preneed licensees or certain groups of preneed licensees; defining the term “Year 1” and “Year 2”; authorizing the department to adopt certain rules; amending s. 497.458, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to enter into certain revocable trust instruments; amending s. 497.459, F.S.; authorizing preneed licensees, under certain circumstances, to provide certain persons with a written notice of intent to perform under the preneed contract; specifying where such notice must be sent; providing that funds held in trust must be distributed in accordance with the contract terms if certain persons fail to respond to the notice within a certain timeframe; providing construction; amending s. 497.464, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to act as trustees for certain preneed contract purchasers; amending s. 497.604, F.S.; revising requirements for the supervision of direct disposal establishments; amending s. 497.606, F.S.; revising requirements for the supervision of cinerator facilities; creating s. 553.7921, F.S.; requiring contractors to file a uniform fire alarm permit application with local enforcement agencies under certain circumstances; requiring that such application be submitted with certain other required information; providing that the application may be submitted by certain means if signed by certain persons; specifying information required in the application; amending s. 626.022, F.S.; conforming a cross-reference; amending s. 626.025, F.S.; conforming a provision to changes made by the act; amending s. 626.175, F.S.; authorizing the department to issue nonrenewable temporary licenses authorizing the appointment of personal lines agents; deleting such authorization for industrial fire or burglary agents; revising circumstances under which the department may issue temporary licenses authorizing the appointment of life agents; specifying circumstances under which the department may issue temporary licenses authorizing the appointment of personal lines agents; prohibiting certain licensees from soliciting, negotiating, or effecting contracts of insurance; amending s. 626.207, F.S.; providing an exception from a disqualification period from licensure as an insurance representative for certain persons found guilty or pleading guilty or nolo contendere to certain felonies; authorizing the department to issue licenses on a probationary period for a certain timeframe; specifying when the probationary period ends; amending s. 626.221, F.S.; specifying that a certain exemption from an examination requirement applies to applicants for an all-lines adjuster license; amending s. 626.2815, F.S.; revising the individuals that are subject to a certain continuing education requirement; amending s. 626.321, F.S.; deleting an examination requirement for an applicant for an industrial fire insurance or burglary insurance license; providing that, beginning on a specified date, the license and appointment may be renewed, but no new or additional licenses may be issued and the license may not be reinstated; deleting an examination requirement for crop hail and multiple peril crop insurance licenses; amending s. 626.471, F.S.; authorizing an appointing entity to provide a termination notice to the appointee by e-mail; providing that the e-mail must be addressed to the appointee’s last e-mail address of record; specifying when notice by e-mail is deemed to have been given; repealing s. 626.521, F.S., relating to credit and character reports; amending s. 626.536, F.S.; deleting a re-

quirement for insurance agencies to report certain administrative actions to the department; amending s. 626.6215, F.S.; adding certain grounds for the department's discretionary refusal, suspension, or revocation of an insurance agency license; amending s. 626.729, F.S.; revising the definition of the term "industrial fire insurance" relating to burglary insurance; repealing s. 626.7355, F.S., relating to a temporary license as a customer representative pending examination; amending ss. 626.8437 and 626.844, F.S.; revising certain grounds for the denial of, suspension of, revocation of, or refusal to renew licenses or appointments of title insurance agents or agencies; amending s. 626.8732, F.S.; revising qualifications for the issuance of a nonresident public adjuster's license; amending s. 627.7015, F.S.; requiring mediators in certain property insurance claim mediations to provide a certain written report to certain parties at the conclusion of the mediation; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.218, F.S.; deleting a requirement that state-owned or state-leased buildings be identified through use of the United States National Grid Coordinate System; amending s. 633.306, F.S.; specifying requirements for components and parts of installed fire extinguishers and preengineered systems; amending s. 633.312, F.S.; specifying means by which local authorities having jurisdiction may accept inspection reports by contractors inspecting fire hydrants and fire protection systems; requiring the State Fire Marshal to adopt rules implementing a uniform summary inspection report and submission procedures; providing requirements for such report and procedures; amending s. 633.520, F.S.; authorizing the Division of State Fire Marshal to adopt certain rules establishing firefighter employer cancer prevention best practices; amending s. 648.49, F.S.; specifying that reinstatement of a bail bond agent license is contingent upon filing an application with, and approval by, the department; amending s. 717.124, F.S.; increasing the threshold amount of electronically submitted claims under which the department may use alternative identity verification methods; authorizing the department to develop and implement specified identification verification and disbursement processes for certain unclaimed property accounts; authorizing the department to develop processes for certain electronic submissions; specifying requirements for the submission of claims and recordkeeping; authorizing the department to adopt rules; providing an effective date.

—was read the second time by title.

On motion by Senator Wright, further consideration of **CS for CS for SB 1704** was deferred.

Consideration of **CS for CS for SB 642** was deferred.

On motion by Senator Simmons—

**CS for SB 1618**—A bill to be entitled An act relating to tobacco products; providing a short title; amending s. 210.095, F.S.; revising shipping documentation requirements for specified sales of tobacco products; providing criminal and noncriminal penalties; amending s. 322.056, F.S.; deleting provisions requiring driver license penalties for certain persons who commit tobacco-related offenses; amending s. 386.212, F.S.; revising the age under which it is unlawful to smoke in, on, or near school property; amending s. 569.002, F.S.; defining the terms "the minimum age for purchase" and "electronic smoking device"; redefining the term "tobacco products"; deleting exemptions relating to tobacco products for persons under a certain age who meet specified requirements related to disability of nonage, military service, emancipation by a court and release from parental care and responsibility, and acting within the scope of lawful employment with certain entities; amending s. 569.007, F.S.; conforming provisions relating to the sale of tobacco products to federal law; providing an exception to laws relating to the sale of tobacco products for establishments that prohibit persons under 21 years of age from being on the licensed premises; amending s. 569.0075, F.S.; revising the age under which the gift of tobacco products to a person by certain entities is prohibited; amending s. 569.008, F.S.; revising legislative intent to reflect that the Legislature intends to prevent the sale of certain tobacco products to persons under a specified age; eliminating the division's authority to mitigate penalties imposed against a dealer for certain violations; amending s. 569.101, F.S.; revising the age limitation that applies to the sale, delivery, bartering, furnishing, or giving of certain tobacco products; revising penalties for violations; conforming the age specified in provisions related to a complete defense for persons charged with certain violations; amending s.

569.11, F.S.; deleting provisions prohibiting persons under 18 years of age from possessing tobacco products; conforming the age specified for misrepresentation of age to unlawfully acquire tobacco products; revising the penalties for certain persons who misrepresent their age; deleting a provision requiring a person participating in community service to be considered an employee of the state for certain purposes; conforming a provision to changes made by the act; amending ss. 569.12, 569.14, and 569.19, F.S.; conforming provisions to changes made by the act; repealing s. 877.112, F.S., relating to restrictions on the sale and delivery of nicotine products and nicotine dispensing devices; 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 Simmons moved the following amendment:

**Amendment 1 (123848) (with title amendment)**—Delete lines 59-548 and insert:

Section 2. Section 163.085, Florida Statutes, is created to read:

*163.085 Preemption of the establishment of the minimum age for tobacco products, nicotine products, or nicotine dispensing devices and the regulation of marketing of such products.—*

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

(a) *"Local government" means a county, municipality, or special district.*

(b) *"Minimum age" means the lawful age to purchase or knowingly possess tobacco products, nicotine products, or nicotine dispensing devices.*

(c) *"Nicotine dispensing device" has the same meaning as in s. 877.112.*

(d) *"Nicotine product" has the same meaning as in s. 877.112.*

(e) *"Retail licensure" means any certification, registration, or license that is required for a person, firm, association, or corporation to deal, at retail, with or regarding any tobacco products.*

(f) *"Tobacco products" has the same meaning as in s. 569.002.*

(2) *PREEMPTION.—The establishment of the minimum age for the sale and delivery of tobacco products, nicotine products, or nicotine dispensing devices, and the regulation of the marketing of such products, is preempted to the state. Nothing in this section shall be construed to affect a local government's ability to require retail licensure for the sale of tobacco products.*

Section 3. Present paragraphs (b) through (f) of subsection (1) of section 210.095, Florida Statutes, are redesignated as paragraphs (a) through (e), respectively, a new paragraph (f) is added to that section, and present paragraph (a) of subsection (1), paragraph (c) of subsection (2), paragraph (a) of subsection (3), paragraph (a) of subsection (4), subsection (5), and paragraphs (a), (b), (e), and (g) of subsection (8) of that section are amended, to read:

210.095 Mail order, Internet, and remote sales of tobacco products; age verification.—

(1) For purposes of this section, the term:

(a) ~~"Adult" means an individual who is at least of the legal minimum purchase age for tobacco products.~~

(f) *"The minimum age for purchase" means 21 years of age.*

(2)

(c) A person may not make a delivery sale of tobacco products to any individual who is not ~~the minimum age for purchase~~ *an adult*.

(3) A person may not mail, ship, or otherwise deliver tobacco products in connection with an order for a delivery sale unless, before the

first delivery to the consumer, the person accepting the order for the delivery sale:

(a) Obtains from the individual submitting the order a certification that includes:

1. Reliable confirmation that the individual is *the minimum age for purchase* ~~an adult~~; and

2. A statement signed by the individual in writing and under penalty of perjury which:

- a. Certifies the address and date of birth of the individual; and
- b. Confirms that the individual wants to receive delivery sales from a tobacco company and understands that, under the laws of this state, the following actions are illegal:

- (I) Signing another individual's name to the certification;
- (II) Selling tobacco products to individuals under the legal minimum purchase age; and
- (III) Purchasing tobacco products, if the person making the purchase is under the legal minimum purchase age.

In addition to the requirements of this subsection, a person accepting an order for a delivery sale may request that a consumer provide an electronic mail address.

(4) The notice described in paragraph (3)(c) must include prominent and clearly legible statements that sales of tobacco products are:

(a) Illegal if made to individuals who are not *the minimum age for purchase* ~~adults~~.

The notice must include an explanation of how each tax has been, or is to be, paid with respect to the delivery sale.

(5) Each person who mails, ships, or otherwise delivers tobacco products in connection with an order for a delivery sale must:

(a) Include as part of the shipping documents, in a clear and conspicuous manner, the following statement: "Tobacco Products: Florida law prohibits shipping to individuals under 21 ~~18~~ years of age and requires the payment of all applicable taxes."

(b) Use a method of mailing, shipping, or delivery which obligates the delivery service to require:

1. The individual submitting the order for the delivery sale or another individual who is *the minimum age for purchase* ~~adult~~ who resides at the individual's address to sign his or her name to accept delivery of the shipping container. Proof of the legal minimum purchase age of the individual accepting delivery is required only if the individual appears to be under 27 years of age.

2. Proof that the individual is either the addressee or the individual who is *the minimum age for purchase* ~~adult~~ designated by the addressee, in the form of a valid, government-issued identification card bearing a photograph of the individual who signs to accept delivery of the shipping container.

(c) Provide to the delivery service, if such service is used, evidence of full compliance with subsection (7).

If the person accepting a purchase order for a delivery sale delivers the tobacco products without using a delivery service, the person must comply with all of the requirements of this section which apply to a delivery service. Any failure to comply with a requirement of this section constitutes a violation thereof.

(8)(a) Except as otherwise provided in this section, a violation of this section by a person other than an individual who is not *the minimum age for purchase* ~~an adult~~ is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and:

1. For a first violation of this section, the person shall be fined \$1,000 or five times the retail value of the tobacco products involved in the violation, whichever is greater.

2. For a second or subsequent violation of this section, the person shall be fined \$5,000 or five times the retail value of the tobacco products involved in the violation, whichever is greater.

(b) A person who is *the minimum age for purchase* ~~an adult~~ and knowingly submits a false certification under subsection (3) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. For each offense, the person shall be fined \$10,000 or five times the retail value of the tobacco products involved in the violation, whichever is greater.

(e) A person who, in connection with a delivery sale, delivers tobacco products on behalf of a delivery service to an individual who is not *the minimum age for purchase* ~~an adult~~ commits a misdemeanor of the third degree, punishable as provided in s. 775.082 or s. 775.083.

(g) An individual who is not *the minimum age for purchase* ~~an adult~~ and who knowingly violates any provision of this section commits a misdemeanor of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. Subsection (1) of section 386.212, Florida Statutes, is amended to read:

386.212 Smoking prohibited near school property; penalty.—

(1) It is unlawful for any person under 21 ~~18~~ years of age to smoke tobacco in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school between the hours of 6 a.m. and midnight. This section does not apply to any person occupying a moving vehicle or within a private residence.

Section 5. Present subsections (3) through (7) of section 569.002, Florida Statutes, are redesignated as subsections (4) through (8), respectively, a new subsection (3) is added to that section, and present subsection (7) is amended, to read:

569.002 Definitions.—As used in this chapter, the term:

(3) "*The minimum age for purchase*" means 21 years of age.

(8)(7) "Any person under the *minimum age of purchase* ~~18~~" does not include any person under the *minimum age of purchase* ~~18~~ who:

~~(a) Has had his or her disability of nonage removed under chapter 743;~~

(a)(b) Is in the military reserve or on active duty in the Armed Forces of the United States; or

~~(c) Is otherwise emancipated by a court of competent jurisdiction and released from parental care and responsibility; or~~

(b)(d) Is acting in his or her scope of lawful employment with an entity licensed under the provisions of chapter 210 or this chapter.

Section 6. Subsections (1) and (2) of section 569.007, Florida Statutes, are amended to read:

569.007 Sale or delivery of tobacco products; restrictions.—

(1) In order to prevent persons under *the minimum age of purchase* ~~18 years of age~~ from purchasing or receiving tobacco products, the sale or delivery of tobacco products is prohibited, except:

(a) When under the direct control or line of sight of the dealer or the dealer's agent or employee; or

(b) Sales from a vending machine are prohibited under the provisions of paragraph (1)(a) and are only permissible from a machine that is equipped with an operational lockout device which is under the control of the dealer or the dealer's agent or employee who directly regulates the sale of items through the machine by triggering the lockout device to allow the dispensing of one tobacco product. The lockout device must include a mechanism to prevent the machine from functioning if the power source for the lockout device fails or if the lockout device is disabled, and a mechanism to ensure that only one tobacco product is dispensed at a time.

(2) The provisions of subsection (1) shall not apply to an establishment that prohibits persons under ~~21~~ ~~18~~ years of age on the licensed premises.

Section 7. Section 569.0075, Florida Statutes, is amended to read:

569.0075 Gift of sample tobacco products prohibited.—The gift of sample tobacco products to any person under the *minimum age for purchase* ~~age of 18~~ by an entity licensed or permitted under the provisions of chapter 210 or this chapter, or by an employee of such entity, is prohibited and is punishable as provided in s. 569.101.

Section 8. Subsections (1), (2), and (3) of section 569.008, Florida Statutes, are amended to read:

569.008 Responsible retail tobacco products dealers; qualifications; mitigation of disciplinary penalties; diligent management and supervision; presumption.—

(1) The Legislature intends to prevent the sale of tobacco products to persons under *the minimum age for purchase* ~~18 years of age~~ and to encourage retail tobacco products dealers to comply with responsible practices in accordance with this section.

(2) To qualify as a responsible retail tobacco products dealer, the dealer must establish and implement procedures designed to ensure that the dealer's employees comply with the provisions of this chapter. The dealer must provide a training program for the dealer's employees which addresses the use and sale of tobacco products and which includes at least the following topics:

- (a) Laws covering the sale of tobacco products.
- (b) Methods of recognizing and handling customers under *the minimum age for purchase* ~~18 years of age~~.
- (c) Procedures for proper examination of identification cards in order to verify that customers are not under *the minimum age for purchase* ~~18 years of age~~.
- (d) The use of the age audit identification function on electronic point-of-sale equipment, where available.

(3) In determining penalties under s. 569.006, the division may mitigate penalties imposed against a dealer because of an employee's illegal sale of a tobacco product to a person under *the minimum age for purchase* ~~18 years of age~~ if the following conditions are met:

- (a) The dealer is qualified as a responsible dealer under this section.
- (b) The dealer provided the training program required under subsection (2) to that employee before the illegal sale occurred.
- (c) The dealer had no knowledge of that employee's violation at the time of the violation and did not direct, approve, or participate in the violation.
- (d) If the sale was made through a vending machine, the machine was equipped with an operational lock-out device.

Section 9. Section 569.101, Florida Statutes, is amended to read:

569.101 Selling, delivering, bartering, furnishing, or giving tobacco products to persons under *the minimum age for purchase* ~~18 years of age~~; criminal penalties; defense.—

(1) It is unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, to any person who is under *the minimum age for purchase* ~~18 years of age~~, any tobacco product.

(2) Any person who violates subsection (1) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, any person who violates subsection (1) for a second or subsequent time within 1 year of the first violation, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person charged with a violation of subsection (1) has a complete defense if, at the time the tobacco product was sold, delivered, bartered, furnished, or given:

(a) The buyer or recipient falsely evidenced that she or he was *the minimum age for purchase* ~~18 years of age~~ or older;

(b) The appearance of the buyer or recipient was such that a prudent person would believe the buyer or recipient to be *the minimum age for purchase* ~~18 years of age~~ or older; and

(c) Such person carefully checked a driver license or an identification card issued by this state or another state of the United States, a passport, or a United States armed services identification card presented by the buyer or recipient and acted in good faith and in reliance upon the representation and appearance of the buyer or recipient in the belief that the buyer or recipient was *the minimum age for purchase* ~~18 years of age~~ or older.

Section 10. Section 569.11, Florida Statutes, is amended to read:

569.11 Possession, misrepresenting age or military service to purchase, and purchase of tobacco products by persons under *the minimum age for purchase* ~~18 years of age~~ prohibited; penalties; jurisdiction; disposition of fines.—

(1) It is unlawful for any person under *the minimum age for purchase* ~~18 years of age~~ to knowingly possess any tobacco product. Any person under *the minimum age for purchase* ~~18 years of age~~ who violates the provisions of this subsection commits a noncriminal violation as provided in s. 775.08(3), punishable by:

- (a) For a first violation, 16 hours of community service or, instead of community service, a \$25 fine. In addition, the person must attend a school-approved anti-tobacco program, if locally available;
- (b) For a second violation within 12 weeks of the first violation, a \$25 fine; or
- (c) For a third or subsequent violation within 12 weeks of the first violation, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend or revoke the person's driver license or driving privilege, as provided in s. 322.056.

Any second or subsequent violation not within the 12-week time period after the first violation is punishable as provided for a first violation.

(2) It is unlawful for any person under *the minimum age for purchase* ~~18 years of age~~ to misrepresent his or her age or military service for the purpose of inducing a dealer or an agent or employee of the dealer to sell, give, barter, furnish, or deliver any tobacco product, or to purchase, or attempt to purchase, any tobacco product from a person or a vending machine. Any person under *the minimum age for purchase* ~~18 years of age~~ who violates a provision of this subsection commits a noncriminal violation as provided in s. 775.08(3), punishable by:

- (a) For a first violation, 16 hours of community service or, instead of community service, a \$25 fine and, in addition, the person must attend a school-approved anti-tobacco program, if available;
- (b) For a second violation within 12 weeks of the first violation, a \$25 fine; or
- (c) For a third or subsequent violation within 12 weeks of the first violation, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend or revoke the person's driver license or driving privilege, as provided in s. 322.056.

Any second or subsequent violation not within the 12-week time period after the first violation is punishable as provided for a first violation.

(3) Any person under *the minimum age for purchase* ~~18 years of age~~ cited for committing a noncriminal violation under this section must sign and accept a civil citation indicating a promise to appear before the county court or comply with the requirement for paying the fine and must attend a school-approved anti-tobacco program, if locally available. If a fine is assessed for a violation of this section, the fine must be paid within 30 days after the date of the citation or, if a court appearance is mandatory, within 30 days after the date of the hearing.

(4) A person charged with a noncriminal violation under this section must appear before the county court or comply with the requirement for paying the fine. The court, after a hearing, shall make a determination as to whether the noncriminal violation was committed. If the court finds the violation was committed, it shall impose an appropriate penalty as specified in subsection (1) or subsection (2). A person who participates in community service shall be considered an employee of the state for the purpose of chapter 440, for the duration of such service.

(5)(a) If a person under *the minimum age for purchase* ~~18 years of age~~ is found by the court to have committed a noncriminal violation under this section and that person has failed to complete community service, pay the fine as required by paragraph (1)(a) or paragraph (2)(a), or attend a school-approved anti-tobacco program, if locally available, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend the driver license or driving privilege of that person for a period of 30 consecutive days.

(b) If a person under *the minimum age for purchase* ~~18 years of age~~ is found by the court to have committed a noncriminal violation under this section and that person has failed to pay the applicable fine as required by paragraph (1)(b) or paragraph (2)(b), the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend the driver license or driving privilege of that person for a period of 45 consecutive days.

(6) Eighty percent of all civil penalties received by a county court pursuant to this section shall be remitted by the clerk of the court to the Department of Revenue for transfer to the Department of Education to provide for teacher training and for research and evaluation to reduce and prevent the use of tobacco products by children. The remaining 20 percent of civil penalties received by a county court pursuant to this section shall remain with the clerk of the county court to cover administrative costs.

Section 11. Paragraph (b) of subsection (2) and subsection (3) of section 569.12, Florida Statutes, are amended to read:

569.12 Jurisdiction; tobacco product enforcement officers or agents; enforcement.—

(2)

(b) A tobacco product enforcement officer is authorized to issue a citation to a person under the *minimum age for purchase* ~~of 18~~ when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of s. 386.212 or s. 569.11.

(3) A correctional probation officer as defined in s. 943.10(3) is authorized to issue a citation to a person under the *minimum age for purchase* ~~of 18~~ when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of s. 569.11.

Section 12. Section 569.14, Florida Statutes, is amended to read:

569.14 Posting of a sign stating that the sale of tobacco products to persons under *the minimum age for purchase* ~~18 years of age~~ is unlawful; enforcement; penalty.—

(1) A dealer that sells tobacco products shall post a clear and conspicuous sign in each place of business where such products are sold which substantially states the following:

THE SALE OF TOBACCO PRODUCTS TO PERSONS UNDER THE AGE OF 21 ~~18~~ IS AGAINST FLORIDA LAW. PROOF OF AGE IS REQUIRED FOR PURCHASE.

(2) A dealer that sells tobacco products and nicotine products or nicotine dispensing devices, as defined in s. 877.112, may use a sign that substantially states the following:

THE SALE OF TOBACCO PRODUCTS, NICOTINE PRODUCTS, OR NICOTINE DISPENSING DEVICES TO PERSONS UNDER THE AGE OF 21 ~~18~~ IS AGAINST FLORIDA LAW. PROOF OF AGE IS REQUIRED FOR PURCHASE.

A dealer that uses a sign as described in this subsection meets the signage requirements of subsection (1) and s. 877.112.

(3) The division shall make available to dealers of tobacco products signs that meet the requirements of subsection (1) or subsection (2).

(4) Any dealer that sells tobacco products shall provide at the checkout counter in a location clearly visible to the dealer or the dealer's agent or employee instructional material in a calendar format or similar format to assist in determining whether a person is of legal age to purchase tobacco products. This point of sale material must contain substantially the following language:

IF YOU WERE NOT BORN BEFORE THIS DATE

(insert date and applicable year)

YOU CANNOT ~~BE SOLD~~ BUY TOBACCO PRODUCTS.

Upon approval by the division, in lieu of a calendar a dealer may use card readers, scanners, or other electronic or automated systems that can verify whether a person is of legal age to purchase tobacco products. Failure to comply with the provisions contained in this subsection shall result in imposition of administrative penalties as provided in s. 569.006.

(5) The division, through its agents and inspectors, shall enforce this section.

(6) Any person who fails to comply with subsection (1) is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 13. Subsections (3) and (4) of section 569.19, Florida Statutes, are amended to read:

569.19 Annual report.—The division shall report annually with written findings to the Legislature and the Governor by December 31, on the progress of implementing the enforcement provisions of this chapter. This must include, but is not limited to:

(3) The number of violations for selling tobacco products to persons under *the minimum age for purchase* ~~18~~, and the results of administrative hearings on the above and related issues.

(4) The number of persons under *the minimum age for purchase* ~~18~~ cited for violations of s. 569.11 and sanctions imposed as a result of citation.

Section 14. Section 877.112, Florida Statutes, is amended to read:

877.112 Nicotine products and nicotine dispensing devices; prohibitions for *persons under 21 years of age* ~~minors~~; penalties; civil fines; signage requirements; preemption.—

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

(a) “Any person under 21 years of age” does not include any person under the age of 21 who:

1. Is in the military reserve or on active duty in the Armed Forces of the United States; or

2. Is acting in his or her scope of lawful employment with an entity that sells, manufactures, or distributes nicotine products or nicotine dispensing devices.

(b)(~~a~~) “Nicotine dispensing device” means any product that employs an electronic, chemical, or mechanical means to produce vapor from a nicotine product, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of nicotine in a solution or other form intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product.

(c)(~~b~~) “Nicotine product” means any product that contains nicotine, including liquid nicotine, that is intended for human consumption,



whether inhaled, chewed, absorbed, dissolved, or ingested by any means, but does not include a:

1. Tobacco product, as defined in s. 569.002;
2. Product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the federal Food, Drug, and Cosmetic Act; or
3. Product that contains incidental nicotine.

(d)(e) “Self-service merchandising” means the open display of nicotine products or nicotine dispensing devices, whether packaged or otherwise, for direct retail customer access and handling before purchase without the intervention or assistance of the retailer or the retailer’s owner, employee, or agent. An open display of such products and devices includes the use of an open display unit.

(2) PROHIBITIONS ON SALE TO *PERSONS UNDER 21 YEARS OF AGE MINORS*.—It is unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, to any person who is under 21 ~~18~~ years of age, any nicotine product or a nicotine dispensing device.

(3) PROHIBITIONS ON GIFTING SAMPLES TO *PERSONS UNDER 21 YEARS OF AGE MINORS*.—The gift of a sample nicotine product or nicotine dispensing device to any person under the age of 21 ~~18~~ by a retailer of nicotine products or nicotine dispensing devices, or by an employee of such retailer, is prohibited.

(4) PENALTIES.—Any person who violates subsection (2) or subsection (3) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, any person who violates subsection (2) or subsection (3) for a second or subsequent time within 1 year of the first violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) AFFIRMATIVE DEFENSES.—A person charged with a violation of subsection (2) or subsection (3) has a complete defense if, at the time the nicotine product or nicotine dispensing device was sold, delivered, bartered, furnished, or given:

- (a) The buyer or recipient falsely evidenced that she or he was 21 ~~18~~ years of age or older;
- (b) The appearance of the buyer or recipient was such that a prudent person would believe the buyer or recipient to be 21 ~~18~~ years of age or older; and
- (c) Such person carefully checked a driver license or an identification card issued by this state or another state of the United States, a passport, or a United States Armed Services identification card presented by the buyer or recipient and acted in good faith and in reliance upon the representation and appearance of the buyer or recipient in the belief that the buyer or recipient was 21 ~~18~~ years of age or older.

(6) PROHIBITIONS ON POSSESSION OF NICOTINE PRODUCTS OR NICOTINE DISPENSING DEVICES BY *PERSONS UNDER 21 YEARS OF AGE MINORS*.—It is unlawful for any person under 21 ~~18~~ years of age to knowingly possess any nicotine product or a nicotine dispensing device. Any person under 21 ~~18~~ years of age who violates this subsection commits a noncriminal violation as defined in s. 775.08(3), punishable by:

- (a) For a first violation, 16 hours of community service or, instead of community service, a \$25 fine. In addition, the person must attend a school-approved anti-tobacco and nicotine program, if locally available;
- (b) For a second violation within 12 weeks of the first violation, a \$25 fine; or
- (c) For a third or subsequent violation within 12 weeks of the first violation, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend or revoke the person’s driver license or driving privilege, as provided in s. 322.056.

Any second or subsequent violation not within the 12-week time period after the first violation is punishable as provided for a first violation.

(7) PROHIBITION ON MISREPRESENTING AGE.—It is unlawful for any person under 21 ~~18~~ years of age to misrepresent his or her age or military service for the purpose of inducing a retailer of nicotine products or nicotine dispensing devices or an agent or employee of such retailer to sell, give, barter, furnish, or deliver any nicotine product or nicotine dispensing device, or to purchase, or attempt to purchase, any nicotine product or nicotine dispensing device from a person or a vending machine. Any person under 21 ~~18~~ years of age who violates this subsection commits a noncriminal violation as defined in s. 775.08(3), punishable by:

- (a) For a first violation, 16 hours of community service or, instead of community service, a \$25 fine and, in addition, the person must attend a school-approved anti-tobacco and nicotine program, if available;
- (b) For a second violation within 12 weeks of the first violation, a \$25 fine; or
- (c) For a third or subsequent violation within 12 weeks of the first violation, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend or revoke the person’s driver license or driving privilege, as provided in s. 322.056.

Any second or subsequent violation not within the 12-week time period after the first violation is punishable as provided for a first violation.

(8) PENALTIES FOR *PERSONS UNDER 21 YEARS OF AGE MINORS*.—

(a) A person under 21 ~~18~~ years of age cited for committing a noncriminal violation under this section must sign and accept a civil citation indicating a promise to appear before the county court or comply with the requirement for paying the fine and must attend a school-approved anti-tobacco and nicotine program, if locally available. If a fine is assessed for a violation of this section, the fine must be paid within 30 days after the date of the citation or, if a court appearance is mandatory, within 30 days after the date of the hearing.

(b) A person charged with a noncriminal violation under this section must appear before the county court or comply with the requirement for paying the fine. The court, after a hearing, shall make a determination as to whether the noncriminal violation was committed. If the court finds the violation was committed, it shall impose an appropriate penalty as specified in subsection (6) or subsection (7). A person who participates in community service shall be considered an employee of the state for the purpose of chapter 440, for the duration of such service.

(c) If a person under 21 ~~18~~ years of age is found by the court to have committed a noncriminal violation under this section and that person has failed to complete community service, pay the fine as required by paragraph (6)(a) or paragraph (7)(a), or attend a school-approved anti-tobacco and nicotine program, if locally available, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend the driver license or driving privilege of that person for 30 consecutive days.

(d) If a person under 21 ~~18~~ years of age is found by the court to have committed a noncriminal violation under this section and that person has failed to pay the applicable fine as required by paragraph (6)(b) or paragraph (7)(b), the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend the driver license or driving privilege of that person for 45 consecutive days.

(9) DISTRIBUTION OF CIVIL FINES.—Eighty percent of all civil penalties received by a county court pursuant to subsections (6) and (7) shall be remitted by the clerk of the court to the Department of Revenue for transfer to the Department of Education to provide for teacher training and for research and evaluation to reduce and prevent the use of tobacco products, nicotine products, or nicotine dispensing devices by children. The remaining 20 percent of civil penalties received by a county court pursuant to this section shall remain with the clerk of the county court to cover administrative costs.

(10) SIGNAGE REQUIREMENTS FOR RETAILERS OF NICOTINE PRODUCTS AND NICOTINE DISPENSING DEVICES.—

(a) Any retailer that sells nicotine products or nicotine dispensing devices shall post a clear and conspicuous sign in each place of business where such products are sold which substantially states the following:

**THE SALE OF NICOTINE PRODUCTS OR NICOTINE DISPENSING DEVICES TO PERSONS UNDER THE AGE OF 21 IS AGAINST FLORIDA LAW. PROOF OF AGE IS REQUIRED FOR PURCHASE.**

(b) A retailer that sells nicotine products or nicotine dispensing devices shall provide at the checkout counter in a location clearly visible to the retailer or the retailer's agent or employee instructional material in a calendar format or similar format to assist in determining whether a person is of legal age to purchase nicotine products or nicotine dispensing devices. This point of sale material must contain substantially the following language:

IF YOU WERE NOT BORN BEFORE THIS DATE

(insert date and applicable year)

YOU CANNOT BUY NICOTINE PRODUCTS OR NICOTINE DISPENSING DEVICES.

In lieu of a calendar a retailer may use card readers, scanners, or other electronic or automated systems that can verify whether a person is of legal age to purchase nicotine products or nicotine dispensing devices.

**(11) SELF-SERVICE MERCHANDISING PROHIBITED.—**

(a) A retailer that sells nicotine products or nicotine dispensing devices may not sell, permit to be sold, offer for sale, or display for sale such products or devices by means of self-service merchandising.

(b) A retailer that sells nicotine products or nicotine dispensing devices may not place such products or devices in an open display unit unless the unit is located in an area that is inaccessible to customers.

(c) Paragraphs (a) and (b) do not apply to an establishment that prohibits persons under 21 years of age on the premises.

**(12) RESTRICTIONS ON SALE OR DELIVERY OF NICOTINE PRODUCTS OR NICOTINE DISPENSING DEVICES.—**

(a) In order to prevent persons under 21 years of age from purchasing or receiving nicotine products or nicotine dispensing devices, the sale or delivery of such products or devices is prohibited, except:

1. When under the direct control, or line of sight where effective control may be reasonably maintained, of the retailer of nicotine products or nicotine dispensing devices or such retailer's agent or employee; or

2. Sales from a vending machine are prohibited under subparagraph 1. and are only permissible from a machine that is equipped with an operational lockout device which is under the control of the retailer of nicotine products or nicotine dispensing devices or such retailer's agent or employee who directly regulates the sale of items through the machine by triggering the lockout device to allow the dispensing of one nicotine product or nicotine dispensing device. The lockout device must include a mechanism to prevent the machine from functioning, if the power source for the lockout device fails or if the lockout device is disabled, and a mechanism to ensure that only one nicotine product or nicotine dispensing device is dispensed at a time.

(b) Paragraph (a) does not apply to an establishment that prohibits persons under 21 years of age on the premises.

(c) A retailer of nicotine products or nicotine dispensing devices or such retailer's agent or employee may require proof of age of a purchaser of such products or devices before selling the product or device to that person.

And the title is amended as follows:

Delete lines 2-53 and insert: An act relating to tobacco and nicotine products; providing a short title; creating s. 163.085, F.S.; defining terms; preempting the establishment of the minimum age for the sale or delivery of tobacco products, nicotine products, or nicotine dispensing devices to the state; providing exceptions; amending s. 210.095, F.S.; deleting the definition of the term "adult"; defining the term "the minimum age for purchase"; conforming provisions to changes made by the act; amending s. 386.212, F.S.; revising the age under which it is unlawful to smoke in, on, or near school property; amending s. 569.002,

F.S.; defining the terms "the minimum age for purchase" and "any person under the minimum age for purchase"; replacing the term "any person under the age of 18" with "any person under the minimum age for purchase"; amending s. 569.007, F.S.; providing that it is unlawful to sell or deliver tobacco products to persons under the minimum age for purchase; providing an exception; amending s. 569.0075, F.S.; revising the age under which the gift of tobacco products to a person by certain entities is prohibited; amending s. 569.008, F.S.; revising legislative intent to reflect that the Legislature intends to prevent the sale of tobacco products to persons under a specified age; conforming provisions to changes made by the act; amending s. 569.101, F.S.; revising the age limitation that applies to the sale, delivery, bartering, furnishing, or giving of tobacco products; conforming provisions to changes made by the act; amending s. 569.11, F.S.; revising the age limitation that applies to possessing tobacco products; revising the age limitation that applies to unlawful misrepresentation of age or military service for certain purposes; conforming provisions to changes made by the act; amending ss. 569.12, 569.14, and 569.19, F.S.; conforming provisions to changes made by the act; amending s. 877.112, F.S.; defining the term "any person under 21 years of age"; revising the age limitations relating to nicotine products and nicotine dispensing devices; conforming provisions to changes made by the act; providing an

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 (123848)** which was adopted:

**Amendment 1A (137906)**—Delete lines 28-29 and insert: *nicotine dispensing devices is preempted to the state. Nothing in this*

**Amendment 1 (123848)**, as amended, was adopted.

Pursuant to Rule 4.19, **CS for SB 1618**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for SB 816**—A bill to be entitled An act relating to environmental regulation; amending s. 403.706, F.S.; requiring counties and municipalities to address the contamination of recyclable material in specified contracts; prohibiting counties and municipalities from requiring the collection or transport of contaminated recyclable material by residential recycling collectors; defining the term "residential recycling collector"; specifying required contract provisions in residential recycling collector and materials recovery facility contracts with counties and municipalities; amending s. 403.813, F.S.; prohibiting a local government from requiring from the Department of Environmental Protection further verification for certain projects; revising the types of dock and pier replacements and repairs that are exempt from such verification and certain permitting requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 816**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 771** was withdrawn from the Committees on Environment and Natural Resources; Community Affairs; and Appropriations.

On motion by Senator Perry—

**CS for CS for HB 771**—A bill to be entitled An act relating to environmental regulation; amending s. 403.706, F.S.; requiring counties and municipalities to address the contamination of recyclable material in specified contracts; prohibiting counties and municipalities from requiring the collection or transport of contaminated recyclable material by residential recycling collectors; defining the term "residential recycling collector"; specifying required contract provisions in residential recycling collector and materials recovery facility contracts with counties and municipalities; amending s. 403.813, F.S.; prohibiting a local government from requiring from the Department of Environmental Protection further verification for certain projects; revising the types of dock and pier replacements and repairs that are exempt from such verification and certain permitting requirements; creating s. 403.7034, F.S.; prohibiting local government entities from adopting or enforcing local ordinances or regulations relating to single-use plastic straws before a specified date; providing for expiration of the moratorium; re-

quiring the Office of Program Policy Analysis and Government Accountability to conduct a study of local ordinances and regulations restricting or prohibiting the use of single-use plastic straws; providing for the scope of the study; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 816** 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 Rader moved the following amendment which failed:

**Amendment 1 (633638) (with title amendment)**—Delete lines 576-585 and insert:

Section 3. *The Office of Program Policy Analysis and Government*

And the title is amended as follows:

Delete lines 18-22 and insert: permitting requirements; requiring

Pursuant to Rule 4.19, **CS for CS for HB 771** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

**CS for CS for SB 1704**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.56, F.S.; requiring the Division of Treasury to maintain, rather than turn over to the Division of Accounting and Auditing, warrants drawn by the Chief Financial Officer; specifying the timeframe during which such warrants must be maintained; making a technical change; amending ss. 497.263 and 497.266, F.S.; deleting a requirement that trust companies, where certain care and maintenance trust funds may be established, must operate pursuant to ch. 660, F.S.; amending s. 497.376, F.S.; specifying required educational credentials for certain applicants for a combination license as both funeral director and embalmer; amending s. 497.377, F.S.; specifying qualifications for certain applicants for a combination funeral director and embalmer intern license; providing application requirements; specifying limitations on and authorized actions of interns; specifying the expiration of intern licenses; authorizing the licensing authority to adopt certain rules; amending s. 497.380, F.S.; revising requirements for the supervision of licensed funeral establishments by funeral directors in charge; revising establishments a funeral director may be in charge of; revising funeral director licensing requirements for certain establishments; amending s. 497.385, F.S.; revising requirements for the supervision of licensed centralized embalming facilities; amending s. 497.452, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to be exempt from a certain preneed licensing requirement; amending s. 497.453, F.S.; specifying annual trust reporting requirements for certain preneed licensees or certain groups of preneed licensees; defining the term “Year 1” and “Year 2”; authorizing the department to adopt certain rules; amending s. 497.458, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to enter into certain revocable trust instruments; amending s. 497.459, F.S.; authorizing preneed licensees, under certain circumstances, to provide certain persons with a written notice of intent to perform under the preneed contract; specifying where such notice must be sent; providing that funds held in trust must be distributed in accordance with the contract terms if certain persons fail to respond to the notice within a certain timeframe; providing construction; amending s. 497.464, F.S.; deleting a requirement that trust companies must operate pursuant to ch. 660, F.S., to act as trustees for certain preneed contract purchasers; amending s. 497.604, F.S.; revising requirements for the supervision of direct disposal establishments; amending s. 497.606, F.S.; revising requirements for the supervision of cinerator facilities; creating s. 553.7921, F.S.; requiring contractors to file a uniform fire alarm permit application with local enforcement agencies under certain circumstances; requiring that such application be submitted with certain other required information; providing that the application may be submitted by certain means if signed by certain persons; specifying information required in the application; amending s. 626.022, F.S.; conforming a

cross-reference; amending s. 626.025, F.S.; conforming a provision to changes made by the act; amending s. 626.175, F.S.; authorizing the department to issue nonrenewable temporary licenses authorizing the appointment of personal lines agents; deleting such authorization for industrial fire or burglary agents; revising circumstances under which the department may issue temporary licenses authorizing the appointment of life agents; specifying circumstances under which the department may issue temporary licenses authorizing the appointment of personal lines agents; prohibiting certain licensees from soliciting, negotiating, or effecting contracts of insurance; amending s. 626.207, F.S.; providing an exception from a disqualification period from licensure as an insurance representative for certain persons found guilty or pleading guilty or nolo contendere to certain felonies; authorizing the department to issue licenses on a probationary period for a certain timeframe; specifying when the probationary period ends; amending s. 626.221, F.S.; specifying that a certain exemption from an examination requirement applies to applicants for an all-lines adjuster license; amending s. 626.2815, F.S.; revising the individuals that are subject to a certain continuing education requirement; amending s. 626.321, F.S.; deleting an examination requirement for an applicant for an industrial fire insurance or burglary insurance license; providing that, beginning on a specified date, the license and appointment may be renewed, but no new or additional licenses may be issued and the license may not be reinstated; deleting an examination requirement for crop hail and multiple peril crop insurance licenses; amending s. 626.471, F.S.; authorizing an appointing entity to provide a termination notice to the appointee by e-mail; providing that the e-mail must be addressed to the appointee’s last e-mail address of record; specifying when notice by e-mail is deemed to have been given; repealing s. 626.521, F.S., relating to credit and character reports; amending s. 626.536, F.S.; deleting a requirement for insurance agencies to report certain administrative actions to the department; amending s. 626.6215, F.S.; adding certain grounds for the department’s discretionary refusal, suspension, or revocation of an insurance agency license; amending s. 626.729, F.S.; revising the definition of the term “industrial fire insurance” relating to burglary insurance; repealing s. 626.7355, F.S., relating to a temporary license as a customer representative pending examination; amending ss. 626.8437 and 626.844, F.S.; revising certain grounds for the denial of, suspension of, revocation of, or refusal to renew licenses or appointments of title insurance agents or agencies; amending s. 626.8732, F.S.; revising qualifications for the issuance of a nonresident public adjuster’s license; amending s. 627.7015, F.S.; requiring mediators in certain property insurance claim mediations to provide a certain written report to certain parties at the conclusion of the mediation; amending s. 633.216, F.S.; conforming a cross-reference; amending s. 633.218, F.S.; deleting a requirement that state-owned or state-leased buildings be identified through use of the United States National Grid Coordinate System; amending s. 633.306, F.S.; specifying requirements for components and parts of installed fire extinguishers and preengineered systems; amending s. 633.312, F.S.; specifying means by which local authorities having jurisdiction may accept inspection reports by contractors inspecting fire hydrants and fire protection systems; requiring the State Fire Marshal to adopt rules implementing a uniform summary inspection report and submission procedures; providing requirements for such report and procedures; amending s. 633.520, F.S.; authorizing the Division of State Fire Marshal to adopt certain rules establishing firefighter employer cancer prevention best practices; amending s. 648.49, F.S.; specifying that reinstatement of a bail bond agent license is contingent upon filing an application with, and approval by, the department; amending s. 717.124, F.S.; increasing the threshold amount of electronically submitted claims under which the department may use alternative identity verification methods; authorizing the department to develop and implement specified identification verification and disbursement processes for certain unclaimed property accounts; authorizing the department to develop processes for certain electronic submissions; specifying requirements for the submission of claims and recordkeeping; authorizing the department to adopt rules; providing an effective date.

—which was previously considered this day.

Pending further consideration of **CS for CS for SB 1704**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1393** was withdrawn from the Committees on Banking and Insurance; Innovation, Industry, and Technology; and Rules.

On motion by Senator Wright—

**CS for CS for CS for HB 1393**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.56, F.S.; requiring the Division of Treasury to maintain certain warrants rather than turning them over to the Division of Accounting and Auditing; amending s. 497.263, F.S.; revising the requirements for cemetery companies licenses; amending s. 497.266, F.S.; conforming provisions to changes made by the act; amending s. 497.376, F.S.; providing requirements for a combination license as funeral director and embalmer; amending s. 497.377, F.S.; revising the requirements for combination funeral director and embalmer internships; amending s. 497.380, F.S.; revising the requirements for a funeral establishment and the requirements and responsibilities of a funeral director in charge; amending s. 497.385, F.S.; revising the requirements for a licensed embalming facility; amending s. 497.452, F.S.; revising the applicability of specified provisions related to cemeteries; amending s. 497.453, F.S.; providing reporting requirements for certain preneed licensees; amending s. 497.458, F.S.; revising the requirements for the disposition of proceeds received on preneed contracts; amending s. 497.459, F.S.; requiring preneed licensees, under certain circumstances, to provide certain persons with a written notice of intent to distribute funds under the preneed contract; specifying how and where such notice must be sent; providing that funds held in trust must be distributed in accordance with the contract terms if certain persons fail to respond to the notice within a certain timeframe; providing construction; providing rulemaking authority; amending s. 497.464, F.S.; revising the requirements of certain preneed contracts; amending s. 497.604, F.S.; revising the requirements for a direct disposal establishment; amending s. 497.606, F.S.; revising the requirements for a cinerator facility; creating s. 553.7921, F.S.; requiring a contractor to file a fire alarm permit application and receive the permit under certain circumstances; providing requirements for the application; amending s. 626.175, F.S.; revising the requirements for a specified nonrenewable temporary license; revising the types of nonrenewable temporary licenses issued by the Department of Financial Services; amending s. 626.207, F.S.; authorizing disqualified persons meeting specified requirements to reapply for licensure; amending s. 626.221, F.S.; revising the language relating to an exemption from examination for specified license applicants under certain circumstances; amending s. 626.2815, F.S.; deleting provisions requiring certain licensed customer representatives and insurance agents to complete continuation education courses; amending s. 626.321, F.S.; revising the requirements for certain lines insurance licenses; prohibiting issuance or reinstatement of certain lines insurance licenses beginning on a specified date; amending s. 626.471, F.S.; revising the method of delivery of certain notice; amending s. 626.536, F.S.; deleting provisions relating to reporting administrative actions taken against an insurance agency; amending s. 626.6215, F.S.; providing additional grounds for which the department may take specified action against the license of an insurance agency; amending s. 626.729, F.S.; redefining the term “industrial fire insurance”; amending ss. 626.8437 and 626.844, F.S.; specifying grounds for certain administrative actions against licenses or appointments of specified insurance agents or agencies; amending s. 626.8732, F.S.; revising the requirements for nonresident public adjuster’s licenses; amending s. 627.7015, F.S.; requiring mediators to report mediation settlements and settlement amounts to all parties at the close of mediation; amending s. 627.715, F.S.; revising the date on which a surplus lines agent may export a contract or endorsement providing flood coverage to an eligible surplus lines insurer under certain circumstances; amending s. 627.748, F.S.; defining the term “luxury ground transportation network company” or “luxury ground TNC”; authorizing a luxury ground transportation network company to elect to be regulated as a transportation network company; requiring such luxury ground transportation network company to comply with certain requirements; providing that certain provisions apply to such luxury ground transportation network company to a specified extent; amending s. 633.218, F.S.; deleting a provision that requires the identification of specified buildings or space for firesafety purposes; amending s. 633.306, F.S.; providing standards for fire equipment installation; amending s. 633.312, F.S.; specifying the delivery methods of a firesafety inspection report; requiring the State Fire Marshal to adopt rules; amending s. 633.520, F.S.; requiring the Division of State Fire Marshal to adopt rules to establish cancer prevention best practices; amending s. 648.49, F.S.; requiring the department to meet certain requirements when suspending a person’s eligibility to apply for a license or appointment; revising methods for reinstatement of a license, an appointment, or certain eligibility;

amending s. 717.124, F.S.; providing disbursement processes for unclaimed property claims; providing rulemaking authority; repealing ss. 626.521 and 626.7355, F.S., relating to credit and character reports and to a temporary license as customer representative pending examination, respectively; amending ss. 626.022, 626.025, and 633.216, F.S.; conforming cross-references; providing legislative findings; establishing the Florida Blockchain Task Force within the department; requiring the task force to develop a specified master plan; specifying the composition of the task force; specifying duties and procedures of the task force; providing that task force members shall serve without compensation and are not entitled to certain reimbursement; requiring the task force to submit a specified report to the Governor and the Legislature and to make presentations; providing that the task force is entitled to assistance and services of state governmental entities; requiring the department to provide support staff and other assistance to the task force; providing for termination of the task force; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1704** and read the second time by title.

Senator Baxley moved the following amendment which was adopted:

**Amendment 1 (701988)**—Delete lines 275-506 and insert:  
*licenses, may serve as a funeral director in charge for not more than a total of two of the following: funeral establishments, centralized embalming facilities, direct disposal establishments, or cinerator facilities, as long as the two locations are not more than 75 miles apart as measured in a straight line* ~~The full-time funeral director in charge must have an active license and may not be the full-time funeral director in charge of any other funeral establishment or of any other direct disposal establishment. Effective October 1, 2010, The full-time funeral director in charge must hold an active, valid funeral director license and an active, valid embalmer license, or combination license as a funeral director and an embalmer. However, a funeral director may serve as funeral director in charge without an embalmer license or combination license if the establishment does not have an embalming room on site or may continue as the full-time funeral director in charge without an embalmer or combination license if, as of September 30, 2010:~~

(a) The funeral establishment and the funeral director both have active, valid licenses.

(b) The funeral director is currently the full-time funeral director in charge of the funeral establishment.

(c) The name of the funeral director was included, as required in subsection (4), in the funeral establishment’s most recent application for issuance or renewal of its license or was included in the establishment’s report of change provided under paragraph (12)(c).

Section 7. Paragraph (b) of subsection (2) of section 497.385, Florida Statutes, is amended to read:

497.385 Removal services; refrigeration facilities; centralized embalming facilities.—In order to ensure that the removal, refrigeration, and embalming of all dead human bodies is conducted in a manner that properly protects the public’s health and safety, the licensing authority shall adopt rules to provide for the licensure of removal services, refrigeration facilities, and centralized embalming facilities operated independently of funeral establishments, direct disposal establishments, and cinerator facilities.

(2) **CENTRALIZED EMBALMING FACILITIES.**—In order to ensure that all funeral establishments have access to embalming facilities that comply with all applicable health and safety requirements, the licensing authority shall adopt rules to provide for the licensure and operation of centralized embalming facilities and shall require, at a minimum, the following:

(b) Each licensed centralized embalming facility shall have at least one ~~full-time~~ embalmer in charge. ~~The full-time embalmer in charge must have an active, valid embalmer license or combination license as a funeral director and embalmer and may not be the full-time embalmer in charge, full-time funeral director in charge, or full-time direct disposer in charge of any other establishment licensed under this chapter. A funeral director in charge, with appropriate, active licenses, may serve as a funeral director in charge for not more than a total of two of the following: funeral establishments, centralized embalming facilities, di-~~

rect disposal establishments, or cinerator facilities, as long as the two locations are not more than 75 miles apart as measured in a straight line.

Section 8. Paragraph (b) of subsection (2) of section 497.452, Florida Statutes, is amended, and paragraph (a) of that subsection is republished, to read:

497.452 Preneed license required.—

(2)(a) No person may receive any funds for payment on a preneed contract who does not hold a valid preneed license.

(b) ~~The provisions of Paragraph (a) does do~~ not apply to a trust company operating pursuant to chapter 660, to a national or state bank holding trust powers, or to a federal or state savings and loan association having trust powers which company, bank, or association receives any money in trust pursuant to the sale of a preneed contract.

Section 9. Subsection (8) of section 497.453, Florida Statutes, is amended to read:

497.453 Application for preneed license, procedures and criteria; renewal; reports.—

(8) ANNUAL TRUST REPORTS.—

(a) On or before April 1 of each year, the preneed licensee shall file in the form prescribed by rule a full and true statement as to the activities of any trust established by it pursuant to this part for the preceding calendar year.

(b) Any preneed licensee or group of preneed licensees under common control that in aggregate sold in this state 15,000 or more preneed contracts in the preceding year shall additionally comply with this paragraph.

1. As to each year, which is referred to in this paragraph as “Year 1,” in which any preneed licensee or group of preneed licensees under common control in aggregate sell in this state 15,000 or more preneed contracts, the licensee or licensees shall, during the following year, which is referred to in this paragraph as “Year 2”:

a. Prepare in regard to each such licensee a report of preneed operations in this state in Year 1, on a form prescribed by department rule;

b. Cause and pay for the report to be audited by an independent certified public accounting firm concerning the accuracy and fairness of the presentation of the data provided in the report; and

c. By December 31 of Year 2, provide the report to the division, along with a written and signed opinion of the certified public accounting firm concerning the accuracy and fairness of the presentation of the data reported in the report.

2. The report required under subparagraph 1. shall be prepared and submitted using forms and procedures specified by department rule. The department may adopt rules specifying the format of, and procedures for, the report and the information to be included in the report.

Section 10. Paragraph (c) of subsection (1) of section 497.458, Florida Statutes, is amended to read:

497.458 Disposition of proceeds received on contracts.—

(1)

(c) Such deposits shall be made within 30 days after the end of the calendar month in which payment is received, under the terms of a revocable trust instrument entered into with a trust company ~~operating pursuant to chapter 660~~, with a national or state bank holding trust powers, or with a federal or state savings and loan association holding trust powers.

Section 11. Subsection (7) is added to section 497.459, Florida Statutes, to read:

497.459 Cancellation of, or default on, preneed contracts; required notice.—

(7) NOTICE TO PURCHASER OR LEGALLY AUTHORIZED PERSON.—

(a) To ensure the performance of unfulfilled preneed contracts, upon the occurrence of the earliest of any of the following events, a preneed licensee shall provide to the purchaser or to the beneficiary's legally authorized person written notice of the preneed licensee's intent to distribute funds in accordance with the terms of the preneed contract, if any obligation of the preneed licensee remains to be fulfilled under the contract:

1. Fifty years after the date of execution of the preneed contract by the purchaser.

2. The beneficiary of the preneed contract attains the age of 105 years of age or older.

3. The social security number of the beneficiary of the preneed contract, as shown on the contract, is contained within the United States Social Security Administration Death Master File.

(b)1. The notice in paragraph (a) must be provided by certified mail, registered mail, or permitted delivery service, return receipt requested, to the last known mailing address of the purchaser or the beneficiary's legally authorized person, whichever is applicable, as provided to the preneed licensee. If the notice is returned as undeliverable within 30 calendar days after the preneed licensee sent the notice, the trustee shall perform a diligent search and inquiry to obtain a different address for the purchaser or the beneficiary's legally authorized person, whichever is applicable. For purposes of this subparagraph, any address known and used by the purchaser or the beneficiary's legally authorized person, whichever is applicable, for sending regular mailings or other communications from the purchaser or the beneficiary's legally authorized person, whichever is applicable, to the preneed licensee or any address produced through a current address service or searchable database shall be included with other addresses produced from the diligent search and inquiry, if any. If the trustee's diligent search and inquiry produces an address different from the notice address, the trustee shall mail a copy of the notice by certified mail, registered mail, or permitted delivery service, return receipt requested, to any and all addresses produced as a result of the diligent search and inquiry.

2. If the purchaser or the beneficiary's legally authorized person, whichever is applicable, fails to respond to such notice within 120 days after delivery of the last mailed notice under subparagraph 1., the funds held in trust must be distributed in accordance with the terms of the preneed contract, the trust agreement, and any applicable provisions of chapter 717.

(c) This subsection does not affect a purchaser's rights to cancel the preneed contract and receive a refund or a preneed licensee's obligations to refund established by this chapter.

(d) The licensing authority shall have authority to adopt rules for the review and approval of notice forms used by preneed licensees to provide notice under this subsection.

Section 12. Subsection (2) of section 497.464, Florida Statutes, is amended to read:

497.464 Alternative preneed contracts.—

(2) The contract must require that a trust be established by the preneed licensee on behalf of, and for the use, benefit, and protection of, the purchaser and that the trustee must be a trust company ~~operating pursuant to chapter 660~~, a national or state bank holding trust powers, or a federal or state savings and loan association holding trust powers.

Section 13. Subsection (8) of section 497.604, Florida Statutes, is amended to read:

497.604 Direct disposal establishments, license required; licensing procedures and criteria; license renewal; regulation; display of license.—

(8) SUPERVISION OF FACILITIES.—

(a) ~~Effective October 1, 2010~~, Each direct disposal establishment shall have a ~~one full time licensed~~ funeral director acting as the direct

~~disposer~~ in charge, *subject to s. 497.380(7)*. However, a licensed direct disposer may continue acting as the direct disposer in charge; if, as of September 30, 2010:

1. The direct disposal establishment and the licensed direct disposer both have active, valid licenses.

2. The licensed direct disposer is currently acting as the direct disposer in charge of the direct disposal establishment.

3. The name of the licensed direct disposer was included, as required in paragraph (2)(c), in the direct disposal establishment's most recent application for issuance or renewal of its license or was included in the establishment's notice of change provided under subsection (7).

(b) The ~~licensed~~ funeral director *in charge* or ~~licensed~~ direct disposer in charge of a direct disposal establishment must be reasonably available to the public during normal business hours for the establishment ~~and may be in charge of only one direct disposal establishment~~. The ~~licensed~~ funeral director *in charge* or ~~licensed~~ direct disposer in charge of the establishment is responsible for making sure the facility, its operations, and all persons employed in the facility comply with all applicable state and federal laws and rules. *A funeral director in charge, with appropriate, active licenses, may serve as a funeral director in charge for not more than a total of two of the following: funeral establishments, centralized embalming facilities, direct disposal establishments, or cinerator facilities, as long as the two locations are not more than 75 miles apart as measured in a straight line.*

Section 14. Subsection (8) of section 497.606, Florida Statutes, is amended to read:

497.606 Cinerator facility, licensure required; licensing procedures and criteria; license renewal; regulation.—

(8) SUPERVISION OF FACILITIES.—Each cinerator facility shall have ~~a one full-time licensed~~ direct disposer *in charge* or ~~a licensed~~ funeral director in charge for that facility. ~~Such person may be in charge of only one facility~~. Such ~~licensed~~ funeral director *in charge* or ~~licensed~~ direct disposer *in charge* shall be responsible for making sure the facility, its operations, and all persons employed in the facility comply with all applicable state and federal laws and rules. *A funeral director in charge, with appropriate, active licenses, may serve as a funeral director in charge for not more than a total of two of the following: funeral establishments, centralized embalming facilities, direct disposal establishments, or cinerator facilities, as long as the two locations are not more than 75 miles apart as measured*

Senator Wright moved the following amendment which was adopted:

**Amendment 2 (697136) (with title amendment)**—Delete lines 920-967.

And the title is amended as follows:

Delete lines 76-88 and insert: mediation;

Senator Gruters moved the following amendment which was adopted:

**Amendment 3 (141036)**—Delete lines 1308-1323 and insert:

(b) *The task force shall consist of 13 members. Membership shall be as follows:*

1. *Three agency heads or executive directors of cabinet agencies, or their designees, appointed by the Governor.*

2. *Four members of the public or private sector with knowledge and experience in blockchain technology, appointed by the Governor.*

3. *Three members from the public or private sector with knowledge and experience in blockchain technology, appointed by the Chief Financial Officer.*

4. *One member from the private sector with knowledge and experience in blockchain technology, appointed by the President of the Senate.*

5. *One member from the private sector with knowledge and experience in blockchain technology, appointed by the Speaker of the House of Representatives.*

6. *One certified public accountant licensed pursuant to chapter 473 with knowledge and experience in blockchain technology, appointed by the Governor.*

Pursuant to Rule 4.19, **CS for CS for CS for HB 1393**, as amended, was placed on the calendar of Bills on Third Reading.

## THE PRESIDENT PRESIDING

### SPECIAL RECOGNITION

Senator Gibson recognized Senator Farmer who celebrated his birthday this day.

## MOTIONS

On motion by Senator Benacquisto, 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 Tuesday, April 30, 2019.

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

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Monday, April 29, 2019: CS for CS for SB 92, CS for CS for SB 302, CS for CS for SB 464, CS for CS for SB 536, CS for SB 630, CS for SB 718, CS for CS for SB 722, CS for SB 728, CS for CS for SB 772, CS for SB 816, CS for CS for SB 892, CS for SB 980, CS for SB 990, CS for SB 1164, CS for CS for SB 1432, CS for SB 1618, CS for CS for SB 1650, SB 7020, CS for SB 7024, SB 7032, SB 7044, SB 7082.

Respectfully submitted,  
Lizbeth Benacquisto, Rules Chair  
Kathleen Passidomo, Majority Leader  
Audrey Gibson, Minority Leader

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 189, as amended, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Education Committee, Higher Education Appropriations Subcommittee, PreK-12 Innovation Subcommittee and Representative(s) Zika, Valdes, Altman, Andrade, Duggan, Mariano, McClure, Sabatini—

**CS for CS for CS for HB 189**—A bill to be entitled An act relating to postsecondary education for secondary students; amending s. 1007.27, F.S.; establishing reporting requirements for postsecondary institutions participating in dual enrollment programs; amending s. 1007.271, F.S.; prohibiting district school boards and Florida College System institutions from limiting participation in dual enrollment programs; providing an exemption from such prohibition; requiring a certain statement to include specified postsecondary course information; requiring, rather than authorizing, instructional materials to be made available to certain dual enrollment students free of charge; providing additional funding to certain public postsecondary institutions that provide dual enrollment courses using technology; requiring the inclusion of provi-

sions relating to the establishment of early college programs in an articulation agreement; requiring private school articulation agreements to prohibit certain costs from being passed along to private school students and private schools; amending s. 1007.273, F.S.; providing additional options for students participating in an early college program; revising the requirements for an early college program; prohibiting certain entities from limiting the number of students who may participate in an early college program; revising early college program student performance contract requirements; requiring each district school board to post specified information on its website about the early college program; authorizing a charter school or a private school to establish an early college program; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; and Appropriations.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 253 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Children, Families & Seniors Subcommittee and Representative(s) Gottlieb, Newton, Casello, Cortes, J., Duran, Eskamani, Fernandez-Barquin, Geller, Good, Hattersley, Hogan Johnson, Killebrew, LaMarca, Omphroy, Polo, Polsky, Silvers, Smith, C., Smith, D., Webb, Williams—

**CS for HB 253**—A bill to be entitled An act relating to the Independent Living Task Force; creating s. 420.5075, F.S.; establishing the Independent Living Task Force within the Florida Housing Finance Corporation; providing for duties, membership, and meetings of the task force; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for expiration of the task force; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Rules.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 533, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Oversight, Transparency & Public Management Subcommittee and Representative(s) Payne—

**CS for HB 533**—A bill to be entitled An act relating to the disposition of surplus funds by candidates; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1203 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Gregory—

**CS for HB 1203**—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.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1249 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Health & Human Services Committee, Oversight, Transparency & Public Management Subcommittee and Representative(s) Overdorf, Roach—

**CS for CS for HB 1249**—A bill to be entitled An act relating to public records; amending s. 409.175, F.S.; providing an exemption from public records requirements for certain identifying information of certain foster parent applicants and licensed foster parents, and the spouses, minor children, and other adult household members thereof; providing for retroactive application of the exemption; providing an exception to the exemption under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Rules.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1299, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee, State Affairs Committee, Business & Professions Subcommittee and Representative(s) Roach—

**CS for CS for CS for HB 1299**—A bill to be entitled An act relating to governmental powers; amending s. 163.31801, F.S.; prohibiting a local governmental entity from authorizing its district school board's impact fee under certain circumstances; amending s. 166.045, F.S.; prohibiting a municipality from purchasing specified real properties under certain circumstances; amending s. 171.042, F.S.; prohibiting a municipality from annexing specified areas under certain circumstances; amending s. 210.03, F.S.; prohibiting a municipality from levying or collecting specified taxes on certain products and devices after a specified date; creating s. 210.305, F.S.; prohibiting a municipality from levying or collecting specified taxes on certain products and devices after a specified date; amending s. 252.363, F.S.; revising the circumstances under which a state of emergency declaration tolls and extends the remaining period for certain permits and authorizations; amending s. 400.23, F.S.; prohibiting a municipality, county, or other local governmental entity from imposing additional requirements for maximum fuel supply or safe temperature and cooling requirements related to the comprehensive emergency management plan of nursing homes and related care facilities; creating s. 403.7034, F.S.; providing definitions; preempting the regulation of single-use plastic straws to the state; amending s. 429.41, F.S.; requiring the comprehensive emergency management plan of assisted living facilities to address the facilities' ability to maintain indoor air temperatures within specified temperatures under certain circumstances; authorizing assisted living facilities to exceed minimum square footage requirements under certain circumstances; specifying that the county has review and approval authority over the comprehensive emergency management plan; specifying submittal timeframe for the plan; extending the compliance deadline to a specified date; providing facility requirements in a declared state of emergency under certain circumstances; prohibiting a municipality, county, or other local governmental entity from imposing additional requirements for maximum fuel supply or safe temperature and cooling requirements related to the comprehensive emergency management plan of assisted care communities; amending s. 499.002,

F.S.; preempting the regulation of over-the-counter proprietary drugs and cosmetics to the state; amending s. 526.143, F.S.; preempting the establishment of the requirements for alternate generated power sources to the state and to the Division of Emergency Management; amending s. 569.008, F.S.; revising the legislative intent; revising the training program requirements for the tobacco products dealer's employees; revising the model training program developed by the Division of Alcoholic Beverages and Tobacco; preempting the establishment of the minimum age for the sale, purchase, or delivery of tobacco products, nicotine products, and nicotine dispensing devices to the state; preempting the regulation of the marketing of such products and devices to the state; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Rules.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1349, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Health & Human Services Committee, Health Market Reform Subcommittee and Representative(s) Good—

**CS for CS for HB 1349**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.02, F.S.; revising and providing definitions; amending s. 429.07, F.S.; conforming a cross-reference; amending s. 429.11, F.S.; prohibiting a county or municipality from issuing a business tax receipt, rather than an occupational license, to an assisted living facility under certain circumstances; amending s. 429.176, F.S.; revising administrative notice of change as it relates to educational requirements; amending s. 429.23, F.S.; requiring a facility to initiate an investigation of an adverse incident and provide a report of such investigation to the Agency for Health Care Administration within specified timeframes; revising requirements for monthly liability claim report; amending s. 429.255, F.S.; authorizing a facility resident or other persons to contract with a third party under certain circumstances; providing third party reporting requirements; amending s. 429.256, F.S.; revising types of medications that may be self-administered; amending acts which are considered assistance with self-administration of medication; amending s. 429.26, F.S.; including medical examinations within criteria used for admission to an assisted living facility; providing specified criteria for determinations of appropriateness for admission and continued residency at an assisted living facility; defining the term "bedridden"; requiring that a resident receive a medical examination within a specified timeframe after admission to a facility; requiring that such examination be recorded on a specified form; providing minimum requirements for such form; revising provisions relating to the placement of residents by the Department of Elderly Affairs or the Department of Children and Families; requiring a facility to notify a resident's representative or designee of the need for health care services and requiring the facility to assist with the arrangement of such services under certain circumstances; removing provisions relating to the retention of certain residents in a facility; amending s. 429.28, F.S.; revising residents' rights relating to a safe and secure living environment; providing specified notice requirements for relocation; amending s. 429.41, F.S.; revising legislative intent; removing provisions relating to firesafety requirements; removing an obsolete provision; requiring, rather than authorizing, the Agency for Health Care Administration to use an abbreviated biennial standard licensure inspection; revising the criteria under which a facility must be fully inspected; revising provisions requiring the agency to develop key quality-of-care standards; deleting requirement relating to submission of proposed rules to the legislature; creating s. 429.435, F.S.; providing uniform firesafety standards and requirements for assisted living facilities; amending s. 429.52, F.S.; revising provisions relating to facility staff training requirements; requiring the Department of Elderly Affairs to establish core training requirements for facility administrators; providing a minimum required score for passage of the core competency test; revising the training and continuing education requirements for

facility staff assisting residents with the self-administration of medications; revising provisions relating to the responsibilities of the Department of Elderly Affairs and the Agency for Health Care Administration regarding training; requiring the Department of Elderly Affairs to contract with another entity to administer the competency test; requiring the department to adopt a curriculum outline to be used by core trainers; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7125 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Appropriations Committee, Judiciary Committee and Representative(s) Renner, Daniels, Beltran, Donalds, Hart, McClain, Pritchett, Roth, Sirois, Valdes, Williams—

**CS for HB 7125**—A bill to be entitled An act relating to public safety; amending s. 16.555, F.S.; providing for reallocation of unencumbered funds returned to the Crime Stoppers Trust Fund; specifying permissible uses for funds awarded to counties from the trust fund; creating s. 16.557, F.S.; providing definitions; providing criminal penalties for disclosure of privileged communications or protected information or information concerning such communications or information; providing exceptions; amending s. 212.15, F.S.; increasing threshold amounts for certain theft offenses; amending s. 322.01, F.S.; providing a definition; amending s. 322.055, F.S.; reducing the length of driver license revocation for possession or sale of, trafficking in, or conspiracy to possess, sell, or traffic in a controlled substance; deleting provisions authorizing a driver to petition the Department of Highway Safety and Motor Vehicles for restoration of his or her driving privilege; amending s. 322.056, F.S.; reducing the period for revocation or suspension of, or delay of eligibility for, driver licenses or driving privileges for certain persons found guilty of certain drug offenses; deleting requirements relating to the revocation or suspension of, or delay of eligibility for, driver licenses or driving privileges for certain persons found guilty of certain alcohol or tobacco offenses; deleting provisions authorizing a driver to petition the Department of Highway Safety and Motor Vehicles for restoration of his or her driving privilege; repealing s. 322.057, F.S., relating to discretionary revocation or suspension of a driver license for certain persons who provide alcohol to persons under a specified age; amending s. 322.24, F.S.; extending penalties to a person who was never issued a driver license; creating s. 322.75, F.S.; requiring each clerk of court to establish a Driver License Reinstatement Days program for reinstating suspended driver licenses in certain circumstances; providing duties of the clerks of the circuit courts and the Department of Highway Safety and Motor Vehicles; authorizing such clerks to compromise on or waive certain fees and costs; providing eligibility requirements; amending s. 394.47891, F.S.; revising the list of individuals who, if charged or convicted of certain criminal offenses, may participate in a Military Veterans and Servicemembers Court Program under certain circumstances; amending s. 394.917, F.S.; revising the duties of the Department of Children and Families concerning criminal offenders designated as sexually violent predators; amending s. 397.334, F.S.; conforming provisions to changes made in the act; amending s. 455.213, F.S.; conforming a cross-reference; requiring the Department of Business and Professional Regulation or the applicable 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 denial of certain licenses; 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 department or applicable board from basing a denial of a license application solely on the applicant's current confinement or supervision; authorizing the department or applicable board to stay the issuance of an approved license under certain circumstances; requiring the de-



partment or applicable board to verify an applicant's release with the Department of Corrections or other applicable authority; providing requirements for the appearance of certain applicants at certain meetings; requiring the department or applicable board to provide an annually updated list on its website specifying how certain crimes affect an applicant's eligibility for licensure; providing that certain information be identified for each crime on the list; requiring such list be available to the public upon request; amending s. 474.2165, F.S.; authorizing a veterinarian to report certain suspected criminal violations without notice to or authorization from a client; providing an exception; amending s. 489.126, F.S.; providing a just cause defense for criminal offenses and disciplinary violations; providing an inference; deleting an intent requirement for contractor offenses; revising elements of offenses; revising criminal penalties for contractor offenses; amending s. 489.553, F.S.; prohibiting the conviction of a crime from being grounds for the denial of registration after a specified time has passed under certain circumstances; defining the term "conviction"; authorizing a person to apply for registration before his or her lawful release from confinement or supervision; prohibiting the Department of Business and Professional Regulation from charging an applicant who is confined or under supervision additional fees; prohibiting the applicable board from basing the denial of registration solely on the applicant's current confinement or supervision; authorizing the board to stay the issuance of an approved registration under certain circumstances; requiring the board to verify an applicant's release with the Department of Corrections or other applicable authority; providing requirements for the appearance of certain applicants at certain meetings; requiring the applicable board to provide a quarterly updated list on its website specifying how certain crimes may affect an applicant's eligibility for registration; providing that certain information be identified for each crime on the list; requiring such list be available to the public upon request; amending s. 500.451, F.S.; abolishing mandatory minimum sentence for the sale of horse meat for human consumption; amending s. 509.151, F.S.; increasing threshold amounts for certain theft offenses; amending s. 562.11, F.S.; deleting provisions relating to withholding issuance of, or suspending or revoking, a driver license or driving privilege for possession of alcoholic beverages by persons under a specified age; amending s. 562.111, F.S.; removing the mandatory driver license suspension requirement for conviction of possession of alcohol by a person younger than 21 years of age; amending s. 562.27, F.S.; reducing the offense severity of certain crimes related to the possession of a still or related apparatus; amending s. 562.451, F.S.; reducing the offense severity for possession of one or more gallons of certain liquors; amending s. 569.11, F.S.; revising penalties for persons under a specified age who knowingly possess, misrepresent their age or military service to purchase, or purchase or attempt to purchase tobacco products; authorizing, rather than requiring, a court to direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend a person's driver license or driving privilege for certain violations; amending s. 713.69, F.S.; increasing thresholds for certain theft offenses; amending s. 775.082, F.S.; specifying that certain offenders released from incarceration from county detention facilities qualify as prison releasee reoffenders; amending s. 784.046, F.S.; prohibiting attorney fees in cases seeking an injunction for protection against repeat, dating, or sexual violence; amending s. 784.048, F.S.; revising the definition of the term "cyberstalk"; providing criminal penalties; amending s. 784.0485, F.S.; prohibiting attorney fees in cases seeking an injunction for protection against stalking; amending s. 784.049, F.S.; revising legislative findings; revising definitions; providing that sexual cyberharassment includes dissemination of an image through electronic means other than publication on a website; requiring that a person have a reasonable expectation of privacy in an image for the publication or dissemination of the image to qualify as sexual cyberharassment; providing that certain actions do not eliminate such an expectation of privacy; amending s. 790.052, F.S.; specifying that certain law enforcement and correctional officers meet the definition of "qualified law enforcement officer" for the purposes of qualifying for certain rights during off-duty hours; specifying that certain persons meet the definition of "qualified retired law enforcement officer" for the purposes of qualifying for certain rights during off-duty hours; amending s. 790.22, F.S.; authorizing, rather than requiring, a court to withhold issuance of or suspend a person's driver license or driving privilege for a minor who possesses or uses a firearm in certain circumstances; amending s.

800.09, F.S.; revising the definition of the term "employee"; prohibiting certain lewd or lascivious acts in the presence of county correctional personnel; providing criminal penalties; amending s. 806.13, F.S.; authorizing, rather than requiring, a court to withhold issuance of or suspend a person's driver license or driving privilege for committing criminal mischief by a minor; amending s. 812.014, F.S.; increasing threshold amounts for certain theft offenses; adding utility services to the list of items the theft of which constitutes a felony of the third degree; amending s. 812.015, F.S.; increasing threshold amounts for certain theft offenses; revising requirements for aggregation of retail thefts; amending s. 812.0155, F.S.; removing a court's authority to suspend a driver license for a misdemeanor theft adjudication of guilt for a person 18 years of age or older; allowing a court to suspend a driver license for a person 18 years of age or younger as an alternative to other possible sentences; amending s. 815.03, F.S.; revising the definition of the term "access" for purposes of provisions relating to computer crimes; amending s. 815.06, F.S.; revising conduct constituting an offense against users of computers, computer systems, computer networks, or electronic devices; providing criminal penalties; amending s. 817.413, F.S.; increasing threshold amounts for certain theft offenses; amending s. 831.28, F.S.; criminalizing possession of a counterfeit instrument with intent to defraud; amending s. 847.011, F.S.; prohibiting a person from knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions, having in his or her possession, custody, or control with the intent to commit such actions or advertising in any manner an obscene, child-like sex doll; providing criminal penalties; prohibiting a person from knowingly having in his or her possession, custody, or control an obscene, child-like sex doll; providing criminal penalties; amending s. 849.01, F.S.; reducing the offense severity of certain crimes relating to keeping a gambling house or possessing certain gambling apparatuses; amending s. 877.112, F.S.; removing driver license revocation or suspension as a penalty for certain offenses involving nicotine products; amending s. 893.135, F.S.; revising threshold amounts for trafficking in hydrocodone; amending s. 900.05, F.S.; revising and providing definitions; revising and providing data required to be collected and reported to the Department of Law Enforcement by specified entities; requiring the Department of Law Enforcement to publish data received from reporting agencies by a specified date; imposing penalties on reporting agencies for noncompliance with data reporting requirements; declaring information that is confidential and exempt upon collection by a reporting agency remains confidential and exempt when reported to the department; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; ranking introduction, or possession of, a cellular telephone or other portable communication device on county detention facility grounds; creating s. 943.0578, F.S.; establishing eligibility criteria for expunction of a criminal history record by a person found to have acted in lawful self-defense; requiring the Department of Law Enforcement to issue a certificate of eligibility for expunction if specified criteria are fulfilled; specifying requirements for a petition to expunge; creating a penalty for providing false information on such petition; requiring the department to adopt rules relating to a certificate of expunction for lawful self-defense; amending s. 943.0581, F.S.; clarifying administrative expunction applies to criminal history records resulting from an arrest made contrary to law or by mistake; creating s. 943.0584, F.S.; providing a definition; specifying criminal history records which are ineligible for court-ordered expunction or court-ordered sealing; amending s. 943.0585, F.S.; providing eligibility criteria for court-ordered expunction of a criminal history record; requiring the Department of Law Enforcement to issue a certificate of eligibility to petitioners meeting eligibility criteria; specifying requirements for a petition for court-ordered expunction; specifying a court's authority to expunge criminal history records; specifying the process for a petition to expunge a criminal history record; specifying the process following the issuance of an order to expunge a criminal history record; specifying the effect of an order to expunge a criminal history record; amending s. 943.059, F.S.; providing eligibility criteria for court-ordered sealing of a criminal history record; requiring the department to issue a certificate of eligibility to petitioners meeting eligibility criteria; specifying requirements for a petition for court-ordered sealing; specifying a court's authority to seal criminal history records; specifying the process for a petition to seal a criminal history record; specifying the effect of an

order to seal a criminal history record; creating s. 943.0595, F.S.; requiring the Department of Law Enforcement to adopt rules to implement administrative sealing of specified criminal history records; providing eligibility criteria for administrative sealing of criminal history records; specifying ineligible criminal history records; providing for an unlimited number of times a person with an eligible criminal history record may receive administrative sealing; requiring the clerk of court to transmit a certified copy of an eligible criminal history record to the department upon the resolution of a criminal case; specifying that the effect of automatic sealing is the same as court-ordered sealing; amending s. 943.325, F.S.; revising legislative findings relating to the use of the DNA database; amending s. 943.6871, F.S.; declaring information received by the Department of Law Enforcement from a reporting agency that is confidential and exempt upon collection remains confidential and exempt; requiring the Criminal and Juvenile Justice Information Systems Council to develop specifications for a uniform arrest affidavit; providing requirements for the specifications; requiring the council to develop specifications for a uniform criminal charge and disposition statute crosswalk table and uniform criminal disposition and sentencing crosswalk table; requiring the department to procure the affidavit and statute crosswalk tables by a certain date; requiring law enforcement agencies to use the uniform arrest affidavit and other agencies to use the statute crosswalk tables by a certain date; amending s. 944.40, F.S.; including escape while on furlough in the offense of escape; providing criminal penalties; amending s. 944.47, F.S.; providing enhanced penalties for offenses involving introduction of contraband in correctional facilities when committed by correctional facility employees; amending s. 944.704, F.S.; requiring transition assistance staff to provide job assignment credentialing and industry certification information to inmates prior to release; authorizing the Department of Corrections to increase the number of employees serving as a transition specialist and employment specialist; amending s. 944.705, F.S.; requiring the department to establish a telephone hotline for released offenders; requiring the department to provide a comprehensive community reentry resource directory to each inmate before release; requiring the department to use certain programming data to notify inmates about reentry resources before release; requiring the department to allow nonprofit faith-based, business and professional, civic, and community organizations to apply to be registered to provide inmate reentry services; requiring the department to adopt policies for screening, approving, and registering organizations that apply; authorizing the department to contract with public or private educational institutions to assist veteran inmates in applying for certain benefits; authorizing the department to contract with public or private organizations to establish transitional employment programs that provide employment opportunities to recently released inmates; requiring the department to adopt rules; amending s. 944.801, F.S.; authorizing the department to expand the use of job assignment credentialing and industry certifications; requiring the department to develop a Prison Entrepreneurship Program and adopt procedures for inmate admission; specifying program requirements; requiring the department to enter into agreements with certain entities to carry out duties associated with the program; amending s. 948.001, F.S.; revising the definition of administrative probation; authorizing a court to order an offender into administrative probation; amending s. 948.013, F.S.; specifying when the Department of Corrections may transfer an offender to administrative probation; amending s. 948.04, F.S.; requiring a court to early terminate a term of probation or convert the term to administrative probation under certain circumstances; allowing a court to continue reporting probation upon making written findings; amending s. 948.05, F.S.; requiring the Department of Corrections to implement a graduated incentives program for probationers and offenders on community control; authorizing the department to issue certain incentives without leave of court; amending s. 948.06, F.S.; requiring a court to modify or continue a probationary term under certain circumstances; requiring each judicial circuit to establish an alternative sanctioning program; defining low- and moderate-risk level technical violations of probation; establishing permissible sanctions for low- and moderate-risk violations of probation under the program; establishing eligibility criteria; authorizing a probationer who allegedly committed a technical violation to waive participation in or elect to participate in the program, admit to the violation, agree to comply with the recommended sanction, and agree to waive certain rights; requiring a probation officer to submit the

recommended sanction and certain documentation to the court if the probationer admits to committing the violation; authorizing the court to impose the recommended sanction or direct the department to submit a violation report, affidavit, and warrant to the court; authorizing a probation officer to submit a violation report, affidavit, and warrant to the court in certain circumstances; amending s. 948.08, F.S.; expanding eligibility criteria for pretrial substance abuse education programs to include a person with two or fewer convictions for nonviolent felonies; revising the list of individuals who, if charged with certain felonies, are eligible for voluntary admission into a pretrial veterans' treatment intervention program under certain circumstances; creating s. 948.081, F.S.; authorizing community court programs; amending s. 948.16, F.S.; revising the list of individuals who, if charged with certain misdemeanors, are eligible for voluntary admission into a misdemeanor pretrial veterans' treatment intervention program under certain circumstances; amending s. 948.21, F.S.; revising the list of individuals who, if probationers or community controllees, may be required to participate in a certain treatment program under certain circumstances; providing program criteria; amending s. 951.22, F.S.; providing an exception to a prohibition on contraband for certain legal documents; prohibiting introduction into or possession of certain cellular telephones or other portable communication devices on the grounds of any county detention facility; providing criminal penalties; amending s. 958.04, F.S.; revising the criteria authorizing a court to sentence as a youthful offender a person who is found guilty of, or who pled nolo contendere or guilty to, committing a felony before the person turned 21 years of age; amending s. 960.07, F.S.; increasing the timeframe for filing a crime victim compensation claim; providing an extension for good cause for a specified period; increasing the timeframe for a victim or intervenor who was under the age of 18 at the time of the crime to file a claim; provides an extension for good cause of 2 additional years; increasing the timeframe for filing a claim for victim compensation for a victim of a sexually violent offense; amending s. 960.13, F.S.; increasing the timeframe for prompt reporting of a crime to be eligible for a victim compensation award; amending s. 960.195, F.S.; increasing the timeframe for reporting a criminal or delinquent act resulting in property loss of an elderly person or disabled adult; amending s. 960.196, F.S.; increasing the timeframe to report certain human trafficking offenses to be eligible for a victim relocation assistance award; providing an extension for good cause; amending s. 985.557, F.S.; repealing provisions requiring the mandatory direct filing of charges in adult court against juveniles in certain circumstances; amending s. 985.565, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Judiciary; and Rules.

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## RETURNING MESSAGES — FINAL ACTION

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 19, as amended.

*Jeff Takacs, Clerk*

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 21, as amended.

*Jeff Takacs, Clerk*

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/HB 23, as amended.

*Jeff Takacs, Clerk*

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 49, as amended.

*Jeff Takacs, Clerk*

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 107, as amended.

*Jeff Takacs, Clerk*

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 843, as amended.

*Jeff Takacs, Clerk*

### **CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 26 was corrected and approved.

### **CO-INTRODUCERS**

Senator Rodriguez—CS for CS for SB 892

### **ADJOURNMENT**

On motion by Senator Benacquisto, the Senate adjourned at 2:19 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, April 30 or upon call of the President.

### **SENATE PAGES**

April 29-May 3, 2019

Malia Brown, Tallahassee; Aziza Davis, Tallahassee; Elon Davis, Tallahassee; Ja'Keysiya Denson, Monticello; Timothy Glass, Tallahassee; Christian Keiter, Orange Park; Kalell Lovely, Princeton; Octavio Nunez, Davie; Ethan Nunn, Valrico; Joe Perry, Moore Haven; David Perry, Moore Haven; Alexis Poppell, Tallahassee; Harley Ramba, Tallahassee; Wilson Roberts, Tallahassee; Abigail Snodgrass, Tallahassee; Joseph Stokes, Palm Bay