



Journal of the Senate

Number 19—Regular Session

Thursday, March 12, 2020

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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	Gibson	Simmons
Benacquisto	Gruters	Simpson
Berman	Harrell	Stargel
Book	Hooper	Stewart
Bracy	Lee	Taddeo
Bradley	Mayfield	Thurston
Brandes	Montford	Torres
Broxson	Passidomo	Wright
Cruz	Perry	
Diaz	Powell	

PRAYER

The following prayer was offered by the Reverend Elizabeth Yates, Alachua-Central District of the 11th Episcopal District African Methodist Episcopal Church, Jacksonville:

Our Father and our God, most holy one, who is known by many names and whose majesty is above any name and all names. We thank you this morning for the spirit of life, spirit of unity, and the spirit of justice. We trust in your power to create, sustain, and enable; but we could not trust if we did not know that you are always near.

Therefore, we invite your presence of goodwill into this Senate meeting. We ask your blessings upon these who have been elected to lead the communities in which we all live, work, serve, and have our very being. I pray, O God, that you would help them as leaders to listen for guidance, listen for change, and listen for movement in the various areas of need, aid, and reform within our state.

Prompt them, O God, in the busyness of their schedules of political debates, rhetoric, issues, and concerns to understand that they are not

only our leaders, but they are also our servants. Help them to remember that their responsibility is to serve the common good of all humankind.

Remind them that regardless of the community where our zip codes lie, we are all neighbors. Throughout the ages, universal prophets have called the leaders of the people to respect and protect those who are the least among us: the lost, the left behind, the dispossessed and disenfranchised, the children, the elderly, the homeless, the hungry, and the poor in body, mind, and spirit. Remember the strangers that are within our midst and those who are alone, forgotten, and do not have voices. Remember in your deliberations that you are their voice.

Therefore, I pray that you are granted the wisdom, knowledge, and the courage to do what is right and what is good and true. May you continue to move when it is time to move, may you speak when it is time to speak, and may you listen when it is time to listen. I pray that you men and women will always be guided by the spirit of goodwill, justice, and the passion for all in our beloved state.

I pray blessings upon you as you ready to retire for this session. Bless your families and all of the staff members who serve us, and may you return afresh.

This prayer is given in the name of all whom we hold sacred and holy—all that we hold good, right, and true. Amen.

PLEDGE

Senate Pages, Jack Rowan of Jacksonville and Mikayla Walker of Ponte Vedra, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Dennis F. Saver of Vero Beach, sponsored by Senator Mayfield, as the doctor of the day. Dr. Saver specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Braynon—

By Senator Braynon—

SR 1932—A resolution to recognize August 1, 2020, and each August 1 thereafter, as “Historic Virginia Key Beach Park Day” in Florida.

WHEREAS, on August 1, 1945, Virginia Beach, as it was then known, was designated “a Dade County Park for the exclusive use of Negroes,” becoming a cherished getaway and a social gathering place for African Americans, with its shaded picnic areas with barbecue pits and its cottages and amusement rides, and

WHEREAS, even after the park was closed by the City of Miami in 1982 due to the high cost of maintenance and operations, the civic, social, and environmental characteristics of the park continued to hold national, state, regional, and local significance in the history of civil rights and to highlight the achievements of local African-American communities, and

WHEREAS, in August 2002, the park was added to the National Register of Historic Places; in 2006, it was added to the State of Florida Heritage Trail; and in February 2008, it reopened to the public as the Historic Virginia Key Beach Park, and

WHEREAS, in 2010, the Historic Virginia Key Beach Park was included as a major stakeholder in the Virginia Key Master Plan, which had been approved by the City of Miami City Commission in 2006, a turning point in the life of the park, and

WHEREAS, the Virginia Key Master Plan envisioned the restoration of the park and the creation of a museum that will present the history and contributions of those who, in the 1940s, pressed for designation of the park; who sought to restore the natural environment of the park; and support for creation of a Center for Conflict Resolution and Reconciliation, and

WHEREAS, this project will enhance the cultural offerings of the City of Miami; bring international attention to this state and to the park’s noteworthy civil rights history; serve as a positive example of civic engagement, as represented by the history of the park’s origin and the advocacy of a citizen-based Board of Trustees; and create social engagement opportunities through the incorporation of the public shoreline, a greenspace, and various amenities, and

WHEREAS, in 2013, Historic Virginia Key Beach Park was added to the City of Miami’s Historic and Environmental Preservation List, and

WHEREAS, August 1, 2020, marks the 75th anniversary of the establishment of the Historic Virginia Key Beach Park, NOW, THEREFORE,

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

That August 1, 2020, and each August 1 thereafter, is recognized as “Historic Virginia Key Beach Park Day” in Florida.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for HB 133**, **CS for CS for HB 977**, and **HB 737** was deferred.

CS for CS for HB 343—A bill to be entitled An act relating to recreational vehicle industries; amending s. 513.012, F.S.; revising legislative intent; amending s. 513.02, F.S.; providing a timeframe for the application of a permit; amending s. 513.051, F.S.; preempting to the Department of Health the regulatory authority for permitting standards; amending s. 513.112, F.S.; providing that evidence of a certain length of stay in a guest register creates a rebuttable presumption that a guest is transient; amending s. 513.1115, F.S.; providing standards for a damaged or destroyed recreational vehicle park to be rebuilt under certain circumstances; superseding certain ordinances or regulations; amending s. 513.115, F.S.; specifying when certain property becomes abandoned; providing for disposition of such property; amending s. 513.118, F.S.; authorizing a park operator to refuse access to the premises and to eject transient guests or visitors based on specified conduct; providing that a person who refuses to leave the park premises commits the offense of trespass; providing immunity from liability for certain law enforcement officers; providing an exception; providing for removal of property; amending s. 513.13, F.S.; providing for ejection from a recreational vehicle park and specifying grounds and requirements therefor; providing for removal of property; amending s. 527.01, F.S.; defining the term “recreational vehicle”; amending s. 527.0201, F.S.; requiring the Department of Agriculture and Consumer Services to adopt rules specifying requirements for agents to administer certain competency examinations and establishing a competency examination for a license to engage in activities solely related to the service and repair of recreational vehicles; authorizing certain qualifiers and master qualifiers to engage in activities solely related to the service and repair of recreational vehicles; requiring verifiable LP gas experience or professional certification by an LP gas manufacturer in order to apply for certification as a master qualifier; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for CS for HB 343** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Brandes

Vote after roll call:

Yea—Bradley

CS for CS for HB 279—A bill to be entitled An act relating to local government public construction works; amending s. 218.80, F.S.; revising disclosure requirements for bidding documents and other requests for proposals issued for bids by a local governmental entity and public contracts entered into between local governmental entities and contractors; amending s. 255.20, F.S.; revising the term cost to include specified information; requiring the governing board of a local government to consider estimated costs of certain projects that account for specified costs when the board is making a specified determination; requiring that a local government that performs projects using its own services, employees, and equipment provide a report to the local governing board with certain information; requiring that the Auditor General review the report as part of his or her audits of local governments; amending s. 336.41, F.S.; requiring estimated total construction project costs for certain projects to include specified costs; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for CS for HB 279** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Hutson

Vote after roll call:

Nay to Yea—Hutson

CS for CS for HB 747—A bill to be entitled An act relating to coverage for air ambulance services; creating ss. 627.42397 and 641.514, F.S.; providing definitions; requiring health insurers and health maintenance organizations, respectively, to provide reasonable reimbursement to air ambulance services for certain covered services; providing

that such reimbursement may be reduced only by certain amounts; providing that payment in full of copayments, coinsurance, and deductibles by insureds and subscribers, respectively, constitutes accord and satisfaction and release of specified claims in connection with air ambulance services; providing construction; providing a directive to the Division of Law Revision; providing nonseverability; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz, **CS for CS for HB 747** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Consideration of **CS for CS for HB 1259** was deferred.

CS for HB 437—A bill to be entitled An act relating to nurse registries; amending s. 440.13, F.S.; authorizing the use of licensed nurse registries for the placement of attendant care provided for workers' compensation purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **CS for HB 437** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for CS for HB 689—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 210.09, F.S.; requiring that certain reports relating to the transportation or possession of cigarettes be filed with the Division of Alcoholic Beverages and Tobacco through the division's electronic data submission system; authorizing certain records to be kept in an electronic or paper format; amending s. 210.55, F.S.; requiring that certain entities file reports, rather than returns, relating to tobacco products with the division; providing requirements for such reports; amending s. 210.60, F.S.; authorizing certain records to be kept in an electronic or paper format; amending s. 326.002, F.S.; revising the definition of the term

“yacht”; amending s. 194.011, F.S.; providing that certain associations may represent, prosecute, or defend owners in certain proceedings; providing applicability; requiring specified notice be provided to unit or parcel owners in a specified way; amending s. 194.181, F.S.; providing and revising the parties considered as the defendant in a tax suit; requiring certain notice to be provided to unit owners in a specified way; providing unit owners options for defending a tax suit; imposing certain actions for unit owners who fail to respond to a specified notice; amending s. 514.0115, F.S.; exempting certain property association pools from Department of Health regulations; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 548.003, F.S.; renaming the Florida State Boxing Commission as the Florida Athletic Commission; amending s. 548.043, F.S.; revising rulemaking requirements for the commission relating to gloves; amending s. 561.01, F.S.; deleting the definition of the term “permit carrier”; amending s. 561.17, F.S.; revising a requirement related to the filing of fingerprints with the division; requiring that applications be accompanied by certain information relating to right of occupancy; providing requirements relating to contact information for licensees and permittees; amending s. 561.20, F.S.; conforming cross-references; revising requirements for issuing special licenses to certain food service establishments; amending s. 561.42, F.S.; requiring the division, and authorizing vendors, to use electronic mail to give certain notice; amending s. 561.55, F.S.; revising requirements for reports relating to alcoholic beverages; amending s. 562.455, F.S.; removing grains of paradise from the list of specified substances subject to penalties relating to adulterating liquor; amending s. 627.714, F.S.; prohibiting subrogation rights against a condominium association under certain circumstances; creating s. 712.065, F.S.; defining the term “discriminatory restriction”; providing that discriminatory restrictions are unlawful, unenforceable, and void; providing that discriminatory restrictions are extinguished and severed from recorded title transactions; specifying that the recording of certain notices does not reimpose or preserve a discriminatory restriction; providing requirements for a parcel owner to remove a discriminatory restriction from a covenant or restriction; amending s. 718.111, F.S.; providing that a condominium association may take certain actions relating to a challenge to ad valorem taxes in its own name or on behalf of unit owners; providing applicability; requiring an association to provide a checklist to certain persons requesting records; requiring that the checklist be signed by a specified person or the association to provide an affidavit attesting to the veracity of the checklist; providing a timeframe for maintaining such checklist and affidavit; creating a rebuttable presumption; amending s. 718.112, F.S.; authorizing a condominium association to extinguish discriminatory restrictions; revising calculation of a board member's term limit; providing requirements for certain notices; revising the fees an association may charge for transfers; deleting a prohibition against employing or contracting with certain service providers; amending s. 718.113, F.S.; defining the terms “natural gas fuel” and “natural gas fuel vehicle”; revising legislative findings; revising requirements for electric vehicle charging stations; providing requirements for the installation of natural gas fuel stations on property governed by condominium associations; amending s. 718.117, F.S.; conforming provisions to changes made by the act; amending s. 718.121, F.S.; providing when the installation of a natural gas fuel station may be the basis of a lien; amending s. 718.1255, F.S.; authorizing parties to initiate presuit mediation under certain circumstances; specifying when arbitration is binding on the parties; providing requirements for presuit mediation; amending s. 718.202, F.S.; revising use of certain withdrawn escrow funds by developers; amending s. 718.303, F.S.; revising requirements for certain actions for failure to comply with specified provisions; revising requirements for certain fines; amending s. 718.501, F.S.; defining the term “financial issue”; authorizing the Division of Condominiums, Timeshares, and Mobile Homes to adopt rules; amending s. 718.5014, F.S.; revising where the principal office of the Office of the Condominium Ombudsman must be maintained; amending s. 719.103, F.S.; revising the definition of the term “unit” to specify that an interest in a cooperative unit is an interest in real property; amending s. 719.104, F.S.; prohibiting an association from requiring certain actions relating to the inspection of records; amending s. 719.106, F.S.; revising provisions relating to a quorum and voting rights for members remotely participating in meetings; amending procedure to challenge a board member recall; authorizing cooperative associations to extinguish discriminatory restrictions; amending s. 720.303, F.S.; authorizing an association to adopt procedures for electronic meeting notices; revising the documents that constitute the official records of an association; revising when a specified statement must be included in an association's financial report; revising

requirements for such statement; revising when an association is deemed to have provided for reserve accounts; amending procedure to challenge a board member recall; amending s. 720.305, F.S.; providing requirements for certain fines; amending s. 720.306, F.S.; revising requirements for providing certain notices; providing limitations on associations when a parcel owner attempts to rent or lease his or her parcel; amending the procedure for election disputes; amending s. 720.311, F.S.; amending the procedure for election disputes; amending s. 720.3075, F.S.; authorizing homeowners' associations to extinguish discriminatory restrictions; amending s. 721.15, F.S.; providing requirements for subordinate lienholder related timeshare estates; amending ss. 455.219, 548.002, 548.05, 548.071, and 548.077, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended March 11, was read the third time by title.

On motion by Senator Diaz, **CS for CS for CS for HB 689**, 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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Benacquisto, by two-thirds vote, **SB 1228** was withdrawn from the Committees on Appropriations Subcommittee on Agriculture, Environment, and General Government; and Appropriations and, by two-thirds vote, placed on the Special Order Calendar.

On motion by Senator Benacquisto, by two-thirds vote, **SB 1514** was withdrawn from the Committee on Appropriations and, by two-thirds vote, placed on the Special Order Calendar.

BILLS ON THIRD READING, continued

CS for HB 717—A bill to be entitled An act relating to Space Florida financing; amending s. 331.302, F.S.; specifying bonding provisions to which Space Florida is subject; amending s. 331.303, F.S.; revising the definition of the term “bonds”; amending s. 331.305, F.S.; revising powers of Space Florida; deleting provisions regarding presentation of bond proposals to, and approval of bond issuance by, the Governor and Cabinet; amending s. 331.331, F.S.; revising provisions relating to securing the issuance of revenue bonds; repealing s. 331.334, F.S., relating to pledging assessments and other revenues and properties as additional security on bonds; repealing s. 331.336, F.S., relating to issuance of bond anticipation notes; repealing s. 331.337, F.S., relating to short-term borrowing; amending s. 331.335, F.S.; revising provisions relating to lien of pledges; amending s. 331.340, F.S.; revising bond maturity date requirements; amending s. 331.346, F.S.; authorizing Space Florida to validate bonds pursuant to certain provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Wright, **CS for HB 717** 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

Consideration of **CS for CS for HB 1105** was deferred.

HB 1009—A bill to be entitled An act relating to special neighborhood improvement districts; amending s. 163.511, F.S.; revising the number of directors allowed on the boards of special neighborhood improvement districts; requiring local planning ordinances to specify the number of directors and provide for 4-year staggered terms; requiring that directors be landowners in the proposed area and be subject to certain taxation; removing obsolete language; providing an effective date.

—was read the third time by title.

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

Yeas—38

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

Nays—None

CS for CS for HB 945—A bill to be entitled An act relating to children’s mental health; amending s. 394.493, F.S.; requiring the Department of Children and Families and the Agency for Health Care Administration to identify certain children and adolescents who use crisis stabilization services during specified fiscal years; requiring the department and agency to collaboratively meet the behavioral health needs of such children and adolescents and submit a quarterly report to the Legislature; amending s. 394.495, F.S.; including crisis response services provided through mobile response teams in the array of services available to children and adolescents; requiring the department to contract with managing entities for mobile response teams to provide certain services to certain children, adolescents, and young adults; providing requirements for such mobile response teams; providing requirements for managing entities when procuring mobile response teams; creating s. 394.4955, F.S.; requiring managing entities to lead the development of a plan promoting the development of a coordinated system of care for certain services; providing requirements for the planning process; requiring state agencies to provide reasonable staff support for such planning process if requested by the managing entity; requiring each managing entity to submit such plan by a specified date; requiring the entities involved in the planning process to implement

such plan by a specified date; requiring that such plan be reviewed and updated periodically; amending s. 394.9082, F.S.; revising the duties of the department relating to priority populations that will benefit from care coordination; requiring that a managing entity's behavioral health care needs assessment include certain information regarding gaps in certain services; requiring a managing entity to promote the use of available crisis intervention services; amending s. 409.175, F.S.; revising requirements relating to preservice training for foster parents; amending s. 409.967, F.S.; requiring the Agency for Health Care Administration to conduct, or contract for, the testing of provider network databases maintained by Medicaid managed care plans for specified purposes; amending s. 409.988, F.S.; revising the duties of a lead agency relating to individuals providing care for dependent children; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to participate in the planning process for promoting a coordinated system of care for children and adolescents; amending s. 1003.02, F.S.; requiring each district school board to participate in the planning process for promoting a coordinated system of care; amending s. 1004.44, F.S.; requiring the Louis de la Parte Florida Mental Health Institute to develop, in consultation with other entities, a model response protocol for schools; amending s. 1006.04, F.S.; requiring the educational multi-agency network to participate in the planning process for promoting a coordinated system of care; amending ss. 1002.20 and 1002.33, F.S.; requiring verification that certain strategies have been utilized and certain outreach has been initiated before law enforcement is contacted by a school principal or his or her designee under specified circumstances; providing an exception; requiring the Department of Children and Families and Agency for Health Care Administration to assess the quality of care provided in crisis stabilization units to certain children and adolescents; requiring the department and agency to review current standards of care for certain settings and make recommendations; requiring the department and agency to jointly submit a report to the Governor and Legislature by a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, **CS for CS for HB 945** 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

SENATOR SIMMONS PRESIDING

CS for CS for SB 1624—A bill to be entitled An act relating to economic self-sufficiency; amending s. 11.45, F.S.; requiring the Auditor General to perform audits of specified programs at specified intervals; requiring the audits to review specified elements of such programs; requiring the Auditor General to make a specified determination, if possible; providing reporting requirements for the results of such audits; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for CS for SB 1624** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 813—A bill to be entitled An act relating to the protection of vulnerable investors; amending s. 415.1034, F.S.; requiring securities dealers, investment advisers, and associated persons to immediately report knowledge or suspicion of abuse, neglect, or exploitation of vulnerable adults to the Department of Children and Families' central abuse hotline; creating s. 517.34, F.S.; providing definitions; providing legislative findings and intent; authorizing dealers and investment advisers to delay certain disbursements or transactions based on a reasonable belief of financial exploitation of a specified adult under certain circumstances; requiring a dealer or investment adviser to notify certain persons and the Office of Financial Regulation of such delays within a specified timeframe; requiring a dealer or investment adviser to review the basis for a reasonable belief of financial exploitation of a specified adult; specifying the expiration of such delays; authorizing a dealer or investment adviser to extend a delay under certain circumstances; requiring a dealer or investment adviser to notify the office within a specified timeframe after such extension begins; providing that the length of such delays may be shortened or extended by a court of competent jurisdiction; providing that delays may be terminated by dealers or investment advisers under certain circumstances; requiring that certain records be made available to the office; providing immunity from administrative and civil liability for dealers, investment advisers, and associated persons who in good faith and exercising reasonable care comply with specified provisions; requiring dealers and investment advisers to develop certain training policies or programs; requiring dealers and investment advisers to conduct annual training for associated persons and maintain written records of compliance with such requirement; requiring dealers and investment advisers to develop, maintain, and enforce certain written procedures; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Broxson, **CS for CS for HB 813** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Mr. President, Gibson

CS for CS for SB 1802—A bill to be entitled An act relating to public meetings; amending s. 943.6872, F.S.; providing an exemption from public meetings requirements for portions of the Urban Core Gun Violence Task Force meetings at which exempt or confidential and exempt information is discussed; providing for future legislative review and repeal of the exemption; requiring the recording and transcription of exempt portions of such meetings; providing an exemption from public records requirements for such recordings and transcripts; providing an exception; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Pizzo, **CS for CS for SB 1802** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Mr. President, Baxley

Consideration of **HB 7091** and **HB 5301** was deferred.

HB 7049—A bill to be entitled An act relating to international affairs; amending s. 15.01, F.S.; requiring the Secretary of State to serve as the state protocol officer; requiring the Secretary of State to take certain actions relating to the state protocol manual; amending s. 15.182, F.S.; requiring that certain organizations provide notice of international travel to the Department of State, rather than the Department of Economic Opportunity; requiring the Department of State, the Department of Economic Opportunity, and Enterprise Florida, Inc., to work in conjunction for a certain purpose; amending s. 288.816, F.S.; revising the duties of the state protocol officer; authorizing, rather than requiring, the state protocol officer to take certain actions; creating s. 288.8165, F.S.; authorizing the Office of International Affairs within the Department of State to support the establishment of citizen support organizations for certain purposes; defining the term “citizen support organization”; authorizing the office to adopt rules; prohibiting the office from allowing a citizen support organization to use certain services, property, or facilities if the organization does not provide equal membership and employment opportunities; requiring citizen support organizations to provide for a certain financial audit; providing a scheduled repeal; amending s. 288.012, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended March 11, was read the third time by title.

On motion by Senator Gruters, **HB 7049**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

HB 6055—A bill to be entitled An act relating to telegraph companies; repealing chapter 363, F.S., relating to the regulation of telegraph companies and telegrams; providing an effective date.

—was read the third time by title.

On motion by Senator Albritton, **HB 6055** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 573—A bill to be entitled An act relating to peer support for first responders; creating s. 111.09, F.S.; providing definitions; prohibiting certain persons who participate in peer support communication with a first responder from testifying or divulging specified information under certain circumstances; providing exceptions; prohibiting liability and a cause of action under certain circumstances; providing construction; providing an effective date.

—as amended March 11, was read the third time by title.

On motion by Senator Perry, **CS for CS for HB 573**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Albritton	Book	Broxson
Baxley	Bracy	Cruz
Bean	Bradley	Diaz
Benacquisto	Brandes	Farmer
Berman	Braynon	Flores

Gainer	Montford	Simmons
Gibson	Passidomo	Simpson
Gruters	Perry	Stargel
Harrell	Pizzo	Stewart
Hooper	Powell	Taddeo
Hutson	Rader	Thurston
Lee	Rodriguez	Torres
Mayfield	Rouson	Wright

Nays—None

Vote after roll call:

Yea—Mr. President

HB 5301—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in certain circuits; amending s. 34.022, F.S.; revising the number of county court judges in certain counties; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **HB 5301** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Cruz	Perry	Wright
Diaz	Pizzo	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 1105—A bill to be entitled An act relating to child welfare; amending s. 25.385, F.S.; requiring the Florida Court Educational Council to establish certain standards for instruction of circuit and county court judges for dependency cases; requiring the council to provide such instruction on a periodic and timely basis; creating s. 39.01304, F.S.; authorizing circuit courts to create early childhood court programs; providing requirements for such programs; requiring the Office of the State Courts Administrator to contract to evaluate the early childhood court programs; authorizing the Office of the State Courts Administrator to provide, or contract for the provision of, certain training and assistance; amending s. 39.0138, F.S.; requiring the Department of Children and Families to complete certain records checks within a specified timeframe; amending s. 39.301, F.S.; requiring the department to notify the court of certain reports; authorizing the department to file specified petitions under certain circumstances; amending s. 39.522, F.S.; requiring the court to consider specified factors when making certain determinations; requiring a child’s case plan to be amended if the court changes the permanency goal; amending s. 39.6011, F.S.; revising and providing requirements for case plan descriptions; amending s. 39.701, F.S.; requiring the court to retain jurisdiction over a child under certain circumstances; requiring specified parties to disclose certain information to the court; providing for certain caregiver recommendations to the court; requiring the court and citizen review panel to determine whether certain parties have developed a productive relationship; amending s. 63.092, F.S.; requiring that certain preliminary home studies be completed within a specified timeframe; creating s. 63.093, F.S.; providing requirements and processes for the

adoption of children from the child welfare system; providing applicability; creating s. 409.1415, F.S.; providing legislative findings and intent; requiring the department and community-based care lead agencies to develop and support relationships between caregivers and birth or legal parents of certain children; providing responsibilities for caregivers, birth or legal parents, the department, and community-based care lead agency staff; requiring employees of residential group homes to meet specified requirements; requiring the department to adopt rules; amending s. 409.145, F.S.; removing certain responsibilities of caregivers, the department, community-based care lead agency staff, and other agency staff; removing requirements relating to transitions, information sharing, and certain caregivers; amending s. 409.175, F.S.; revising requirements for the licensure of family foster homes; requiring certain entities to complete a licensing study within a specified timeframe; requiring the department to issue determinations for family foster home licenses within a specified timeframe; providing an exception; amending s. 409.988, F.S.; authorizing a lead agency to provide more than 35 percent of all child welfare services under certain conditions; requiring a specified local community alliance, or specified representatives in certain circumstances, to review and recommend approval or denial of the lead agency’s request for a specified exemption; amending ss. 39.302, 39.6225, 393.065, and 409.1451, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 1105** was passed and certified to the House. The vote on passage was:

Yeas—38

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	Montford	Thurston
Broxson	Passidomo	Torres
Cruz	Perry	Wright
Diaz	Pizzo	

Nays—None

Vote after roll call:

Yea—Mr. President, Mayfield

CS for SB 798—A bill to be entitled An act relating to the procurement of human organs and tissue; amending s. 765.542, F.S.; prohibiting for-profit eye banks from procuring certain human organs and tissue for specified purposes, with certain exceptions; amending s. 873.01, F.S.; prohibiting for-profit eye banks from procuring certain human organs and tissue for specified purposes, with certain exceptions; providing an effective date.

—was read the third time by title.

On motion by Senator Rouson, **CS for SB 798** was passed and certified to the House. The vote on passage was:

Yeas—38

Albritton	Broxson	Hooper
Baxley	Cruz	Hutson
Bean	Diaz	Lee
Benacquisto	Farmer	Mayfield
Berman	Flores	Montford
Book	Gainer	Passidomo
Bracy	Gibson	Perry
Bradley	Gruters	Pizzo
Braynon	Harrell	Powell

Rader	Simpson	Thurston
Rodriguez	Stargel	Torres
Rouson	Stewart	Wright
Simmons	Taddeo	

Nays—1

Brandes

Vote after roll call:

Yea—Mr. President

CS for CS for HB 1091—A bill to be entitled An act relating to environmental enforcement; amending s. 161.054, F.S.; revising administrative penalties for violations of certain provisions relating to beach and shore construction and activities; making technical changes; amending ss. 258.397, 258.46, 373.129, 376.16, 376.25, 377.37, 378.211, and 403.141, F.S.; revising civil penalties for violations of certain provisions relating to the Biscayne Bay Aquatic Preserve, aquatic preserves, water resources, the Pollutant Discharge Prevention and Control Act, the Clean Ocean Act, regulation of oil and gas resources, the Phosphate Land Reclamation Act, and other provisions relating to pollution and the environment, respectively; providing that each day that certain violations occur constitutes a separate offense; making technical changes; amending ss. 373.209, 376.065, 376.071, 403.086, 403.413, 403.7234, and 403.93345, F.S.; revising civil penalties for violations of certain provisions relating to artesian wells, terminal facilities, discharge contingency plans for vessels, sewage disposal facilities, dumping litter, small quantity generators, and coral reef protection, respectively; making technical changes; amending ss. 373.430 and 403.161, F.S.; revising criminal penalties for violations of certain provisions relating to pollution and the environment; providing that each day that the cause of unauthorized discharges of domestic wastewater is not addressed constitutes a separate offense; making technical changes; amending s. 403.121, F.S.; revising civil and administrative penalties for violations of certain provisions relating to pollution and the environment; providing that each day that the cause of unauthorized discharges of domestic wastewater is not addressed constitutes a separate offense; increasing the amount of penalties that can be assessed administratively; making technical changes; amending ss. 403.726 and 403.727, F.S.; revising civil penalties for violations of certain provisions relating to hazardous waste; making technical changes; reenacting s. 823.11(5), F.S., to incorporate the amendment made to s. 376.16, F.S., in a reference thereto; reenacting ss. 403.077(5), 403.131(2), 403.4154(3)(d), and 403.860(5), F.S., to incorporate the amendment made to s. 403.121, F.S., in a reference thereto; reenacting ss. 403.708(10), 403.7191(7), and 403.811, F.S., to incorporate the amendment made to s. 403.141, F.S., in a reference thereto; reenacting s. 403.7186(8), F.S., to incorporate the amendment made to ss. 403.141 and 403.161, F.S., in references thereto; reenacting s. 403.7255(2), F.S., to incorporate the amendment made to s. 403.161, F.S., in a reference thereto; providing an effective date.

—as amended March 11, was read the third time by title.

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

Yeas—38

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
Diaz	Perry	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for HB 255—A bill to be entitled An act relating to the Florida Commission on Human Relations; amending s. 760.03, F.S.; providing quorum requirements for the Commission on Human Relations and its panels; amending s. 760.065, F.S.; revising the number of persons the commission may recommend for the Florida Civil Rights Hall of Fame; amending s. 760.11, F.S.; requiring the commission to provide notice to an aggrieved person under specified circumstances; providing notice requirements; providing a limitation on the time a civil action may be filed after an alleged violation of the Florida Civil Rights Act; amending s. 760.29, F.S.; deleting a requirement that a facility or community that provides housing for older persons register with and submit a letter to the commission; amending s. 760.31, F.S.; conforming a provision; amending s. 760.60, F.S.; deleting the requirement for the commission or Attorney General to investigate a complaint of discrimination in evaluating an application for club membership; revising the length of time the commission or Attorney General has to resolve such a complaint; amending s. 112.31895, F.S.; revising the timeline relating to a complaint alleging a prohibited personnel action; deleting a requirement that the commission notify a complainant upon receipt of the complaint; providing an effective date.

—was read the third time by title.

On motion by Senator Rouson, **CS for HB 255** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 1259—A bill to be entitled An act relating to restrictive housing for incarcerated pregnant women; amending s. 944.241, F.S.; providing definitions; prohibiting the involuntary placement of pregnant prisoners in restrictive housing under specified circumstances; providing exceptions; requiring corrections officials to write a specified report if circumstances necessitate placing a pregnant prisoner in restrictive housing; providing requirements for the report; requiring a copy of such reports to be provided to pregnant prisoners in restrictive housing; providing requirements for the treatment of pregnant prisoners placed in restrictive housing; requiring pregnant prisoners to be placed in designated medical housing unit or admitted to the infirmary under certain circumstances; providing certain rights for pregnant prisoners placed in designated medical housing unit or admitted to the infirmary; requiring the Department of Corrections and the Department of Juvenile Justice to adopt rules by a specified date; providing an effective date.

—as amended March 11, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Pizzo, the Senate reconsidered the vote by which **Amendment 1 (820692)**, replaced by engrossed **Amendment 1 (916456)**, by Senator Pizzo, was previously adopted March 11.

Senator Pizzo moved the following amendment to **Amendment 1 (916456)** which was adopted by two-thirds vote:

Amendment 1A (148970)—Delete line 152 and insert:

1. *The corrections official shall, within 12 hours of placing a*

Amendment 1 (916456), as amended, was adopted by two-thirds vote.

On motion by Senator Pizzo, **CS for CS for HB 1259**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **SB 7052** was deferred.

THE PRESIDENT PRESIDING

SPECIAL RECOGNITION OF PRESIDENT PRO TEMPORE SIMMONS

REMARKS

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

President Galvano: Senators, we are here to give, in his official capacity as President Pro Tempore, Senator Simmons one last recognition. We heard earlier from you as a retiring member of this august body. We appreciate all of your service, and it was appropriately honored. This time, you should know that in your service over the last two years as President Pro Tempore, you have done an exemplary job—absolutely outstanding. I could not have asked for, as I said last week, a better copilot on this journey. It’s not as easy as we make it look—believe it or not. If you have the right people around you and the right partner in the process, then success is inevitable. You, sir, have made that success inevitable. I appreciate that. It has also helped me develop even further the friendship that we have had for many, many years and a friendship that I hope we continue to have for many, many years into the future. Thank you so much for your service to the Florida Senate as President Pro Tempore.

Leader Gibson: What a joy it has been serving with you, President Pro Tempore Simmons. When I first met you, I wasn’t quite sure. I thought you were a little stiff. But you really have a very warm heart, and you always say very complimentary things. As we just spoke, you would tell it like it is. I like a person who tells it like it is because I tell it

like it is, too. So we are partners in that. Thank you so much for your kindness, your deliberative debate, and your willingness to always try to work it out. I very much appreciate that, and I will miss you dearly.

Leader Passidomo: By the way, after others have had an opportunity to thank you in your role as Pro Tempore, we have a little surprise for you. I just briefly want to say something about those Wednesday morning meetings—with your calm and steady hand and your discussion of the issues. As I mentioned yesterday, when we’re all debating whether or not this bill is good or that process, you would say something and, just like that, everybody would calm down. Then you would give us your opinion and, invariably, we said, “You know what? He’s right.” And so, your steady hand and your calm demeanor have just been the perfect way to run a session. Mr. President, you could not have picked a better Pro Tempore, and I just thank you so much. When you go back to practicing law, you’re going to win a lot more cases.

SPECIAL GUESTS

The President recognized Chief Financial Officer Jimmy Patronis, Commissioner of Agriculture Nikki Fried, and Secretary of State Laurel Lee who were present in the chamber.

The President recognized former Senate Presidents Andy Gardiner, John McKay, and Jeff Atwater.

The President recognized former Speaker of the Florida House of Representatives Dean Cannon and current Speaker of the Florida House of Representatives Jose Oliva.

SPECIAL PRESENTATION

On behalf of the Senate, Majority Leader Passidomo and Democratic Leader Gibson presented President Pro Tempore Simmons a plaque depicting him presiding over the Senate and a historical biography of United States President Abraham Lincoln published in 1868 in Spain.

SENATOR SIMMONS PRESIDING

SPECIAL RECOGNITION OF PRESIDENT GALVANO

SPECIAL PRESENTATION

At the direction of Senator Simmons, the Senate proceeded to the recognition of President Galvano, honoring his years of service to the Senate as he approaches the completion of his term for the 21st Senate District and President of the Senate. A video tribute was played honoring President Galvano. On behalf of the Senate, Senator Passidomo presented President Galvano with a framed ceremonial copy of CS for SB 7068 (2019) Transportation, ch. 2019-43, Laws of Florida.

SPECIAL GUESTS

Senator Simmons recognized the First Lady of the Florida Senate, Julie Galvano; children, Michael, William, and Jacqueline; Julie’s parents, the Reverend Sterling and Mary Jean Forrester; Julie’s brother, Paul; and the many friends who traveled from the President’s district who were present in the gallery.

REMARKS

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

Senator Simmons: Senators and guests, the President of the Florida Senate and his beautiful bride. It’s incredible that we have had such a wonderful, wonderful President. For me, and I know for each of you, that every promise that he made to each one of us, Mr. President, you fulfilled. And that is the opportunity, for you to be the Senator you desire to be, to fulfill the desires and the goals and the aspirations that you had here in the Senate and for which you were elected. Obviously, we don’t confuse being given that opportunity with, in fact, getting the House of Representatives or the Governor to agree with what one of our

views is. One thing is for sure—the opportunity to fulfill your destiny as a Senator. In addition to that, is the civility that he has assured to each of us as Senators and as the President of the Senate, with the Speaker, as well as the Governor, as well as all those with whom he deals. He is, in fact, the President who fulfilled the destiny of a “Golden Age” in this Senate.

I met President Galvano and Julie in 2002. He had been elected to the Florida House of Representatives. We had the opportunity to work together—for me to be able to see how he is dedicated and all the traits that, when you sum them up, are the traits of a leader: honesty, integrity, and diligence.

By the way, have you ever noticed that we were always on time at every meeting that he’s had? I can only imagine that’s something from your upbringing. However, it’s an assured response that when you walk into a meeting a little bit late, you happen to get the look from the President that you should have been there a little bit early, not only on time, but a few minutes before.

He believes that you can see starting a project with the end in mind, but at the same time, making sure that first things are first. Let me translate that into something that each of us has seen—play the hole you’re on. President Galvano’s father and teacher assured that that was instilled, inculcated in him, so that many of the missteps of others did not occur here during his time as President.

You believe so much in treating others with respect and dignity and as members of the team. He is not only a leader, Senators, he’s your friend. Whether it’s Abraham Lincoln or Ronald Reagan or any other of the leaders that we so admire, we know that when all of these greats are summarized within one person, that leader is not only a leader, he is a statesman. President Galvano, my friend, our friend, you are truly a statesman and that, Senators, is our leader and our President.

Senator Passidomo: A long story, to show the man and how he handles himself in the Senate and how he cares about all of us. Two years ago, right after the election, I will never forget it was a Monday morning. And it was the day, the day when the President was calling all the members to tell them their committee chairmanships. So he started at 8:00 a.m. with the As. Now I’m a P, so I didn’t get my call until around 11:00 a.m. So by 11:00 a.m. in the morning, A through O were all calling me to tell me about their chairmanships. Now, I know the President had called us all ahead of time to say “What would you like to do.” And I said, you know being humble, “Mr. President, I will do whatever you think would be in the best interest of the Senate. If you want me to chair the men’s room, I’ll do whatever you want me to do.” I probably shouldn’t have said that. So, by the time they got to the Ps, everybody had called me saying, “Yay, I’m chairing this” and, “Yay, I’m chairing that” and I’m thinking to myself, writing it down, sinking, they’re all gone. All the good chairmanships are gone by the time he gets to the Ps. So I answer the phone, and he says, “Senator, I’m calling to tell you your committee assignments and where your office is going to be.” And I’m like, I don’t care where my office is. Maybe it is in the men’s room. But I really want to know my chairmanship. There isn’t anything left. So he starts rattling off, “You’re going to serve on this committee, and you’re going to serve on that committee.” My heart was sinking. I was thinking, what did I do wrong? I’m just serving on all these committees. And then finally, he said, “and you’re going to be in room 330.” Does anybody know where 330 is? Well maybe one person does. I didn’t know. And so I said, the first thing that came to my mind, “Isn’t that Senator Benacquisto’s office?” And I’m saying to myself, am I that bad that she has to watch over me? That I have to be put into her office to keep an eye on me? So, I’m like, “Oh, thank you. That’s really nice.” And then he said, “Senator, are you listening to me? You’re going to be the Leader.” So I hung up the phone. And about an hour later, I called him back to thank him, and that’s the story.

But the most important thing is, as Majority Leader, I have seen the humanity, the care, the concern that you have for the members. How many times have we sat through a meeting and he says, “Let that member have this win” or “Let that member’s bill get passed, let’s see what we can do to get that across the finish line.” And he has told me, at least every day, that this is a member driven process. What the members want to do is what we want to do, within reason, obviously. So, the important thing for me is the relationships that you have established with all of us to let us be who we want to be. So, when you think about it, all of us have been successful. All of us have been able to be what we

want to be and what we were elected for. And I think that was all due to what you have allowed us to be.

Senator Bradley: Being Senate President is a very, very tough job. We will see the toll it takes on a man when these before and after photos are unveiled. It is great to see Speaker Oliva here, rightfully sitting next to you as you are honored, because the foundation of trust that you two built has been a wonderful thing to see. President Simmons said it best—this has been a “Golden Age” for this Legislature and working with the Governor. You really have done honor to all of us here, all the members in the House, and more importantly, for all of us, the 22 million Floridians that we serve.

Every President gets a portrait. This one is about to be unveiled. So, in a sense, Mr. President, your legacy is secure by virtue of that simple fact. Your picture will literally hang in this chamber for a hundred years. But for the great ones, the best of the best, their names are not listed on a plaque in this building. No, it is something even more meaningful—their names are repeated for years to come as the standard by which other leaders are measured—President Thrasher, Governor Bush, and now, President Galvano. The session is not over, but the story has been written, and it is in permanent ink. The Florida Senate is strong and steady and firmly entrenched in its special place in our system of government, and that is because of you. We can talk about accomplishments: certainly the largest expansion of our state’s multi-corridors and transportation system over the last fifty years—that is a major accomplishment, the Marjory Stoneman Douglas High School Public Safety Act, the renewed focus on balance in our K-12 education system, honoring our traditional public schools as well as the choice options that we have. These are historic accomplishments achieved by a highly skilled public policy maker, and it is right to acknowledge them. I’ve always observed that greatness is more intangible. There is a mystique to it. That is the level that you have achieved, my friend. Julie, Michael, William, and Jackie, know this about your dad; he did it—he’s one of the great ones. I will always remember our special times together, and I have really never had so much fun doing so many difficult things. We have created so many war stories to reflect upon as we enjoy our next phase of life together. But today I want to thank you, Mr. President. I want to thank you for making me proud to be a Florida Senator.

Senator Benacquisto: Senator Bradley did a great job of outlining your accomplishments, the tough battles that you took on and how you empowered everyone here to be their best. Let’s just face it—President Galvano has the ‘it factor.’ He’s got swag; he is just the epitome of a man’s man; he knows all the best quotes; he tells the best stories; he knows everybody under the sun; if there is a place you are going, he knows somebody who runs it, who has been there, who owns it, who can help you out. I do not think there is anyone who knows more famous people than you. And it is fun when I think I have a cool story or Senator Bean thinks we have some really top shelf thing that has happened in our lives, the President says, “Oh yeah, I created that; I was with a guy when he built that business fifty years ago.” It is just so much fun to be around you and your family because you travel as a unit, because you are a unit.

Your children must know that every time we want to come to your dad with something very serious and important, he says, “But let me tell you about what William is doing.” And we wait and hear and celebrate the great things that are going on in their lives because, truly, that is what is most important. You know that, but it is really wonderful to hear, and I think of you in these terms—and I hope I describe it right because I know what it feels like in my heart—you are a man without time; you are a man without place; and you are a man without season because you belong everywhere and to everyone and you are the type of leader that will transcend the definition of time in this process. For as long as we have known about your time across the hall, or when people will be talking about you in the future, there will always be this reference to you and what you brought to the process: the integrity, the elevation of everything we do, whether it is the elevators or the lunchroom, creating and designing and building upon what is so special in this process—the people, the institution. And as we leave, your greatest legacy are the things that Senator Bradley listed and your family, but it is also the elevation of this very special and brilliant place that you have gotten us to reappraise in a way that is truly special. That belongs to you. It has been an honor to serve with you; it has been an honor to be your Rules Chair, and I thank you for your friendship.

Senator Bean: You know, a true leader often brings out the best in others. A true leader will help cover up when we make a mistake. I have made so many—President Galvano gave me a little cover for a mistake I made a few years ago when the Beans headed down to the Phil Galvano Tournament. It is a wonderful outing—go, if you can. We had traveled all day; for me, living in the corner of the state, it was almost a five-hour drive to get there. At the hotel, I had to go to the restroom, and so my family dropped me off early. I ran into the hotel and they parked the car, so that gave me a minute inside the hotel for just a brief moment. Lo and behold, President Galvano, then Leader Galvano, was sitting at a table across the lobby with his good friend, Dan Marino. So I got an idea. I ran over to him and I said, “Hey, Leader and Dan, I’m Aaron Bean. Dan, can you do me a favor? I’ve got two teenaged sons; teenaged sons are so hard to impress. They’re going to come in the door in just two minutes, three minutes, could you do me a favor and act like you know me when they come in?” Dan looked at Galvano. Galvano said, “He’s ok. Yeah, he’s okay.” And Dan said, “Okay.” And I said, “Dan, what I really need you to do is really act like you know me, and I want you to go over the top. I want you to win an Academy Award for your performance acting like we’re old friends. Can you do that?” “Okay, I guess.” And Bill said, “Yeah, he’s okay.”

So, I went back to the lobby. I am at the counter, and I am standing there and they are kind of off in the distance in the lobby. Just then, the Bean teenaged kids and my wife come in, and we are all right there in the line to check in when Marino goes, “Hey, look there! It’s Senator Bean! I haven’t seen you in a while.” And I pointed to him, and then he goes, “Senator Bean, I can’t wait to see you on the golf course.” And I looked at him, and he goes, “Hey, Senator Bean,” and I interrupted him and I said, “Take it down, Dan! I am going to be here this weekend—maybe the three of us can have coffee. Take it down right now.” Like that. And Galvano kept the peace. I’m still waiting on my picture with Marino. It has not happened yet, but I am holding out hope. We played golf that day, and there was a quandary because my team had a hard slice—it was my drive—and it went into the next fairway. When we got there we had a debate, if we are playing the hole we are on, is that the hole we are on? Because it was a totally different hole.

I saw a side of Galvano that maybe you have not seen—that was when Speaker Rubio allowed us chairmen to be empowered and to actually—we had these supercommittees and councils—and council chairs were able to have a draft. Who were you going to pick to lead our sub-chairs? And in the first round, I am going with Galvano. And that is a true story—picking Galvano. We were in a quandary that year—how to get us out of session, to get us out of conference. Who knew APD would have troubles even back then, but APD had troubles; but we found ourselves. Bill Galvano and Aaron Bean on a Saturday morning, without cameras, I do not think we even had staff then, but we had dozens of advocates on a Saturday morning during conference. I remember I was wearing jeans, but Galvano was wearing a black suit. We sat there and we listened, and on the yellow pad we had, we sketched out how we were going to build APD so that everybody had coverage. That was the basis of TEARS, if you’ve heard of TEARS, that was Galvano saying how we could help people that needed help. That is the Bill Galvano that I will always remember, that Saturday morning. To Bill Galvano, the Bill Galvano that I know, you are going to walk out the door, but I know you and that you are just getting started, President Galvano.

Senator Torres: Mine is on a personal note. Last year, my mother passed away. I was back here, waiting to go to Puerto Rico, and my family told me they received flowers from President Galvano. You do not know how much that means to me. A man takes a time out just to say, “I feel your sorrow. I feel your pain.” To me, that meant a lot—a whole lot—and to my family in Puerto Rico as well. When I came back from Puerto Rico, I asked to have an audience with the President. We sat down and we talked, and I expressed to him, “Mr. President, this year is not over yet. We don’t know what’s going to happen.” He lost a brother, and I felt his pain. I sent him a card, and I said, “Anything I can do for you.” This year he sent me a card, and he said, “Let us have a good session.” For me, his words mean a lot because he is sincere. He means what he says. He is a family man. And you kids, you should never forget that because that means a lot to us over here where we can respect the man who carries the weight of the Senate on his back. Thank you, Mr. President.

Senator Book: Thank you so much, Mr. President. And Mr. President, there is so much that I can say about you. We spent a lot of time together, and you are an incredible leader. I will just say this because I

do not want to ugly-cry on the floor anymore. I will hold your scarf any day. I will go to battle any time you ask.

Senator Hutson: Thank you, Mr. President, for everything you have asked me to do for you this year. It has been wonderful to work hard and help continue your legacy. Members, first off, I have been telling everybody we are going to be out of here on Friday. Everybody’s been saying, “What about the budget? What do you know—you’ve got inside knowledge.” I did have inside knowledge—not about the budget—but what I’ve been saying is Bill Galvano loves golf. People were like, “What does that have to do with anything?” Well, the TPC is this weekend, and Bill Galvano is going to be there, so I promise you, we’ll be out of here on Friday. Mr. President, if I could say anything about you, you’ve been cool, calm, and collected this entire process. I remember when you first called me about chairmanships. I think H is way before P so I don’t know timing, and the alphabet, and math but it was probably around 9:30 a.m., is my guess. You said TED Approps. You kind of rattled off the actual name, which is very long, and then you gave seven more committees. I was like, “Mr. President, that is way too many committees.” You said, “No you’re going to be fine. You work really hard. It’s going to be fine. Just relax and you’ll get through it, and if ever it’s overwhelming and too much, you let me know.”

After that session, I found out on Father’s Day, one of the greatest gifts my beautiful wife has ever given me, was a sonogram that I was having another son. Mr. President called me and said, “Congratulations, I’m so excited for you.” I go, “Yea, Mr. President, we need to talk about these committees!” He said, “You’re going to be fine.” I finally broke down about a week ago and said, “Mr. President, you told me to come see you when I’m overworked and overwhelmed—I’m overworked, there’s too much going on, I’m done.” Again, you calmed me down and you said, “Listen, I’ve got good news—committees aren’t meeting anymore!” I’ll never forget that you’ve always been there to just calm me down.

I think the one thing you have taught me, which my father hasn’t in 35 years, is patience. You’ve taught me to relax, be patient, and let the process work. I think all of us, especially this week, need to take that in and remember that. I will be forever grateful for your guidance, your leadership, and your wisdom. I know I’ve got one more task that you and I are working on, and we will get that done. You know I will work as hard as I can for you. When you all go home, just know that we’ll still be working.

Senator Gruters: I have known you for over 20 years, since our Young Republican days back in our area. I will tell you, knowing you at the local level in Sarasota, you’re up in Manatee, you always had a larger-than-life reputation. When I came to the Senate, it was all confirmed—you’re thoughtful, you’re balanced, you’re empowering. As a Senator, from day one, just from what you’ve heard from other members say, it’s immediately, “What do you want to be successful? How can we help you? How can we empower you to be the best Senator that you can be?” I tell people, serving in the Florida Senate has been unbelievable—the best experience I’ve ever had in my entire life. Obviously, it starts at the top with your type of leadership. I can’t tell you how much I appreciate everything you’ve done for me.

For those of you who don’t know, Senator Galvano has helped me in and out of these chambers. I came to him with an issue last year. I had my back against the wall and President Galvano, within 24 hours, basically fixed everything for me. I was calling, and I was at a very low point, so I will never forget that. I will never forget your help.

I like to joke around with my locals, and I say that I probably have the most successful freshman Senate take out of the budget in the history of the Senate. We had so many projects that were approved under my name. Of course, they weren’t really under my name. They were really under President Galvano’s name. I do give you credit with everybody back in the district.

I was telling some of the Representatives—Representative Robinson and others—how after this year, how we are going to be going over a cliff. I don’t know how we’re ever going to pull the nose up and help our area more than you have helped our area. The legacy that you’re leaving here and the legacy that you’re leaving in our area forever with all these organizations you’ve helped and all the infrastructure things you’ve worked on and helped—you’ll always be known by me as my first Senate President and the guy who literally pulled me out of the ditch and saved

me. For you, I can't tell you how much I appreciate you. Our entire area will be indebted to you for a very long time.

Senator Powell: Senate President Galvano, I just wanted to say, when I got that call from you, I was so excited about my chairmanship. And listen, when you started listing my committees and you finally got to my chairmanship, it was the Joint Committee on Public Counsel Oversight. I decided to look it up. And I noticed they hadn't had a meeting in years. So, as the new Joint Chair for that Committee, it was going to be my mission to meet every week. Unfortunately, we weren't able to do that. But last year, we did have a meeting at the call of the chair, for that year, who was me—two meetings, actually. And I was excited to be there.

Senate President, what people don't know is the personal conversations that you and I have been able to have. I've been able to walk right into your office, sometimes unexpectedly, when everybody else was gone just to see if you were still here. You were. Your car was still here. We've been able to talk about family, about your dad, your kids, and your wife. And how cool it is to have these bloodlines, to celebrate with your son while you're here in Tallahassee—to be able to see him at F.S.U. How we talked about losing family members while being a part of this process which is very, very difficult—very tough. And the job of Senate President, where you've got all these moving parts. All of us, each and every one of us, are individuals. Some of us see each other, or see ourselves, as special. But I look at all of us as similar, meaning that we all have a problem. And as Senate President, you get the unduly task of learning all those problems—trying to be the calm and cool headed person to work them out. I like to watch you pull back, put that one leg over the other, swipe that hair to the side, and say, “Well, we can figure out how to work it out.” I often say to my community, a life of service is one that counts. You've lived a life of service. You'll continue to live a life of service, and definitely you'll continue to live a life that counts. I salute you. Thank you very kindly.

Senator Lee: We have known each other a very long time. I'm grateful the Speaker is here to join us, and that your family is here to join you. This is the culmination of a great career for you and a momentous occasion for you to be here with your family with the unveiling of your portrait. I remember when I had that privilege. My daughter and my son's pictures are sitting on the credenza behind me because they were the most important things in my life at the time. And I know what this means to you.

When you started out on this journey as President, you issued what seemed like a challenge to us—a challenge of civility. I had a couple of long conversations with the Speaker this weekend, and he said something that I haven't heard said quite so well in all my years here. That is that the strength of the House is its order and the strength of the Senate is its independence. I'd never heard anybody express that sentiment without using the term Somali warlord before. And I'm never going to forget it. When you issued that challenge to this institution, what I knew at the time was it was really a challenge to yourself. Every noble incidence of civil disobedience in this world—the origins of this country, the civil rights movement—came because leaders could not show restraint and they oppressed others. That'll last for a while, but eventually it fails. And as I thought about what you had laid down, and you had that one brief moment when Senator Brandes had to hold your scarf, but essentially that was outside the State of Florida. It didn't count. But then you laid the gauntlet down. You walked that walk, and what you really issued was a challenge to yourself. As a leader, to govern in an equal way, an egalitarian leader. To respect that we all worked just as hard to get here. We had elected you to represent us and be the trustee of this institution and its priorities and values. But the respect you've given to us as members, the opportunities you've given us to express ourselves has been the tradition of this institution which made you the right man for the right time in the history of the Senate. There's been a lot of change in this institution over the past 15 years, and you've restored some of that tradition. I'm personally grateful, not for myself or for my priorities, or even for the members in this room, but for the institution itself. There are future leaders in this room. I hope they will take away a vision of what you've accomplished here.

My hat is off to you. You obviously knew something that took me a little longer to learn. The measure of a great leader isn't their ability to exercise the power bestowed in them, but the ability to show restraint when they might not otherwise have done so. Through your restraint,

grace, and civility, you have created civility in this chamber because it flows from the top.

Senator Flores: I first met then Representative Galvano, when I was running for the House. And he was very supportive in my lead up to the House. In short, I won and I'd come up for the day of my swearing-in with my family. At the time, President Galvano was in a leadership race and we'd had some great conversations. So the night before my swearing-in, I found myself between some crossfires. I found myself in the position where the next day I had to go to Representative Galvano and say the plans have changed. Any other person would have had a different reaction. They'd have been angry or bitter. But he understood the situation that I found myself in; he understood it better than I did.

From that, it actually sparked an incredible friendship for ourselves and our families. We share the Sarasota connection. My husband is from there, so we travel there often. I have so many nice memories of us traveling there and being there together. We'd spend a week on the beach, and for many years Bill and the kids came. I remember one year, Michael came and played the guitar on the beach, and that was really pretty. So we've had some of those great memories.

Since then, what we've all seen is that when there's a crisis in our state or our home or our family, the person people turn to to solve that crisis is President Galvano. So whether it's been redistricting or during Marjory Stoneman Douglas, professionally and personally, people look to you. You have been an incredible friend in times of need, making sure that you are that steady hand to let us know everything is going to be all right.

Senator Braynon: President Galvano, I just want to tell you, first of all, the last two to three days have been, probably, some of my favorite days of being in this legislature, and that is in no small part, because of you. I have been telling people that it's like in the movie *The Matrix*—I just see what's happening now, right? The best part has been that you've been a partner in that with me. I've been able to talk a lot, and we've been able to talk about the process and just how we see it and how we see it happening. After I made my speech about what I felt like the Senate should be, it feels like you have actually made that happen. I hope everyone remembers that and sees what these past few days have been and how we've been. I think it was to lead up to that—you set us all up—it was in your beginning speech when you said, “I don't have a priority. My priority is *your* priority,” and that really speaks to what the body is. I also appreciate how you let the Majority Leader be the Majority Leader and the Minority Leader be the Minority Leader, but you're the leader of this body, and I appreciate that, as well. We've had some battles over the years—redistricting and campaigns—but you've always been somebody that we could laugh with and have a good time with and never let it get personal—even if you see Angry Oscar come out. I just want to take a quick moment to say thank you. Thank you for your leadership, and thank you for everything you've done for this body, and personally, what you've done for me. Thank you. I just want to say thank you.

Senator Mayfield: Thank you, Mr. President, and you know, as I am sitting here thinking about everyone who says, “When I had a problem, I'd go see President Galvano. I had a crisis, I'd go see President Galvano.” It kind of reminds me of *The Godfather* movie, you know, when you watch *The Godfather*, when they had a problem they went to see the Godfather and lo and behold, it was taken care of. Nobody asked questions either. On a serious note, the first time President Galvano and I met was my freshman year when I was elected to the House. Those that have known me for a long time know that there were some deaths that had happened in our family. My husband had served with President Galvano and spoke very highly of you. When I came in, you were the Rules Chair, and I would write these little notes and I would give them to you that said, “Please put my bill up.” I don't know if you remember this, but you would put back a little note with a little frowny face that said, “Can't do.” I remember that. You did get some of my bills up, and you were very gracious about it—almost as gracious as Senator Benacquisto when she won't hear your bill, too. Those were fun times. When we all got the call—and I love how everybody says, “We got the call!” it's almost like Christmas morning. We're waiting, you know when Christmas morning we wake up and go, “What'd I get? What'd I get? What'd I get?” Mine was an early call—I don't know if they went through the alphabet or not but mine was an early call—and I actually had not gotten up yet, and I was half asleep. But I took it, because it was President Galvano calling and you always take his call. I don't care

what you're doing, where you're at, you take the call when the President calls. He's going through the committee assignments and I was like, "Oh wow, this is great!" When he got to my chairmanship, I was ecstatic. It was a chairmanship that I had always wanted. I will never forget that. You have allowed us in this chamber, all of us, to be able to take our chairmanships and our legislation and do it our way. Your song was so fitting in that you did it your way, and you allowed us to do it our way as well. I will never forget that. You lead with compassion, and you lead with a purpose. But mostly, you lead with your faith. I think that is something we will always remember about you—the fact that you led with your faith. Your mother should be so proud of you as a son that did that. I want to thank you for your friendship. I want to thank you for all you have given me. And as I shared with you, I think this is the best session I have ever had in the ten years I have been elected. Thank you for that.

Senator Gainer: I'd like to say, "Thank you," to the President because about two years ago—in October it'll be two years ago—we had the most horrific weather event ever sustained in the history of the State of Florida. And I went crazy. From the first day to the last day, he would call me. "How's it going? It's going to get better. We're going to handle that. We're going to do this." And so when it was settled I said, "Well, he's talked me off the ledge once again." I was ready to jump. We came back over here and sure enough, day by day, it got a little better. I had Rob Bradley on speed dial. It just got really rough. But I want you to know that because of you and your family supporting you, that you sure made it a lot better than it would have been on us in Northwest Florida. Everybody in Northwest Florida appreciates what you did. In case you don't know, we had a real bad hurricane in Northwest Florida. You sent a lot of money down there, and I appreciate it. It was really a mess, and I just want to present you with a pair of socks, because you've certainly earned them.

Senator Montford: I've only known and worked with you ten years and that seems like a short period of time compared to some. But in those ten years I have become not only appreciative of your leadership style, but I have admired it. You have a unique way of communicating, and you've never said "No" to me. Anything I've asked for, you've never said "No." I was getting a little worried because I turned in those late budget requests a couple days ago. But when you looked at me a minute ago I knew what you said—you've got Senator Hutson working on my budget requests. I feel better! You get to know somebody by the way they act and they do things when, maybe, people are not looking. You know, he is an impressive young man when he stands up there and leads the Senate and when he's in other positions. And you are, you're like a *GQ* guy, you know? But when you get to know somebody, it's when no one else is looking. I was your Vice Chair in Ed Approps and that was two good years for me. I thought I knew a lot about education—and I did—but what I didn't know was the amount of effort that people put into working through that budget. We had some tough times, but I always saw you had a clear purpose of doing what's right for the children of this state. You made some really tough decisions, and we had some tough times, budget times, over those two years. You did a tremendous job. And then, for us as Chairs, your leadership style is you just leave us alone. I made some decisions as Chair of the Environment and Natural Resources Committee that, quite frankly, I thought I'd hear from you. In fact, Taylor in my office said, "You're going to get called to the Principal's Office on this one." But you never did. You always let me make those decisions, and I think that's universal. The third thing is what Senator Gainer alluded to, and that was your sincere effort—to try to help the people who needed it most in this state at the time. You, Senator Simpson, and Senator Baxley, came over and joined Senator Broxson, myself, and Senator Gainer when we did a tour over there. I watched you talk to people. You comforted people you had never met before, and you made a commitment. You followed through with that commitment. We still have a ways to go, but North Florida is a whole lot better off because you were President of this Senate, and you took the leadership and a personal interest in it. And finally, how do you describe a man like Bill Galvano? Growing up, my parents would say, "He's a good man." I very seldom use that description. I've used it a couple times at funerals. I'm proud to say—I'm looking at you and smiling and you're smiling back at me—in Blountstown, when you say somebody is a *good man*, people know what that means. And you're a good man, Bill Galvano.

Senator Rouson: President Galvano, thank you for the relationship. Thank you for the friendship. Thank you for the lessons. We clashed one day. I was *mad*. I was mad at head shops that sell water pipes

and crack pipes and bongos and set up around college campuses. I tried to get the legislature to pass the bill to put a 25 percent sales tax on a crack pipe and use the money for drug treatment. I had forgotten about the rules against using props on the House floor without permission. I had gone to Big Chief's on the corner of Pensacola and Ocala and bought \$200 worth of these pipes. Then, I went to Lowe's and bought a construction hat—and I glued them on the hat. We had passed increases in fines and fees and other stuff like that, but I couldn't get a sales tax on a water pipe. So I determined I was going to wear it on the floor of the House as an in-your-face. When Representative Bogdanoff held up the pack of cigarettes to talk about the dollar tax that we put on tobacco that year, I said, "Foul! That's a prop!"

You sent the Sergeant at Arms over to me and he said, "With all due respect, Representative, the Rules Chair said it's either you or your hat." You saved me from being forced off the floor of the House. You let me save face because the next year we did file a bill that ultimately passed. It wasn't a tax, but it would have stifled new openings of those types of shops around college campuses, and I am grateful for that. I mention that because it's hard to follow everybody when they talk about your sincerity, when they talk about the way you empower people, the way you handle folks with civility, but I'm grateful for the way you've handled each member in this process. Allowing each of us to grow, encouraging us to know our "Why's." And what's most important about good leadership is helping each member to work in their "Why" and be successful in their "Why." I know why I'm here, and you've honored that by the committees you've put me on. I knew I had to act good in the Senate. In fact, my roommate from law school is sitting right up there, Caleb Grimes. Caleb, thank you for never telling him all the stories. Mr. President, thank you for helping each one of us know our mission, our purpose, and helping us to work in it through committee assignments and through the legislation that we've championed. Thank you.

Senator Diaz: President Galvano, I first want to thank you for your leadership. From the time I entered the campaign race through the time we walked through the streets of Hialeah, your leadership has just been amazing—a cool, calm demeanor. Regardless of what went on behind the scenes, your face never changed, and your ability to just make pieces disappear from a chessboard and then magically reappear are just incredible. Words cannot define. I would say that you are a man of incredible character, a family man, but the ultimate phrase I would say is that you are a class act and everything you do shows that. I think every member of this chamber and my good friend, the Speaker across the hall, would concur with that. I think that, as many have said before, you've laid an example for all of us going forward in this chamber, and I thank you for that. I thank you for the opportunity you've given me to really explore legislation, to lead on issues, and to tackle issues that I had never thought I would be involved with before. But most of all, I thank you for your friendship, because that's what means the most to me. The Speaker and I have decided to take a vote, and we have made you an honorary member of the Hialeah Delegation. Thank you, Mr. President, and Godspeed.

Senator Stargel: Everything has been said but not by everybody. And I will be very, very brief. I will have known you, I guess, for 18 years by this time. And hopefully you will still stay around. Like Debbie, we came into the Florida House at the same time—both of our husbands had served with you. It was a really unique situation, I think, for both of us because we came in knowing you really well—you're the Rules Chair. You're the powerful Rules Chair, and we're like freshmen, and we're like walking up and talking and, "How's it going?" and that's not allowed in the House. I know that y'all may have different rules now, but that's how it was back then. And again, I don't know, if I got little like frowny faces, I think I got like a solid "No," but I'm a little bit more forceful I think sometimes in my personality. But I will say, at that time, those were trying times in the House. And things could have gone a very bad way for the State of Florida. And I think the way that you handled the House, and those of us who were there and those of us who had been kind of involved in a little bit of that know how difficult that time was, and you handled yourself well. And I think that showed true leadership then, which gave me a lot of confidence when I would get to the Senate and see your leadership now and the way that you handle yourself. I gave you a shirt one time that said, "You never go against the family." But that is not how you are. You're actually a person who takes things individually. And as was said, when a card may change or something may change or you don't get it your way, you don't bring back retribution. You recognize each person. Everybody in here has a different priority, different things that they want to accomplish, what they want

to do in life, and you don't take it personal if someone disagrees with you. So you can go against the family, unfortunately for that, good or bad, however that is. But anyway, I do appreciate the opportunity that you've given me—does that mean you want me to stop talking? But I do appreciate the opportunities you've given me throughout the entire process. The opportunity you've given to teach me a lot about this process whether it be from rules to leadership to appropriations. I've had some really unique opportunities, and I really do appreciate that. And I thank you for what you've done, and I thank you for your leadership.

Senator Simpson: Thank you, Mr. President. As we were going around the room, I was taking some notes here and, first of all, I'd like to comment on Chairman Powell's thing. He looked his committee up and said, "Man, we haven't met in years." To my dismay, right? You were in the Ps in the alphabet and I'm thinking, "S?" I'm thinking, "Where do I come in the alphabet?" I looked my committee up, Chairman, and it has never even met before so I'm thinking, "What did I do?"

We've described this President as charming, *GQ*, cool, articulate. Yeah, all that's about to be over. I'm none of those things. So this is what I have to follow, right? None of those will be the comments. And now, Chair Gruters has exposed you, Mr. President, so I'm sorry about the vetoes. It's funny that a month or two ago, after the designation—which is a great honor—me and the President were talking, and he would say, "Don't forget that hyphen," or "Hey, there's a hyphen in there." I'm remembering there's a hyphen.

What this President has done, and we've known each other for a little over eight years now, maybe nine years, we spent a lot of time together before we were each elected to the Florida Senate. This is my first office, and we had many times that we were in a lot of bunkers together and just a couple that people have mentioned here today. The Parkland was a tragedy, the Panama City was definitely a tragedy, and those are some of the things that you do when you serve in the Florida Senate, in this position. We represent a specific area, but the state is diverse and that diversity is what makes us as strong as we are. This President recognizes that. What I have learned from this Presidency is: be humbled, be consistent, be steady, be the voice of reason when everybody else around us is not sometimes. I know all the times that we went home in the evenings the last six, seven, eight years, and we would call Julie and harass her. I've said this stuff before—can't say how we harassed her but we would harass her. And it was really awesome meeting your family. His dad had two quotes that I'd mentioned earlier in one of the times when I was recognizing the President, "The reason he's always on time is because he values other people's time." And then, "Play the hole you're on." So, thank you, Mr. President.

RETIRING OF PORTRAIT

Senator Simmons: As is Senate tradition, the portrait on display on the west side of the chamber will be retired to the Historic Capitol. Senate President William A. MacWilliams served as Senate President during the 1921 Legislative Session. President MacWilliams was born in Camden, New Jersey, in 1863. He practiced law in St. Augustine, was elected to the Florida House in 1898 before being elected to the Florida Senate in 1901. He returned to the Florida House in 1907 and to the Senate in 1917 where he served until leaving in 1935. President MacWilliams retired to St. Augustine and remained active in local issues until his death in 1941 at age 78.

Senators, the portrait we are about to unveil was created by artist Steve Davis of Leon Loard Commissioned Portraits. Leon Loard crafted the portraits of Senate Presidents Jennings, King, Lee, Pruitt, Atwater, Gaetz, Gardiner, and Negron. Mr. President, will you and your family please join the Sergeant at the front of the chamber. Sergeant, please unveil the portrait.

UNVEILING OF PORTRAIT

Senator Simmons invited President Galvano and his wife, Julie, and their children, Michael, William, and Jacqueline, to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Tim Hay. The portrait was created by artist Steve Davis of Leon Loard Commissioned Portraits.

SPECIAL PRESENTATION

On behalf of the Senate, Majority Leader Passidomo and Democratic Leader Gibson presented the President with a family trip to Hawaii.

THE PRESIDENT PRESIDING

ADDRESS BY THE PRESIDENT

President Galvano: Wow, Hawaii! Hopefully, it is good until 2022. I may take the Surgeon General with me. I cannot thank you all enough for all those farewell remarks and, Speaker, now you know why we had to extend session. In all seriousness, it really means a great deal to me. I am not going to keep you long here in the chamber with my remarks, but I do have people to thank. I want to start with you, Speaker. We have done, as we discussed, what many believed could not be done—that we could conduct our business, one chamber to another, in a reasonable, civil, and decorum-filled manner. Obviously, there are a lot of different views in this room, and you have even more over there. Leadership matters, and having you as the leader of the Florida House has made a big difference. A lot of the accolades I was given here this morning would not have been possible without your partnership. To my brother in the process, thank you so much. I know you have a lot going on across the way so feel free to exit whenever you have to exit. We have an offer—it is on your desk. I am getting anxious here, you know?

Julie, unbelievable, but we have journeyed on together for these last, really eighteen, years because we had that hiatus in between. You have been my absolute rock. You have been in my court in some of the lowest times and here at my side in some of the best times. I could not have served the people in this chamber, the people I have served with in the past, or the people of the State of Florida without your love. I love you very much. I love you.

Michael, William, Jacqueline, you have grown up in this process. In fact, when I first got elected, Jackie wasn't even born and she came along later, which I guess was still proof that I got home once in a while. But she grew up in the Florida House and now here in the Senate. You all have just made this experience all the better, by your support, the interactions with the people we work with, and it just makes me so proud. I light up when I see you come into the Capitol or when we are out on the campaign trail or whenever we are doing anything in life, really. In relation to this process, it makes me feel more proud of my service. I thank you each for your sacrifice, and I love you all very, very much.

Sterling, Mary Jean, Paul, I could not ask for better in-laws or better support. Thank you for your journey with me in this process. It has meant a great deal to have you alongside us. Thank you. My mother is at home watching on TV. Mom, I love you. She was the one who inspired me to get into public service. Both my parents were patriotic and believed in this country very much. My mother grew up during World War II and she really instilled in me that sense of patriotism and shared with me, as a young boy, many stories. She helped me learn and appreciate the wonderful life we have here in America. I thank you, Mom. I know it has not been the easiest year, but I could not have done any of this without you and your support. I love you, Mom. To my siblings who are watching, some from farther away than others, thank you so much for all the support that you have shared with me. Thank you for being my big defenders on social media—I really appreciate it. I know you are outmatched a thousand to one—sometimes, at least. It is great to know some people back around the state have my back. That is what families are for.

My district staff—I am so pleased with the job that you do. Many of you realize that we do a lot up here, but a lot of folks, just like Senator Flores says, do not really know that we are up here and what we are doing. Policy is great, budgets are great, but it is constituent service that makes the big difference, and I really appreciate that. Amanda, I am so pleased that you are here to join us today. I enjoy your work with Carlecia. Carlecia, thank you. You make up one of the best district staffs that we could have. Thank you. I have a special thanks for Macey Moon. I think everybody in this room knows Macey. She has a spreadsheet for each and every one of you. She has a spreadsheet for the 400 frantic people in the rotunda right now waiting for this to be over. Thank you for always being there, always working hard, always being pleasant,

and being one of the best members of my team. I truly appreciate you. Thank you so much.

Kathy, you have been with me from the beginning. You truly have. I have learned a lot from you through the years. You are a rock. I have watched you grow into probably the most professional person that I have encountered. When I took over as Senate President, I said I have to share Kathy with the rest of the Senate. There is a standard for how to operate as a legislative aide and how to conduct business. So we created the position of District Staff Coordinator and you have filled that tremendously. I venture to say that I have seen the quality of work of the aides and the district staff go up, become better and more professional. That is thanks to you. Most importantly, you are my friend and I love you. God bless you, Kathy.

The President's Office—you know, there was a cartoon some of you may remember—*Hong Kong Fuey*. Does anybody remember that? The protagonist was this dog who had an affinity for martial arts. He was always out trying to solve crimes and do things. He would always flub it up and, at the end, he would look like a hero because behind him he had this friend, a cat, who was behind the scenes and who was the one who really made it happen and really made him look good. That is the President's Office, each and every one of them. Really, this process, this Senate would not run without them. Cara, I would not run without your *cafecito* every day at 1:00 p.m. I know now that many members are starting to realize that and come in around that time.

India, thank you so much for the way you manage that office. Sometimes I wonder if I can ever escape her. She keeps me on time. We have a nickname—Rob Bradley gave it to her—the Blonde Angel of Death because you could be full throttle in a meeting that has disintegrated into a jokefest and she knocks, “Mr. President, they are waiting for a photo in the chamber.” It is one of the toughest jobs, and you do it in a tremendous way, and I truly appreciate you. TK, we have been together a long time. We worked together in Education for almost all of my years here in the Senate, and it is one of those issues that permeates the Senate. I have truly learned a lot from you, and you never cease to amaze me. Just yesterday we came off the floor with an issue and, by the time I was finished with the press gaggle, you had already found the solution. I cannot thank you enough for your insights, your tremendous work ethic, and your friendship. Thank you, TK. Andrew, always fresh, always ready to go, always looking good, and full of great ideas. I appreciate all the efforts you put forth on myriad subject matters and some that we are still working on. I could not ask for a better policy advisor. Thank you, Andrew. Jacqui Peters—I met Jacqui when she was Jacqui Sosa in the House. That is how I got addicted to Cuban coffee. I had a suite in the House and everybody—the entire Miami-Dade delegation—was there. And me. So all day long, we had Cuban coffee. I have watched you grow in your career, which is quite impressive, it truly is. When you accepted the opportunity to work in the President's Office, I was very excited, very excited. I cannot tell you how much it means that you accomplish what you do, but your attitude—you are upbeat, uplifting. It could be a rough day but you are still excited to be there and see us, and it makes a big difference. Thank you, Jacqui. Allie, we have been together a long time. I show people a picture of our wedding—Julie's and my wedding—and there is a little flower girl in there, and it is Allie. I have watched you grow up. I am very proud of you. I know my friend, your father, is very proud of you. She interned for me in the House, then went to work for me in my law firm, then came over to the Senate, then the Majority Office, and now is in the President's Office; she has one of the toughest jobs, and that is healthcare. I love you, Allie. Reynold—there he is in the back—probably thinking, “He needs to shut up. We have got to get back, we have bills to pass.” But remember, we did 83 bills in three hours. That is a local bill in the Florida House. You know, I get in bed, I have my pajamas on, checking my watch, and I flip on the TV and “Jose” is still up there! So Reynold, thank you, for always being the guy who brings it right down to the brass tacks of what we need to do and how it has got to work. I appreciate you very much. You are also a great interpreter, because we will have meetings and, at the end of them, he says, “What I am hearing you say is...” You just say it better. Thank you, Reynold. Katie Betta, best Communications Director, Deputy Chief, in the world, frankly. I truly appreciate the attention that you pay. It seems like there is nothing going on in the world or in anything obscure anywhere that you are not aware of and that you are not prepared for and that you are not getting me prepared for. So, to all of you up there in the press box, you are better off just talking to her because she gets me all set and ready to go when we are doing our stuff.

I truly appreciate you. I have known you a long time. Thank you for your service to the Senate and the state.

Christie Letarte, you have joined us in the Majority Office and I have watched you grow into really a force in the Florida Senate. I know it was a big decision to create the Special Counsel and little did we know how much you would deal with. This session saw some of the biggest issues in terms of claims bills and others and legal matters that none of us could foresee—including the issues that took place in Broward County. I have never had anything but tremendous confidence in you, and I truly appreciate you. Thank you so much, Christie. Jeremiah Hawkes, the General Counsel of the Florida Senate, what I did not realize when I took the gavel is that overnight, I would be named in 12 different lawsuits. I am serious! We literally had a trial set to begin a few months later. We have gone through, suit by suit, issue by issue, and have really put the Senate in a very good place from a legal perspective. Your counsel and advice and energy is really appreciated. Thank you, Jeremiah. Cindy Kynoch, I know Chairman Bradley had mentioned how tremendous you are and what you do for the Senate and with the budget, but I have to thank you myself. You are amazing. It could be 2:00 a.m. and you look like you just woke up. You are ready to go. It is good to see you for once without twelve folders in your arm. I think that is an Approps thing—they all walk around with folders, just in case. You ask them a simple question like, “What's the effect of that bill?” They start rolling them. You are tremendous. Great choice that I made. I am glad that you are here. Ronnie Whitaker, running the Majority Office, thank you, Ronnie. I know it is not easy. Things switch around on the floor and go back and forth. The way you keep up with it is tremendous. I was so pleased when I chose you to run the Majority Office, as Majority Leader, and it was a no-brainer for me to ask you to stay. Thank you for your great work, Ronnie.

Madam Secretary, thank you for your help, your support, your insights, for helping us get the car out of the ditch from time to time. I often ask, “Now, what do we do? Did you expect that?” You are an institution here in the Florida Senate. Thank you so much. I appreciate you. Sergeant Tim Hay, you are my partner, my *paisan*. The way you keep this place together, you and your entire team, it is often unseen but lived. You know what I mean by that. I cannot tell you how much I appreciate you and I will miss you tremendously. Thank you, Sergeant.

Lisa Vickers, this is a tough one. I met Lisa when I was in the Florida House. We had a big package from the Department of Revenue and she was running the Department of Revenue at the time. Governor Bush had made a priority of revamping an entire section of law, so it was not just an easy bill and a simple issue. I was so impressed by our work together and the way you helped me understand what we were doing and my preparedness because of your efforts. I remember going into a conference before we did a press conference with Governor Bush, and he brought up an issue and he said, “What does that mean?” And I said, “Well, if you look on page 90,” and he said, “Wow, good. Someone who reads bills. I like it.” It was really because we had worked together and gone through it so much. And then in the Senate, I have seen what you were able to do on major, major issues.

After the Parkland tragedy, I went back home and I literally wrote on a yellow pad an outline of some ideas we had discussed. I took a picture of that yellow pad, maybe three pictures, and I texted those pictures to Lisa Vickers, who was Policy Advisor. Within 24 hours, the foundation of that bill was put together from those simple ideas. The rest is history, as we all worked together, and you and I worked tremendously on that legislation. What a special person. What a unique person. Someone who has an impeccable reputation, impeccable work ethic, and someone you can count on when the chips are down. It was not even a difficult decision to choose a Chief of Staff. I had in mind who I thought could fill that job and made that request, and the fact that you accepted it just really set in motion any success that I have had as Senate President. I am still amazed that you are indefatigable. You really are. Never frazzled, always working on twelve things at once, but somehow you balance it and make it look easy. And you are fun. It is a lot of fun hanging out and doing these things. Like Senator Bradley said, some difficult meetings become enjoyable because of the people and the personalities. You are a dear friend. You are an asset to the State of Florida. You are the best thing that has happened to the Senate staff that I can recall in my whole career.

I also have a private professional life and the people that I share it with make sacrifices so that I can serve the people of this state. You

have all been there every step of the way. Some are watching on TV and some up there, but my law partners could have said, “No, this is going to impact our bottom line.” Just wait now! No, I am kidding. But they understood. I came from a firm and one of my mentors in life was Bill Grimes, who served in the Legislature in the 50s, and he had a servant’s heart. He shared a lot of stories with me. His son, Caleb, is now the Senior Partner in our law firm and is like a brother to me and has been for most of my professional life—all of my professional life. It is amazing to have that relationship and have partners who appreciate what we do. Jack Hawkins, who is not here, Leslie Gladfelder, Derin Parks, Sacha Ross, who is here. I appreciate you, Sacha, you have been at a lot of these—I think all of them. You have been so supportive of my career, and I truly appreciate it. Kyle, you have some big shoes to fill with your father and your grandfather and your great-grandfather. Thank you all in my law firm. Katie Morrissey, thank you for the support that you give me back home at mission control.

Leader Gibson, I could not have had a better experience with a Minority Leader. Certainly we have issues that we are not on the same side of all the time, but you have handled it always with class, and I appreciate that. We confront one another, we talk it through, and then we understand what the play is. More importantly, you are a dear friend. You have been for a long time, and I look forward to our friendship continuing for many, many years. Thank you, Leader.

And again, Senator Simmons, as I said earlier, thank you for being such a great Pro Tempore. And to all the constituents in District 21, I miss you. It will be good to get back to see you. One of the challenges of political life in the United States and in the State of Florida is the more you rise in leadership, the less time you spend back home with the people who elected you in the first place. That is a tough balance, and I know we all work at that but it will not be long.

To each of you, the Senators, thank you so much. You say nice things about me empowering you, but if I did not believe in you, there would be nothing to empower. It is truly an honor to serve in this process—a tremendous honor to serve as your president. It is an amazing process, and I have learned a lot of things along the way, some more important than others. Some worth noting, like—and Senator Montford, you can share this—it is pretty difficult to be named “Bill” and be in the legislative process. It is like being named “Chip” and working at a casino. Not much I can do about that, and it is irony that we had a “Bill” retiring from the wall. Other things I have learned—when it comes to amendments, Jeff Brandes is like a box of chocolates—you never know what you are going to get. I love to see that whole flow. Yesterday we had some big debate, and I was watching the floor. Those are memories that will stay with me for a long time.

Just a couple of points—geography matters in this business. Where you are, where you sit, where you spend your time makes a big difference. Some of the great relationships of my life were fortuitous in that I was assigned to a seat next to someone I did not know, or in a parking space, or an office. Being in the building makes a big difference in your career. Relationships matter.

If I tell you anything that you should take away, at least from my experience, it is that relationships matter. The more you build on them, the more you bank. It is like making deposits of good will. There will be times when you have to withdraw the good will, but if there is nothing to withdraw, then it becomes difficult and it shuts down. Communication is key to that. You have to communicate. Sometimes it sounds easy—yeah, communicate. No, a lot of times it is really tough because you have to say something you do not want to say. Knowing the reaction on the other side is a reaction that you do not want to have. It is easier to say, instead of confronting Senator B, I will just vent to Senator C, D, and E and then it breaks down. Communicate. That means communicating not just with members, but the people in this process. The lobby corps matters. The press corps matters. You all are part of a global process. We come up here and work together for the good of the people of Florida. An institution like the Senate is only as good as the people in it. And if you believe that, then you have to believe these people are good and that they have talents and that you should do everything you can to recognize and inspire those talents. I often am in awe of what I hear on the floor and how I see you operate. I think to myself, it is probably a good deal that the least talented guy is just up here as a traffic cop because your work is going on there. When you say I have empowered you, it is easy. It is easy to empower tremendous people who are already empowered, not by me, but by the five-hundred-plus thousand con-

stituents that sent you here to help their lives, their dreams, their goals, and their desires come to fruition.

We all heard ‘focus’ and ‘play the hole you are on.’ My dad had some great sayings, like, “If you are ahead of your time, it is still bad timing.” It’s true. Through my life, I think of these things and if you do focus on the shot at hand or the hole at hand—and technically, Senator Bean, you were still on the hole that you were not on, you were just in peril at the time—that does make a difference.

I will tell you, I have enjoyed learning so much from you and your histories. We all bring a history to this chamber. Behind me in my office—you have all seen it—I have a picture of Ellis Island, the Grand Hall at Ellis Island in the early 1900s, about the time my grandparents were coming through. I like to believe that they are in that picture. On the third floor, you go around and there is a picture of soldiers training on Miami Beach where my dad was stationed. He used to say, “How lucky could I be? I get called up and sent to Miami Beach and stayed at the Victor Hotel,” which is now \$1,100 or \$1,200 a night. These are histories. And catty-corner from it, Senator Pizzo gave me a map of Italy from the 1500s. It is really an amazing piece. I keep that balance, and I think of each and every one of your histories that you shared. It helps us to become this mosaic of service for the people of Florida, and it really makes a difference in a state as diverse as ours. In the institution that we serve—I value it and I know you do, too—but it is worth saying that we have to value it every day. This chamber is majestic. The things that have happened here, the lives that have been changed in this chamber, the tears that have been wept in this chamber, the laughter that has been in this chamber, are things that most Floridians will never know. This is a heart that is pumping out blood for the rest of the state making a difference in their lives. For me, whether it was making something a little more tidy, a little more regal, cleaning things up, making sure that we, as a Senate, take pride in what we have but, more importantly, that the people we represent have pride in what we have and do.

I will end with where I started as Senate President—that all comes down to how we treat one another and the civility and the decorum with which we conduct our business. I mentioned the Speaker and I have shared that view and operated in that way, and I think each and every one of you has done that in this chamber. I could not be more proud of the fact that you have. I hope, when you look back, you feel like the last two years have been a successful run. I know they will be in my heart forever. As I said at my designation, I have tried very hard to listen to you, not just with my ears, but with my mind and with my heart. God bless you all. I love you.

RECESS

The President declared the Senate in recess at 1:30 p.m. to reconvene at 2:30 p.m. or upon his call.

AFTERNOON SESSION

The Senate was called to order by the President at 2:30 p.m. A quorum present—39:

Mr. President	Diaz	Perry
Albritton	Farmer	Pizzo
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

By direction of the President, there being no objection, the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senator Diaz, the Senate resumed consideration of—

CS for HB 7067—A bill to be entitled An act relating to K-12 scholarship programs; amending s. 1002.394, F.S.; revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program; establishing a priority order for award of a scholarship that includes an adjusted maximum eligible household income level that is increased in specified circumstances; requiring the Department of Education to maintain and publish a list of nationally norm-referenced tests and to establish deadlines for lists of eligible students, applications, and notifications; requiring a private school to report scores to a state university by a specified date; requiring parents to annually renew participation in the program; requiring an eligible nonprofit scholarship-funding organization to award scholarships in priority order and implement deadlines; requiring, rather than authorizing, an annual specified increase in the maximum number of students participating in the scholarship program; amending s. 1002.395, F.S.; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that priority be given to students whose household income levels do not exceed a specified amount or who are in foster care or out-of-home care; requiring scholarship-funding organizations to prioritize renewal scholarships over initial scholarships; requiring a scholarship-funding organization to refer students who did not receive a scholarship because of lack of funds to another scholarship-funding organization; amending s. 1002.40, F.S.; requiring scholarship-funding organizations to use excess contributions to fund scholarships for specified students under certain conditions; amending s. 1011.62, F.S.; revising funding calculations for certain student memberships; providing an effective date.

—which was previously considered March 11. Pending **Amendment 2 (159850)** by Senator Lee failed.

The vote was:

Yeas—16

Berman	Montford	Stewart
Book	Pizzo	Taddeo
Cruz	Powell	Thurston
Farmer	Rader	Torres
Gibson	Rodriguez	
Lee	Rouson	

Nays—21

Mr. President	Braynon	Mayfield
Albritton	Broxson	Passidomo
Baxley	Diaz	Perry
Bean	Flores	Simmons
Benacquisto	Gruters	Simpson
Bradley	Hooper	Stargel
Brandes	Hutson	Wright

Vote after roll call:

Yea—Bracy

Nay to Yea—Braynon

Pursuant to Rule 4.19, **CS for HB 7067** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for HB 491** was deferred.

CS for CS for SB 708—A bill to be entitled An act relating to automated pharmacy systems; amending s. 465.0235, F.S.; authorizing a community pharmacy to use an automated pharmacy system under certain circumstances; requiring such community pharmacies to adopt,

annually review, and maintain a record of, for a specified time period, certain policies and procedures; providing that certain medicinal drugs stored in an automated pharmacy system for outpatient dispensing are part of the inventory of the pharmacy providing services through such system; authorizing, rather than requiring, the Board of Pharmacy to adopt specified rules; deleting an obsolete date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 708**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 59** was withdrawn from the Committees on Health Policy; Innovation, Industry, and Technology; and Rules.

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

CS for CS for HB 59—A bill to be entitled An act relating to automated pharmacy systems; amending s. 465.0235, F.S.; authorizing a community pharmacy to use an automated pharmacy system under certain circumstances; providing that certain medicinal drugs stored in an automated pharmacy system for outpatient dispensing are part of the inventory of the pharmacy providing services through such system; requiring community pharmacies to adopt certain policies and procedures; authorizing, rather than requiring, the Board of Pharmacy to adopt specified rules; deleting an obsolete date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 708** and, by two-thirds vote, read the second time by title.

SENATOR SIMMONS PRESIDING

Pursuant to Rule 4.19, **CS for CS for HB 59** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 474—A bill to be entitled An act relating to the deregulation of professions and occupations; providing a short title; amending s. 322.57, F.S.; defining the term “servicemember”; requiring the Department of Highway Safety and Motor Vehicles to waive the requirement to pass the Commercial Driver License Skills Tests for certain servicemembers and veterans; requiring an applicant who receives such waiver to complete certain requirements within a specified time; requiring the department to adopt rules; amending s. 326.004, F.S.; deleting the requirement that a yacht broker maintain a separate license for each branch office; deleting the requirement that the Division of Florida Condominiums, Timeshares, and Mobile Homes establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the Department of Business and Professional Regulation; amending s. 455.213, F.S.; requiring the department or a board to enter into reciprocal licensing agreements with other states under certain circumstances; providing requirements; creating s. 455.2278, F.S.; defining terms; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a delinquency or default in the payment of his or her student loan; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a default in satisfying the requirements of his or her work-conditional scholarship; amending s. 456.072, F.S.; specifying that the failure to repay certain student loans is not considered a failure to perform a statutory or legal obligation for which certain disciplinary action can be taken; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners who are in default on student loan or scholarship obligations; amending s. 456.074, F.S.; deleting a provision relating to the suspension of a license issued by the Department of Health for defaulting on certain student loans; amending s. 468.385, F.S.; revising requirements relating to businesses auctioning

or offering to auction property in this state; amending s. 468.401, F.S.; revising definitions; repealing ss. 468.402, 468.403, 468.404, and 468.405, F.S., relating to duties and authority of the Department of Business and Professional Regulation with regard to licensure of talent agencies, licensure requirements, license fees and renewals, and qualification for a talent agency license, respectively; amending s. 468.406, F.S.; requiring an owner or operator of a talent agency to post an itemized schedule of fees, charges, and commissions in a specified place; repealing s. 468.407, F.S., relating to the form and posting requirements for a license; amending s. 468.408, F.S.; conforming provisions to changes made by the act; prohibiting certain bonds from being issued or renewed by a bonding agency to an owner or operator of a talent agency unless the bonding agency verifies that each owner or operator has not been convicted of specified crimes; amending s. 468.409, F.S.; deleting a requirement for record inspection; amending s. 468.410, F.S.; deleting a requirement to include specified information in a contract between a talent agency and an applicant; amending s. 468.412, F.S.; deleting recordkeeping and posting requirements; amending s. 468.413, F.S.; revising criminal penalties; conforming provisions to changes made by the act; repealing s. 468.414, F.S., relating to the deposit of certain funds in the Professional Regulation Trust Fund; amending s. 468.415, F.S.; prohibiting any agent, owner, or operator who commits sexual misconduct in the operation of a talent agency from acting as an agent, owner, or operator of a Florida talent agency; amending s. 468.505, F.S.; providing that certain unlicensed persons are not prohibited or restricted from his or her practice, services, or activities in dietetics and nutrition under certain circumstances; amending s. 468.524, F.S.; deleting specified exemptions from the time restriction for an employee leasing company to reapply for licensure; amending s. 468.603, F.S.; revising which inspectors are included in the definition of the term "categories of building code inspectors"; amending s. 468.609, F.S.; revising certain experience requirements for a person to take the examination for certification; revising the time period a provisional certificate is valid; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 471.015, F.S.; revising licensure requirements for engineers who hold specified licenses in another state; amending s. 473.308, F.S.; deleting continuing education requirements for license by endorsement for certified public accountants; amending s. 474.202, F.S.; revising the definition of the term "limited-service veterinary medical practice" to include certain procedures; amending s. 474.207, F.S.; revising education requirements for licensure by examination; amending s. 474.217, F.S.; requiring the department to issue a license by endorsement to certain applicants who successfully complete a specified examination; amending s. 476.114, F.S.; revising training requirements for licensure as a barber; amending s. 476.144, F.S.; requiring the department to certify as qualified for licensure by endorsement an applicant who is licensed to practice barbering in another state; amending s. 477.013, F.S.; revising the definition of the term "hair braiding"; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing additional exemptions from license or registration requirements for specified occupations or practices; amending s. 477.019, F.S.; deleting a provision prohibiting the Board of Cosmetology from asking for proof of certain educational hours under certain circumstances; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; providing that certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising and deleting definitions; amending s. 481.205, F.S.; conforming provisions to changes made by the act; amending s. 481.207, F.S.; revising certain fees for interior designers; conforming provisions to changes made by the act; amending s. 481.209, F.S.; providing requirements for a certificate of registration and a seal for interior designers; specifying that certain persons who are already licensed as interior designers are eligible to obtain a certificate of registration; conforming provisions to changes made by the act; amending s. 481.213, F.S.; revising requirements for certification of licensure by endorsement for a certain licensee to engage in the practice

of architecture; providing that a certificate of registration is not required for specified persons to practice; conforming provisions to changes made by the act; amending s. 481.2131, F.S.; requiring certain interior designers to include a specified seal when submitting documents for the issuance of a building permit; amending s. 481.215, F.S.; conforming provisions to changes made by the act; revising the number of hours of specified courses the board must require for the renewal of a license or certificate of registration; authorizing licensees to complete certain courses online; amending s. 481.217, F.S.; conforming provisions to changes made by the act; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; requiring a licensee or applicant in the practice of architecture to qualify as a business organization; providing requirements; amending s. 481.221, F.S.; conforming provisions to changes made by the act; requiring registered architects and certain business organizations to display certain license numbers in specified advertisements; amending s. 481.223, F.S.; providing construction; conforming provisions to changes made by the act; amending s. 481.2251, F.S.; revising the acts that constitute grounds for disciplinary actions relating to interior designers; conforming provisions to changes made by the act; amending ss. 481.229 and 481.231, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; deleting the definition of the term "certificate of authorization"; amending s. 481.310, F.S.; providing that an applicant who holds certain degrees is not required to demonstrate 1 year of practical experience for licensure; amending s. 481.311, F.S.; revising requirements for certification of licensure by endorsement for a certain applicant to engage in the practice of landscape architecture; amending s. 481.313, F.S.; authorizing a landscape architect to receive hour-for-hour credit for certain approved continuing education courses under certain circumstances; amending s. 481.317, F.S.; conforming provisions to changes made by the act; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice in the name of a corporation or partnership; amending s. 481.321, F.S.; requiring a landscape architect to display a certain certificate number in specified advertisements; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for exemption; amending s. 489.111, F.S.; revising provisions relating to eligibility for licensure; amending s. 489.113, F.S.; providing that applicants who meet certain requirements are not required to pass a specified examination; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or territory of the United States under certain circumstances; requiring certain applicants to complete certain training; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; requiring certain applicants to complete certain training; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, trust, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions to changes made by the act; creating s. 509.102, F.S.; defining the term "mobile food dispensing vehicle"; preempting certain regulation of mobile food dispensing vehicles to the state; prohibiting certain entities from prohibiting mobile food dispensing vehicles from operating within the entirety of such entities' jurisdictions; providing construction; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knock-down timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or an announcer; amending s. 553.5141, F.S.; conforming provisions to changes made by the act; amending s. 553.74, F.S.; revising the membership and qualifications of the Florida Building Commission; amending s. 823.15, F.S.; authorizing certain

persons to implant dogs and cats with specified microchips under certain circumstances; authorizing certain persons to contact the owner of record listed on radio frequency identification microchips under certain circumstances; amending ss. 558.002, 559.25, and 287.055, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 474**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1193** was withdrawn from the Committees on Innovation, Industry, and Technology; Commerce and Tourism; and Appropriations.

On motion by Senator Albritton—

CS for HB 1193—A bill to be entitled An act relating to the deregulation of professions and occupations; providing a short title; amending s. 287.055, F.S.; conforming provisions to changes made by the act; amending s. 322.57, F.S.; defining the term “servicemember”; requiring the Department of Highway Safety and Motor Vehicles to waive certain commercial driver license requirements for servicemembers and veterans under certain circumstances; requiring rulemaking; amending s. 326.004, F.S.; deleting the requirement for a yacht broker to maintain a separate license for each branch office; deleting the requirement for the division to establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing ss. 447.04, 447.041, 447.045, and 447.06, F.S., relating to licensure and permit requirements for business agents, hearings for persons or labor organizations denied licensure as a business agent, confidential information obtained during the application process, and required registration of labor organizations, respectively; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing ss. 447.12 and 447.16, F.S., relating to registration fees and applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the department; amending s. 455.213, F.S.; requiring the Department of Business and Professional Regulation or a board to seek reciprocal licensing agreements with other states under certain circumstances; providing requirements; creating s. 455.2278, F.S.; providing definitions; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a delinquency or default in the payment of his or her student loan; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a default in satisfying the requirements of his or her work-conditional scholarship; amending s. 456.072, F.S.; providing that failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan is not considered a failure to perform a statutory or legal obligation; repealing s. 456.0721, F.S., relating to practitioners in default on student loan or scholarship obligations; amending s. 456.074; removing the requirements for immediate suspension of a health care practitioner for default on a specified student loan; amending s. 468.401, F.S.; revising a definition; amending s. 468.505, F.S.; providing that certain unlicensed persons are not prohibited or restricted from his or her practice, services, or activities in dietetics and nutrition under certain circumstances; amending s. 468.517, F.S.; providing that certain unlicensed persons may not practice dietetics and nutrition for remuneration in certain licensed healthcare facilities; amending s. 468.524, F.S.; deleting the time restriction for an employee leasing company to reapply for licensure; amending s. 468.603, F.S.; revising a definition; amending s. 468.609, F.S.; revising certain experience requirements for a person to take the examination for certification; revising the time period a provisional certificate is valid; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 471.015, F.S.; revising licensure requirements for engineers who hold specified licenses in another state; amending s. 473.308, F.S.; deleting continuing education requirements for license by endorsement for certified public accountants; amending s. 474.202, F.S.; revising the definition of the term “limited-service veterinary medical practice” to include certain vaccinations or immunizations; amending s. 474.203, F.S.; providing an exemption for a person whose work is solely confined to microchip implantation in dogs and cats; amending s. 474.207, F.S.; revising education requirements

for licensure by examination; amending s. 474.217, F.S.; requiring the Department of Business and Professional Regulation to issue a license by endorsement to certain applicants who successfully complete a specified examination; amending s. 476.114, F.S.; revising training requirements for licensure as a barber; amending s. 476.144, F.S.; requiring the department to license an applicant who is licensed to practice barbering in another state; amending s. 477.013, F.S.; revising the definition of the term “hair braiding”; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing additional exemptions from license or registration requirements for specified occupations or practices; amending s. 477.019, F.S.; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; authorizing certain persons to perform specified cosmetology services in a location other than a licensed salon under certain circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising definitions; amending s. 481.205, F.S.; conforming provisions to changes made by the act; amending s. 481.207, F.S.; revising certain fees for interior designers; amending s. 481.209, F.S.; providing requirements for a certificate of registration and a seal for interior designers; conforming provisions to changes made by the act; amending s. 481.213, F.S.; revising requirements for certification of licensure by endorsement for certain licensees to engage in the practice of architecture; providing that registration is not required for specified persons to practice; amending s. 481.2131, F.S.; requiring certain interior designers to include a specified seal when submitting documents for the issuance of a building permit; amending s. 481.215, F.S.; revising the number of hours of specified courses the board must require for the renewal of a license or certificate of registration; authorizing licensees to complete certain courses online; amending s. 481.217, F.S.; conforming provisions to changes made by the act; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; requiring a licensee or applicant in the practice of architecture to qualify a business organization; providing requirements; amending 481.221, F.S.; requiring registered architects and certain business organizations to display their license number in specified advertisements; amending s. 481.223, F.S.; providing construction; amending s. 481.2251, F.S.; revising acts that constitute grounds for disciplinary actions relating to interior designers; amending ss. 481.229 and 481.231, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; deleting the definition of the term “certificate of authorization”; amending s. 481.310, F.S.; providing that an applicant who holds a specified degree is not required to demonstrate 1 year of practical experience for licensure; amending s. 481.311, F.S.; requiring the Board of Landscape Architecture to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; conforming provisions; amending s. 481.313, F.S.; authorizing a landscape architect to receive hour-for-hour credit for certain approved continuing education courses under certain circumstances; 481.317, F.S.; conforming provisions; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice through a corporation or partnership; amending s. 481.321, F.S.; requiring a landscape architect to display their certificate number in specified advertisements; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for exemption; amending s. 489.111, F.S.; providing that an applicant who is exempt from a specified examination is eligible for licensure; amending s. 489.113, F.S.; providing that an applicant holding a specified degree does not have to pass a certain examination; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or territory of the United States under or certain persons licensed by endorsement or reciprocity under certain circumstances; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; re-

quiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions; creating s. 509.102, F.S.; providing a definition for the term “mobile food dispensing vehicles”; prohibiting a municipality, county, or other local governmental entity from requiring a separate license, registration, or permit or fee or from operating within the jurisdiction; providing applicability; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or announcer; amending s. 553.5141, F.S.; conforming provisions to changes made by the act; amending s. 553.74, F.S.; revising the membership and qualifications of the Florida Building Commission; amending s. 558.002, F.S.; conforming provisions to changes made by the act; amending s. 823.15, F.S.; authorizing certain persons to implant dogs and cats with specified radio frequency identification devices under certain circumstances; authorizing such persons to contact the owner of record listed on such devices; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 474** and read the second time by title.

Senator Albritton moved the following amendment:

Amendment 1 (828936) (with title amendment)—Delete lines 234-2565 and insert:

Section 2. Present subsection (4) of section 322.57, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

322.57 Tests of knowledge concerning specified vehicles; endorsement; nonresidents; violations.—

(4)(a) *As used in this subsection, the term “servicemember” means a member of any branch of the United States military or military reserves, the United States Coast Guard or its reserves, the Florida National Guard, or the Florida Air National Guard.*

(b) *The department shall waive the requirement to pass the Commercial Driver License Skills Tests for servicemembers and veterans if:*

1. *The applicant has been honorably discharged from military service within 1 year of the application, if the applicant is a veteran;*

2. *The applicant is trained as an MOS 88M Army Motor Transport Operator or similar military job specialty;*

3. *The applicant has received training to operate large trucks in compliance with the Federal Motor Carrier Safety Administration; and*

4. *The applicant has at least 2 years of experience in the military driving vehicles that would require a commercial driver license to operate.*

(c) *An applicant must complete every other requirement for a commercial driver license within 1 year of receiving a waiver under paragraph (b) or the waiver is invalid.*

(d) *The department shall adopt rules to administer this subsection.*

Section 3. Subsection (13) of section 326.004, Florida Statutes, is amended to read:

326.004 Licensing.—

(13) Each broker must maintain a principal place of business in this state and may establish branch offices in the state. ~~A separate license must be maintained for each branch office. The division shall establish by rule a fee not to exceed \$100 for each branch office license.~~

Section 4. Subsection (3) of section 447.02, Florida Statutes, is amended to read:

447.02 Definitions.—The following terms, when used in this chapter, shall have the meanings ascribed to them in this section:

~~(3) The term “department” means the Department of Business and Professional Regulation.~~

Section 5. *Section 447.04, Florida Statutes, is repealed.*

Section 6. *Section 447.041, Florida Statutes, is repealed.*

Section 7. *Section 447.045, Florida Statutes, is repealed.*

Section 8. *Section 447.06, Florida Statutes, is repealed.*

Section 9. Subsections (6) and (8) of section 447.09, Florida Statutes, are amended to read:

447.09 Right of franchise preserved; penalties.—It shall be unlawful for any person:

~~(6) To act as a business agent without having obtained and possessing a valid and subsisting license or permit.~~

~~(8) To make any false statement in an application for a license.~~

Section 10. *Section 447.12, Florida Statutes, is repealed.*

Section 11. *Section 447.16, Florida Statutes, is repealed.*

Section 12. Subsection (4) of section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organization.—

~~(4) Notification of registrations and renewals of registration shall be furnished at regular intervals by the commission to the Department of Business and Professional Regulation.~~

Section 13. Subsection (14) is added to section 455.213, Florida Statutes, to read:

455.213 General licensing provisions.—

(14) *The department or a board must enter into a reciprocal licensing agreement with other states if the practice act within the purview of this chapter permits such agreement. If a reciprocal licensing agreement exists or if the department or board has determined another state’s licensing requirements or examinations to be substantially equivalent or more stringent to those under the practice act, the department or board must post on its website which jurisdictions have such reciprocal licensing agreements or substantially similar licenses.*

Section 14. Section 455.2278, Florida Statutes, is created to read:

455.2278 Restriction on disciplinary action for student loan default.—

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

(a) *“Default” means the failure to repay a student loan according to the terms agreed to in the promissory note.*

(b) *“Delinquency” means the failure to make a student loan payment when it is due.*

(c) *“Student loan” means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.*

(d) *“Work-conditional scholarship” means an award of financial aid for a student to further his or her education which imposes an obligation on the student to complete certain work-related requirements to receive or to continue receiving the scholarship.*

(2) **STUDENT LOAN DEFAULT; DELINQUENCY.**—*The department or a board may not suspend or revoke a license that it has issued to any person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency.*

(3) *WORK-CONDITIONAL SCHOLARSHIP DEFAULT.*—*The department or a board may not suspend or revoke a license that it has issued to any person who is in default on the satisfaction of the requirements of his or her work-conditional scholarship solely on the basis of such default.*

Section 15. Paragraph (k) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(k) Failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan ~~is not or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation, and the minimum disciplinary action imposed shall be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount.~~ Fines collected shall be deposited into the Medical Quality Assurance Trust Fund.

Section 16. *Section 456.0721, Florida Statutes, is repealed.*

Section 17. Subsection (4) of section 456.074, Florida Statutes, is amended to read:

456.074 Certain health care practitioners; immediate suspension of license.—

~~(4) Upon receipt of information that a Florida licensed health care practitioner has defaulted on a student loan issued or guaranteed by the state or the Federal Government, the department shall notify the licensee by certified mail that he or she shall be subject to immediate suspension of license unless, within 45 days after the date of mailing, the licensee provides proof that new payment terms have been agreed upon by all parties to the loan. The department shall issue an emergency order suspending the license of any licensee who, after 45 days following the date of mailing from the department, has failed to provide such proof. Production of such proof shall not prohibit the department from proceeding with disciplinary action against the licensee pursuant to s. 456.073.~~

Section 18. Paragraph (n) is added to subsection (1) of section 468.505, Florida Statutes, to read:

468.505 Exemptions; exceptions.—

(1) Nothing in this part may be construed as prohibiting or restricting the practice, services, or activities of:

(n) *Any person who provides information, wellness recommendations, or advice concerning nutrition, or who markets food, food materials, or dietary supplements for remuneration, if such person does not provide such services to a person under the direct care and supervision of a medical doctor for a disease or medical condition requiring nutrition intervention, not including obesity or weight loss, and does not represent himself or herself as a dietitian, licensed dietitian, registered dietitian, nutritionist, licensed nutritionist, nutrition counselor, or licensed nutrition counselor, or use any word, letter, symbol, or insignia indicating or implying that he or she is a dietitian, nutritionist, or nutrition counselor.*

Section 19. Paragraph (f) of subsection (5) of section 468.603, Florida Statutes, is amended to read:

468.603 Definitions.—As used in this part:

(5) “Categories of building code inspectors” include the following:

(f) *“Residential ~~One and two family dwelling~~ inspector” means a person who is qualified to inspect and determine that one-family, two-family, or three-family residences not exceeding two habitable stories above no more than one uninhabitable story and accessory use structures*

in connection therewith ~~one and two family dwellings and accessory structures~~ are constructed in accordance with the provisions of the governing building, plumbing, mechanical, accessibility, and electrical codes.

Section 20. Paragraph (c) of subsection (2) and paragraph (a) of subsection (7) of section 468.609, Florida Statutes, are amended to read:

468.609 Administration of this part; standards for certification; additional categories of certification.—

(2) A person may take the examination for certification as a building code inspector or plans examiner pursuant to this part if the person:

(c) Meets eligibility requirements according to one of the following criteria:

1. Demonstrates ~~4 5~~ years’ combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3 4 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3 4 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

4. Currently holds a standard certificate issued by the board or a firesafety inspector license issued pursuant to chapter 633, ~~with has~~ a minimum of 3 years’ verifiable full-time experience in *firesafety* inspection or *firesafety* plan review, and has satisfactorily completed a building code inspector or plans examiner training program that provides at least 100 hours but not more than 200 hours of cross-training in the certification category sought. The board shall establish by rule criteria for the development and implementation of the training programs. The board shall accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years’ experience in the field of building code inspection, plan review, fire code inspections and fire plans review of new buildings as a firesafety inspector certified under s. 633.216, or construction. The approved training portion of this requirement shall include proof of satisfactory completion of a training program that provides at least 200 hours but not more than 300 hours of cross-training that is approved by the board in the chosen category of building code inspection or plan review in the certification category sought with at least 20 hours but not more than 30 hours of instruction in state laws, rules, and ethics relating to professional standards of practice, duties, and responsibilities of a certificateholder. The board shall coordinate with the Building Officials Association of Florida, Inc., to establish by rule the development and implementation of the training program. However, the board shall accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

6. Currently holds a standard certificate issued by the board or a firesafety inspector license issued pursuant to chapter 633 and:

a. Has at least ~~4 5~~ years’ verifiable full-time experience as an inspector or plans examiner in a standard certification category currently held or has a minimum of ~~4 5~~ years’ verifiable full-time experience as a firesafety inspector licensed pursuant to chapter 633.

b. Has satisfactorily completed a building code inspector or plans examiner classroom training course or program that provides at least 200 but not more than 300 hours in the certification category sought, except for one-family and two-family dwelling training programs, which must provide at least 500 but not more than 800 hours of training as prescribed by the board. The board shall establish by rule criteria for the development and implementation of classroom training courses and programs in each certification category; or

7.a. Has completed a 4-year internship certification program as a building code inspector or plans examiner while employed full-time by a municipality, county, or other governmental jurisdiction, under the direct supervision of a certified building official. Proof of graduation with a related vocational degree or college degree or of verifiable work experience may be exchanged for the internship experience requirement year-for-year, but may reduce the requirement to no less than 1 year.

b. Has passed an examination administered by the International Code Council in the certification category sought. Such examination must be passed before beginning the internship certification program.

c. Has passed the principles and practice examination before completing the internship certification program.

d. Has passed a board-approved 40-hour code training course in the certification category sought before completing the internship certification program.

e. Has obtained a favorable recommendation from the supervising building official after completion of the internship certification program.

(7)(a) The board shall provide for the issuance of provisional certificates valid for 2 years ~~1 year~~, as specified by board rule, to any building code inspector or plans examiner who meets the eligibility requirements described in subsection (2) and any newly employed or promoted building code administrator who meets the eligibility requirements described in subsection (3). The provisional license may be renewed by the board for just cause; however, a provisional license is not valid for longer than 3 years.

Section 21. Section 468.613, Florida Statutes, is amended to read:

468.613 Certification by endorsement.—The board shall examine other certification or training programs, as applicable, upon submission to the board for its consideration of an application for certification by endorsement. The board shall waive its examination, qualification, education, or training requirements, to the extent that such examination, qualification, education, or training requirements of the applicant are determined by the board to be comparable with those established by the board. *The board shall waive its examination, qualification, education, or training requirements if an applicant for certification by endorsement is at least 18 years of age; is of good moral character; has held a valid building administrator, inspector, plans examiner, or the equivalent, certification issued by another state or territory of the United States for at least 10 years before the date of application; and has successfully passed an applicable examination administered by the International Code Council. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active.*

Section 22. Subsection (3) of section 468.8314, Florida Statutes, is amended to read:

468.8314 Licensure.—

(3) The department shall certify as qualified for a license by endorsement an applicant who is of good moral character as determined in s. 468.8313, *who maintains an insurance policy as required by s. 468.8322, and who;*

(a) Holds a valid license to practice home inspection services in another state or territory of the United States, whose educational requirements are substantially equivalent to those required by this part; and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by this part; *or*

(b) *Has held a valid license to practice home inspection services issued by another state or territory of the United States for at least 10 years before the date of application. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active.*

Section 23. Subsection (5) of section 471.015, Florida Statutes, is amended to read:

471.015 Licensure.—

(5)(a) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination when such applicant has held a valid professional engineer's license in another state for ~~10 to 15 years and has had 20 years of continuous professional level engineering experience.~~

(b) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination and the principles and practices examination when such applicant has held a valid professional engineer's license in another state for ~~15 to 25 years and has had 30 years of continuous professional level engineering experience.~~

Section 24. Subsection (7) of section 473.308, Florida Statutes, is amended to read:

473.308 Licensure.—

(7) The board shall certify as qualified for a license by endorsement an applicant who:

(a)~~1~~ Is not licensed and has not been licensed in another state or territory and who has met the requirements of this section for education, work experience, and good moral character and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; ~~or and~~

~~2. Has completed such continuing education courses as the board deems appropriate, within the limits for each applicable 2 year period as set forth in s. 473.312, but at least such courses as are equivalent to the continuing education requirements for a Florida certified public accountant licensed in this state during the 2 years immediately preceding her or his application for licensure by endorsement; or~~

(b)1.a. Holds a valid license to practice public accounting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued;

2.b. Holds a valid license to practice public accounting issued by another state or territory of the United States but the criteria for issuance of such license did not meet the requirements of *subparagraph 1. sub-subparagraph a.*; has met the requirements of this section for education, work experience, and good moral character; and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; *or*

3.e. Holds a valid license to practice public accounting issued by another state or territory of the United States for at least 10 years before the date of application; has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; ~~and has met the requirements of this section for good moral character; and~~

~~2. Has completed continuing education courses that are equivalent to the continuing education requirements for a Florida certified public accountant licensed in this state during the 2 years immediately preceding her or his application for licensure by endorsement.~~

Section 25. Subsection (6) of section 474.202, Florida Statutes, is amended to read:

474.202 Definitions.—As used in this chapter:

(6) “Limited-service veterinary medical practice” means offering or providing veterinary services at any location that has a primary purpose other than that of providing veterinary medical service at a permanent or mobile establishment permitted by the board; provides veterinary medical services for privately owned animals that do not reside at that location; operates for a limited time; and provides limited types of veterinary medical services, *including vaccinations or immunizations against disease, preventative procedures for parasitic control, and microchipping.*

Section 26. Subsection (9) is added to section 474.203, Florida Statutes, to read:

474.203 Exemptions.—This chapter does not apply to:

(9) *An employee, an agent, or a contractor of a public or private animal shelter, humane organization, or animal control agency operated by a humane organization or by a county, a municipality, or another incorporated political subdivision whose work is confined solely to the implantation of a radio frequency identification device microchip for dogs and cats in accordance with s. 823.15.*

For the purposes of chapters 465 and 893, persons exempt pursuant to subsection (1), subsection (2), or subsection (4) are deemed to be duly licensed practitioners authorized by the laws of this state to prescribe drugs or medicinal supplies.

Section 27. Paragraph (b) of subsection (2) of section 474.207, Florida Statutes, is amended to read:

474.207 Licensure by examination.—

(2) The department shall license each applicant who the board certifies has:

(b)1. Graduated from a college of veterinary medicine accredited by the American Veterinary Medical Association Council on Education; or

2. Graduated from a college of veterinary medicine listed in the American Veterinary Medical Association Roster of Veterinary Colleges of the World and obtained a certificate from the Education Commission for Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence.

The department shall not issue a license to any applicant who is under investigation in any state or territory of the United States or in the District of Columbia for an act which would constitute a violation of this chapter until the investigation is complete and disciplinary proceedings have been terminated, at which time the provisions of s. 474.214 shall apply.

Section 28. Subsection (1) of section 474.217, Florida Statutes, is amended to read:

474.217 Licensure by endorsement.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting a fee set by the board, demonstrates to the board that she or he:

(a) Has demonstrated, in a manner designated by rule of the board, knowledge of the laws and rules governing the practice of veterinary medicine in this state; and

(b)1. ~~Either~~ Holds, and has held for the 3 years immediately preceding the application for licensure, a valid, active license to practice veterinary medicine in another state of the United States, the District of Columbia, or a territory of the United States, provided that the applicant has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board requirements for licensure in the issuing state, district, or territory are equivalent to or more stringent than the requirements of this chapter; or

2. Meets the qualifications of s. 474.207(2)(b) and has successfully completed a state, regional, national, or other examination which is equivalent to or more stringent than the examination given by the department and has passed the board's clinical competency examination or another clinical competency examination specified by rule of the board.

Section 29. Effective January 1, 2021, subsection (2) of section 476.114, Florida Statutes, is amended to read:

476.114 Examination; prerequisites.—

(2) An applicant shall be eligible for licensure by examination to practice barbering if the applicant:

(a) Is at least 16 years of age;

(b) Pays the required application fee; and

(c)1. Holds an active valid license to practice barbering in another state, has held the license for at least 1 year, and does not qualify for licensure by endorsement as provided for in s. 476.144(5); or

2. Has received a minimum of 900 ~~1,200~~ hours of training in sanitation, safety, and laws and rules, as established by the board, which shall include, but shall not be limited to, the equivalent of completion of services directly related to the practice of barbering at one of the following:

a. A school of barbering licensed pursuant to chapter 1005;

b. A barbering program within the public school system; or

c. A government-operated barbering program in this state.

The board shall establish by rule procedures whereby the school or program may certify that a person is qualified to take the required examination after the completion of a minimum of 600 ~~1,000~~ actual school hours. If the person passes the examination, she or he shall have satisfied this requirement; but if the person fails the examination, she or he shall not be qualified to take the examination again until the completion of the full requirements provided by this section.

Section 30. Subsection (5) of section 476.144, Florida Statutes, is amended to read:

476.144 Licensure.—

(5) The board shall certify as qualified for licensure by endorsement as a barber in this state an applicant who holds a current active license to practice barbering in another state. The board shall adopt rules specifying procedures for the licensure by endorsement of practitioners desiring to be licensed in this state who hold a current active license in another state or country and who have met qualifications substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state.

Section 31. Subsection (9) of section 477.013, Florida Statutes, is amended to read:

477.013 Definitions.—As used in this chapter:

(9) "Hair braiding" means the weaving or interweaving of natural human hair or commercial hair, including the use of hair extensions or wefts, for compensation without cutting, coloring, permanent waving, relaxing, removing, or chemical treatment and does not include the use of hair extensions or wefts.

Section 32. Section 477.0132, Florida Statutes, is repealed.

Section 33. Subsections (7) through (11) are added to section 477.0135, Florida Statutes, to read:

477.0135 Exemptions.—

(7) A license or registration is not required for a person whose occupation or practice is confined solely to hair braiding as defined in s. 477.013(9).

(8) A license or registration is not required for a person whose occupation or practice is confined solely to hair wrapping as defined in s. 477.013(10).

(9) A license or registration is not required for a person whose occupation or practice is confined solely to body wrapping as defined in s. 477.013(12).

(10) A license or registration is not required for a person whose occupation or practice is confined solely to applying polish to fingernails and toenails.

(11) A license or registration is not required for a person whose occupation or practice is confined solely to makeup application, which includes, but is not limited to, application of makeup primer, face paint, lipstick, eyeliner, eye shadow, foundation, rouge or cheek color, mascara, strip lashes, individual lashes, face powder, corrective stick, and makeup remover; but does not include manual or chemical exfoliation, semi-

permanent lash application, lash or brow tinting, permanent makeup application, microblading, or hair removal.

Section 34. Subsections (6) and (7) of section 477.019, Florida Statutes, are amended to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(6) The board shall certify as qualified for licensure by endorsement as a cosmetologist in this state an applicant who holds a current active license to practice cosmetology in another state. ~~The board may not require proof of educational hours if the license was issued in a state that requires 1,200 or more hours of prec licensure education and passage of a written examination. This subsection does not apply to applicants who received their license in another state through an apprenticeship program.~~

(7)(a) The board shall prescribe by rule continuing education requirements intended to ensure protection of the public through updated training of licensees and registered specialists, not to exceed 10 ~~16~~ hours biennially, as a condition for renewal of a license or registration as a specialist under this chapter. Continuing education courses shall include, but not be limited to, the following subjects as they relate to the practice of cosmetology: human immunodeficiency virus and acquired immune deficiency syndrome; Occupational Safety and Health Administration regulations; workers' compensation issues; state and federal laws and rules as they pertain to cosmetologists, cosmetology, salons, specialists, specialty salons, and booth renters; chemical makeup as it pertains to hair, skin, and nails; and environmental issues. Courses given at cosmetology conferences may be counted toward the number of continuing education hours required if approved by the board.

~~(b) Any person whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping is exempt from the continuing education requirements of this subsection.~~

(e) The board may, by rule, require any licensee in violation of a continuing education requirement to take a refresher course or refresher course and examination in addition to any other penalty. The number of hours for the refresher course may not exceed 48 hours.

Section 35. Effective January 1, 2021, subsection (1) of section 477.0201, Florida Statutes, is amended to read:

477.0201 Specialty registration; qualifications; registration renewal; endorsement.—

(1) Any person is qualified for registration as a specialist in any ~~one or more of the specialty practice practices~~ within the practice of cosmetology under this chapter who:

- (a) Is at least 16 years of age or has received a high school diploma.
- (b) Has received a certificate of completion for: ~~in a~~

1. *One hundred and eighty hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice specialties as defined in s. 477.013(6)(a) and (b);* ~~specialty pursuant to s. 477.013(6)~~

2. *Two hundred and twenty hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialty as defined in s. 477.013(6)(c); or*

3. *Four hundred hours of training or the number of hours of training required to maintain minimum Pell Grant requirements, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialties as defined in s. 477.013(6)(a)-(c).*

(c) *The certificate of completion specified in paragraph (b) must be from one of the following:*

- 1. A school licensed pursuant to s. 477.023.
- 2. A school licensed pursuant to chapter 1005 or the equivalent licensing authority of another state.
- 3. A specialty program within the public school system.

4. A specialty division within the Cosmetology Division of the Florida School for the Deaf and the Blind, provided the training programs comply with minimum curriculum requirements established by the board.

Section 36. Paragraph (f) of subsection (1) of section 477.026, Florida Statutes, is amended to read:

477.026 Fees; disposition.—

(1) The board shall set fees according to the following schedule:

~~(f) For hair braiders, hair wrappers, and body wrappers, fees for registration shall not exceed \$25.~~

Section 37. Subsection (4) of section 477.0263, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

477.0263 Cosmetology services to be performed in licensed salon; exceptions.—

(4) Pursuant to rules adopted by the board, any cosmetology or specialty service may be performed in a location other than a licensed salon when the service is performed in connection with a special event and is performed by a person ~~who is employed by a licensed salon and who holds the proper license or specialty registration. An appointment for the performance of any such service in a location other than a licensed salon must be made through a licensed salon.~~

(5) *Hair shampooing, hair cutting, hair arranging, nail polish removal, nail filing, nail buffing, and nail cleansing may be performed in a location other than a licensed salon when the service is performed by a person who holds the proper license.*

Section 38. Paragraph (f) of subsection (1) of section 477.0265, Florida Statutes, is amended to read:

477.0265 Prohibited acts.—

(1) It is unlawful for any person to:

(f) Advertise or imply that skin care services ~~or body wrapping~~, as performed under this chapter, have any relationship to the practice of massage therapy as defined in s. 480.033(3), except those practices or activities defined in s. 477.013.

Section 39. Paragraph (a) of subsection (1) of section 477.029, Florida Statutes, is amended to read:

477.029 Penalty.—

(1) It is unlawful for any person to:

(a) Hold himself or herself out as a cosmetologist ~~or~~ specialist, ~~hair wrapper, hair braider, or body wrapper~~ unless duly licensed or registered, or otherwise authorized, as provided in this chapter.

Section 40. Section 481.201, Florida Statutes, is amended to read:

481.201 Purpose.—The primary legislative purpose for enacting this part is to ensure that every architect practicing in this state meets minimum requirements for safe practice. It is the legislative intent that architects who fall below minimum competency or who otherwise present a danger to the public shall be prohibited from practicing in this state. ~~The Legislature further finds that it is in the interest of the public to limit the practice of interior design to interior designers or architects who have the design education and training required by this part or to persons who are exempted from the provisions of this part.~~

Section 41. Section 481.203, Florida Statutes, is reordered and amended to read:

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

~~(3)(4)~~ “Board” means the Board of Architecture and Interior Design.

~~(7)(9)~~ “Department” means the Department of Business and Professional Regulation.

(1)(8) “Architect” or “registered architect” means a natural person who is licensed under this part to engage in the practice of architecture.

(5)(4) “Certificate of registration” means a license or registration issued by the department to a natural person to engage in the practice of architecture or interior design.

(4)(5) “Business organization” means a partnership, a limited liability company, a corporation, or an individual operating under a fictitious name. ~~“Certificate of authorization” means a certificate issued by the department to a corporation or partnership to practice architecture or interior design.~~

(2)(6) “Architecture” means the rendering or offering to render services in connection with the design and construction of a structure or group of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures. These services include planning, providing preliminary study designs, drawings and specifications, job-site inspection, and administration of construction contracts.

(16)(7) “Townhouse” is a single-family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall meeting the following requirements:

(a) Such wall shall provide not less than 2 hours of fire resistance. Plumbing, piping, ducts, or electrical or other building services shall not be installed within or through the 2-hour wall unless such materials and methods of penetration have been tested in accordance with the Standard Building Code.

(b) Such wall shall extend from the foundation to the underside of the roof sheathing, and the underside of the roof shall have at least 1 hour of fire resistance for a width not less than 4 feet on each side of the wall.

(c) Each dwelling unit sharing such wall shall be designed and constructed to maintain its structural integrity independent of the unit on the opposite side of the wall.

(10)(8) “Interior design” means designs, consultations, studies, drawings, specifications, and administration of design construction contracts relating to nonstructural interior elements of a building or structure. “Interior design” includes, but is not limited to, reflected ceiling plans, space planning, furnishings, and the fabrication of nonstructural elements within and surrounding interior spaces of buildings. “Interior design” specifically excludes the design of or the responsibility for architectural and engineering work, except for specification of fixtures and their location within interior spaces. As used in this subsection, “architectural and engineering interior construction relating to the building systems” includes, but is not limited to, construction of structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems, or construction which materially affects lifesafety systems pertaining to firesafety protection such as fire-rated separations between interior spaces, fire-rated vertical shafts in multistory structures, fire-rated protection of structural elements, smoke evacuation and compartmentalization, emergency ingress or egress systems, and emergency alarm systems.

(13)(9) “Registered interior designer” or ~~“interior designer”~~ means a natural person who holds a valid certificate of registration to practice interior design ~~is licensed under this part.~~

(11)(10) “Nonstructural element” means an element which does not require structural bracing and which is something other than a load-bearing wall, load-bearing column, or other load-bearing element of a building or structure which is essential to the structural integrity of the building.

(12)(11) “Reflected ceiling plan” means a ceiling design plan which is laid out as if it were projected downward and which may include lighting and other elements.

(15)(12) “Space planning” means the analysis, programming, or design of spatial requirements, including preliminary space layouts and final planning.

(6)(13) “Common area” means an area that is held out for use by all tenants or owners in a multiple-unit dwelling, including, but not limited to, a lobby, elevator, hallway, laundry room, clubhouse, or swimming pool.

(8)(14) “Diversified interior design experience” means experience which substantially encompasses the various elements of interior design services set forth under the definition of “interior design” in subsection (10)(8).

(9)(15) “Interior decorator services” includes the selection or assistance in selection of surface materials, window treatments, wall-coverings, paint, floor coverings, surface-mounted lighting, surface-mounted fixtures, and loose furnishings not subject to regulation under applicable building codes.

(14)(16) “Responsible supervising control” means the exercise of direct personal supervision and control throughout the preparation of documents, instruments of service, or any other work requiring the seal and signature of a licensee under this part.

Section 42. Paragraph (a) of subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.—

(3)(a) Notwithstanding the provisions of ss. 455.225, 455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons licensed or registered under this part, including the ability to determine legal sufficiency and probable cause; to initiate proceedings and issue final orders for summary suspension or restriction of a license or certificate of registration pursuant to s. 120.60(6); to issue notices of noncompliance, notices to cease and desist, subpoenas, and citations; to retain legal counsel, investigators, or prosecutorial staff in connection with the licensed practice of architecture or registered and interior design; and to investigate and deter the unlicensed practice of architecture and interior design as provided in s. 455.228 are delegated to the board. All complaints and any information obtained pursuant to an investigation authorized by the board are confidential and exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

Section 43. Section 481.207, Florida Statutes, is amended to read:

481.207 Fees.—The board, by rule, may establish separate fees for architects and registered interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The fee for initial application and examination for architects and interior designers may not exceed \$775 plus the actual per applicant cost to the department for purchase of the examination from the National Council of Architectural Registration Boards or the National Council of Interior Design Qualifications, respectively, or similar national organizations. The initial nonrefundable fee for registered interior designers may not exceed \$75. The biennial renewal fee for architects may not exceed \$200. The biennial renewal fee for registered interior designers may not exceed \$75 ~~\$500~~. The delinquency fee may not exceed the biennial renewal fee established by the board for an active license. The board shall establish fees that are adequate to ensure the continued operation of the board and to fund the proportionate expenses incurred by the department which are allocated to the regulation of architects and registered interior designers. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of architects and interior designers.

Section 44. Section 481.209, Florida Statutes, is amended to read:

481.209 Examinations.—

(1) A person desiring to be licensed as a registered architect by initial examination shall apply to the department, complete the application form, and remit a nonrefundable application fee. The department shall license any applicant who the board certifies:

~~(a)~~ has passed the licensure examination prescribed by board rule; and

~~(b)~~ is a graduate of a school or college of architecture with a program accredited by the National Architectural Accreditation Board.

(2) ~~A person seeking to obtain a certificate of registration as a registered interior designer and a seal pursuant to s. 481.221 must provide the department with his or her name and address and written proof that he or she has successfully passed the qualification examination prescribed by the Council for Interior Design Qualification or its successor entity or the California Council for Interior Design Certification or its successor entity or has successfully passed an equivalent exam as determined by the department. Any person who is licensed as an interior designer by the department and who was in good standing as of July 1, 2020, is eligible to obtain a certificate of registration as a registered interior designer. A person desiring to be licensed as a registered interior designer shall apply to the department for licensure. The department shall administer the licensure examination for interior designers to each applicant who has completed the application form and remitted the application and examination fees specified in s. 481.207 and who the board certifies:~~

~~(a) Is a graduate from an interior design program of 5 years or more and has completed 1 year of diversified interior design experience;~~

~~(b) Is a graduate from an interior design program of 4 years or more and has completed 2 years of diversified interior design experience;~~

~~(c) Has completed at least 3 years in an interior design curriculum and has completed 3 years of diversified interior design experience; or~~

~~(d) Is a graduate from an interior design program of at least 2 years and has completed 4 years of diversified interior design experience.~~

~~Subsequent to October 1, 2000, for the purpose of having the educational qualification required under this subsection accepted by the board, the applicant must complete his or her education at a program, school, or college of interior design whose curriculum has been approved by the board as of the time of completion. Subsequent to October 1, 2003, all of the required amount of educational credits shall have been obtained in a program, school, or college of interior design whose curriculum has been approved by the board, as of the time each educational credit is gained. The board shall adopt rules providing for the review and approval of programs, schools, and colleges of interior design and courses of interior design study based on a review and inspection by the board of the curriculum of programs, schools, and colleges of interior design in the United States, including those programs, schools, and colleges accredited by the Foundation for Interior Design Education Research. The board shall adopt rules providing for the review and approval of diversified interior design experience required by this subsection.~~

Section 45. Section 481.213, Florida Statutes, is amended to read:

481.213 Licensure and registration.—

(1) The department shall license or register any applicant who the board certifies is qualified for licensure or registration and who has paid the initial licensure or registration fee. Licensure as an architect under this section shall be deemed to include all the rights and privileges of registration licensure as an interior designer under this section.

(2) The board shall certify for licensure or registration by examination any applicant who passes the prescribed licensure or registration examination and satisfies the requirements of ss. 481.209 and 481.211, for architects, or the requirements of s. 481.209, for interior designers.

(3) The board shall certify as qualified for a license by endorsement as an architect or registration as a registered interior designer an applicant who:

(a) Qualifies to take the prescribed licensure or registration examination, and has passed the prescribed licensure or registration examination or a substantially equivalent examination in another jurisdiction, as set forth in s. 481.209 for architects or registered interior designers, as applicable, and has satisfied the internship requirements set forth in s. 481.211 for architects;

(b) Holds a valid license to practice architecture or a license, registration, or certification to practice interior design issued by another jurisdiction of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued; ~~provided, however, that an applicant who has been licensed for use of the title "interior design" rather than licensed to practice interior design shall not qualify hereunder;~~ or

(c) Has passed the prescribed licensure examination and holds a valid certificate issued by the National Council of Architectural Registration Boards, and holds a valid license to practice architecture issued by another state or jurisdiction of the United States.

An architect who is licensed in another state who seeks qualification for license by endorsement under this subsection must complete a 2-hour class approved by the board on wind mitigation techniques.

(4) The board may refuse to certify any applicant who has violated any of the provisions of s. 481.223, s. 481.225, or s. 481.2251, as applicable.

(5) The board may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this part or of chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.

(6) The board shall adopt rules to implement the provisions of this part relating to the examination, internship, and licensure of applicants.

(7) For persons whose licensure requires satisfaction of the requirements of ss. 481.209 and 481.211, the board shall, by rule, establish qualifications for certification of such persons as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards for certification other than those established by the board, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the board to be a special inspector. The board shall develop minimum qualifications for the qualified representative of the special inspector who is authorized under s. 553.79 to perform inspections of threshold buildings on behalf of the special inspector.

(8) *A certificate of registration is not required for a person whose occupation or practice is confined to interior decorator services or for a person whose occupation or practice is confined to interior design as provided in this part.*

Section 46. Subsection (1) of section 481.2131, Florida Statutes, is amended to read:

481.2131 Interior design; practice requirements; disclosure of compensation for professional services.—

(1) ~~An A registered interior designer may be authorized to perform "interior design" as defined in s. 481.203. Interior design documents prepared by a registered interior designer shall contain a statement that the document is not an architectural or engineering study, drawing, specification, or design and is not to be used for construction of any load-bearing columns, load-bearing framing or walls of structures, or issuance of any building permit, except as otherwise provided by law. Interior design documents that are prepared and sealed by a registered interior designer must may, if required by a permitting body, be accepted by the permitting body be submitted for the issuance of a building permit for interior construction excluding design of any structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems or that materially affect lifesafety systems pertaining to firesafety protection such as fire-rated separations between interior spaces, fire-rated vertical shafts in multistory~~

structures, fire-rated protection of structural elements, smoke evacuation and compartmentalization, emergency ingress or egress systems, and emergency alarm systems. *If a permitting body requires sealed interior design documents for the issuance of a permit, an individual performing interior design services who is not a licensed architect must include a seal issued by the department and in conformance with the requirements of s. 481.221.*

Section 47. Section 481.215, Florida Statutes, is amended to read:

481.215 Renewal of license or certificate of registration.—

(1) Subject to the requirement of subsection (3), the department shall renew a license or certificate of registration upon receipt of the renewal application and renewal fee.

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses and certificates of registration.

(3) A ~~No~~ license or certificate of registration renewal may not ~~shall~~ be issued to an architect or a registered ~~an~~ interior designer by the department until the licensee or registrant submits proof satisfactory to the department that, during the 2 years before ~~prior to~~ application for renewal, the licensee or registrant participated per biennium in not less than 20 hours of at least 50 minutes each per biennium of continuing education approved by the board. The board shall approve only continuing education that builds upon the basic knowledge of architecture or interior design. The board may make exception from the requirements of continuing education in emergency or hardship cases.

(4) The board shall by rule establish criteria for the approval of continuing education courses and providers and shall by rule establish criteria for accepting alternative nonclassroom continuing education on an a-hor-for-hour basis.

(5) *For a license or certificate of registration*, the board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, 2 ~~a specified number of hours in specialized or advanced courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the licensee's respective area of practice. Such hours count toward the continuing education hours required under subsection (3). A licensee may complete the courses required under this subsection online.~~

Section 48. Section 481.217, Florida Statutes, is amended to read:

481.217 Inactive status.—

(1) The board may prescribe by rule continuing education requirements as a condition of reactivating a license. The rules may not require more than one renewal cycle of continuing education to reactivate a license or registration for a registered architect or registered interior designer. ~~For interior design, the board may approve only continuing education that builds upon the basic knowledge of interior design.~~

(2) The board shall adopt rules relating to application procedures for inactive status and for the reactivation of inactive licenses and registrations.

Section 49. Section 481.219, Florida Statutes, is amended to read:

481.219 ~~Qualification of business organizations, certification of partnerships, limited liability companies, and corporations.—~~

(1) ~~A licensee may~~ ~~The practice of or the offer to practice architecture or interior design by licensees through a qualified business organization that offers corporation, limited liability company, or partnership offering architectural or interior design services to the public, or by a corporation, limited liability company, or partnership offering architectural or interior design services to the public through licensees under this part as agents, employees, officers, or partners, is permitted, subject to the provisions of this section.~~

(2) ~~If a licensee or an applicant proposes to engage in the practice of architecture as a business organization, the licensee or applicant shall qualify the business organization upon approval of the board. For the purposes of this section, a certificate of authorization shall be required for a corporation, limited liability company, partnership, or person practicing under a fictitious name, offering architectural services to the~~

~~public jointly or separately. However, when an individual is practicing architecture in her or his own name, she or he shall not be required to be certified under this section. Certification under this subsection to offer architectural services shall include all the rights and privileges of certification under subsection (3) to offer interior design services.~~

(3)(a) *A business organization may not engage in the practice of architecture unless its qualifying agent is a registered architect under this part. A qualifying agent who terminates an affiliation with a qualified business organization shall immediately notify the department of such termination. If such qualifying agent is the only qualifying agent for that business organization, the business organization must be qualified by another qualifying agent within 60 days after the termination. Except as provided in paragraph (b), the business organization may not engage in the practice of architecture until it is qualified by another qualifying agent.*

(b) *In the event a qualifying agent ceases employment with a qualified business organization, the executive director or the chair of the board may authorize another registered architect employed by the business organization to temporarily serve as its qualifying agent for a period of no more than 60 days. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying agent who has ceased employment.*

(c) *A qualifying agent shall notify the department in writing before engaging in the practice of architecture in her or his own name or in affiliation with a different business organization, and she or he or such business organization shall supply the same information to the department as required of applicants under this part.*

~~(3) For the purposes of this section, a certificate of authorization shall be required for a corporation, limited liability company, partnership, or person operating under a fictitious name, offering interior design services to the public jointly or separately. However, when an individual is practicing interior design in her or his own name, she or he shall not be required to be certified under this section.~~

(4) All final construction documents and instruments of service which include drawings, specifications, plans, reports, or other papers or documents that ~~involve~~ involving the practice of architecture which are prepared or approved for the use of the ~~business organization corporation, limited liability company, or partnership~~ and filed for public record within the state ~~must~~ shall bear the signature and seal of the licensee who prepared or approved them and the date on which they were sealed.

~~(5) All drawings, specifications, plans, reports, or other papers or documents prepared or approved for the use of the corporation, limited liability company, or partnership by an interior designer in her or his professional capacity and filed for public record within the state shall bear the signature and seal of the licensee who prepared or approved them and the date on which they were sealed.~~

~~(6) The department shall issue a certificate of authorization to any applicant who the board certifies as qualified for a certificate of authorization and who has paid the fee set in s. 481.207.~~

~~(7) The board shall allow a licensee or certify an applicant to qualify one or more business organizations as qualified for a certificate of authorization to offer architectural or interior design services, or to use a fictitious name to offer such services, if provided that:~~

~~(a) one or more of the principal officers of the corporation or limited liability company, or one or more partners of the partnership, and all personnel of the corporation, limited liability company, or partnership who act in its behalf in this state as architects, are registered as provided by this part; or~~

~~(b) One or more of the principal officers of the corporation or one or more partners of the partnership, and all personnel of the corporation, limited liability company, or partnership who act in its behalf in this state as interior designers, are registered as provided by this part.~~

~~(8) The department shall adopt rules establishing a procedure for the biennial renewal of certificates of authorization.~~

~~(9) The department shall renew a certificate of authorization upon receipt of the renewal application and biennial renewal fee.~~

~~(6)(10)~~ Each *qualifying agent who qualifies a business organization, partnership, limited liability company, or and corporation certified under this section shall notify the department within 30 days after of any change in the information contained in the application upon which the qualification certification is based. Any registered architect or interior designer who qualifies the business organization shall ensure corporation, limited liability company, or partnership as provided in subsection (7) shall be responsible for ensuring responsible supervising control of projects of the business organization entity and shall notify the department of the upon termination of her or his employment with a business organization qualified partnership, limited liability company, or corporation certified under this section shall notify the department of the termination within 30 days after such termination.*

~~(7)(11)~~ A *business organization is not No corporation, limited liability company, or partnership shall be relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this section. However, except as provided in s. 558.0035, the architect who signs and seals the construction documents and instruments of service is shall be liable for the professional services performed, and the interior designer who signs and seals the interior design drawings, plans, or specifications shall be liable for the professional services performed.*

~~(12)~~ *Disciplinary action against a corporation, limited liability company, or partnership shall be administered in the same manner and on the same grounds as disciplinary action against a registered architect or interior designer, respectively.*

~~(8)(13)~~ *Nothing in This section may not shall be construed to mean that a certificate of registration to practice architecture must or interior design shall be held by a business organization corporation, limited liability company, or partnership. Nothing in This section does not prohibit a business organization from offering prohibits corporations, limited liability companies, and partnerships from joining together to offer architectural, engineering, interior design, surveying and mapping, and landscape architectural services, or any combination of such services, to the public if the business organization, provided that each corporation, limited liability company, or partnership otherwise meets the requirements of law.*

~~(14)~~ *Corporations, limited liability companies, or partnerships holding a valid certificate of authorization to practice architecture shall be permitted to use in their title the term "interior designer" or "registered interior designer."*

Section 50. Subsections (5) and (10) of section 481.221, Florida Statutes, are amended to read:

481.221 Seals; display of certificate number.—

(5) No registered interior designer shall affix, or permit to be affixed, her or his seal or signature to any plan, specification, drawing, or other document which depicts work which she or he is not competent or registered licensed to perform.

(10) Each registered architect *must or interior designer, and each corporation, limited liability company, or partnership holding a certificate of authorization, shall include her or his license its certificate number in any newspaper, telephone directory, or other advertising medium used by the registered licensee. Each business organization must include the license number of the registered architect who serves as the qualifying agent for that business organization in any newspaper, telephone directory, or other advertising medium used by the business organization architect, interior designer, corporation, limited liability company, or partnership. A corporation, limited liability company, or partnership is not required to display the certificate number of individual registered architects or interior designers employed by or working within the corporation, limited liability company, or partnership.*

Section 51. Section 481.223, Florida Statutes, is amended to read:

481.223 Prohibitions; penalties; injunctive relief.—

(1) A person may not knowingly:

(a) Practice architecture unless the person is an architect or a registered architect; however, a licensed architect who has been licensed

by the board and who chooses to relinquish or not to renew his or her license may use the title "Architect, Retired" but may not otherwise render any architectural services.

~~(b)~~ *Practice interior design unless the person is a registered interior designer unless otherwise exempted herein; however, an interior designer who has been licensed by the board and who chooses to relinquish or not to renew his or her license may use the title "Interior Designer, Retired" but may not otherwise render any interior design services.*

~~(b)(e)~~ Use the name or title "architect," or "registered architect," or "interior designer" or "registered interior designer," or words to that effect, when the person is not then the holder of a valid license or certificate of registration issued pursuant to this part. *This paragraph does not restrict the use of the name or title "interior designer" or "interior design firm."*

~~(c)(d)~~ Present as his or her own the license of another.

~~(d)(e)~~ Give false or forged evidence to the board or a member thereof.

~~(e)(f)~~ Use or attempt to use an architect or interior designer license or interior design certificate of registration that has been suspended, revoked, or placed on inactive or delinquent status.

~~(f)(g)~~ Employ unlicensed persons to practice architecture or interior design.

~~(g)(h)~~ Conceal information relative to violations of this part.

(2) Any person who violates any provision of subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3)(a) Notwithstanding chapter 455 or any other law to the contrary, an affected person may maintain an action for injunctive relief to restrain or prevent a person from violating paragraph (1)(a) or; paragraph (1)(b), or paragraph ~~(1)(e)~~. The prevailing party is entitled to actual costs and attorney's fees.

(b) For purposes of this subsection, the term "affected person" means a person directly affected by the actions of a person suspected of violating paragraph (1)(a) or; paragraph (1)(b), or paragraph ~~(1)(e)~~ and includes, but is not limited to, the department, any person who received services from the alleged violator, or any private association composed primarily of members of the profession the alleged violator is practicing or offering to practice or holding himself or herself out as qualified to practice.

Section 52. Section 481.2251, Florida Statutes, is amended to read:

481.2251 Disciplinary proceedings against registered interior designers.—

(1) The following acts constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(a) Attempting to register ~~obtain, obtaining,~~ or renewing registration, by bribery, by fraudulent misrepresentation, or through an error of the board, a license to practice interior design;

(b) Having an interior design license, certification, or registration a license to practice interior design revoked, suspended, or otherwise acted against, including the denial of licensure, registration, or certification by the licensing authority of another jurisdiction for any act which would constitute a violation of this part or of chapter 455;

(c) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the provision of interior design services or to the ability to provide interior design services. A plea of nolo contendere shall create a rebuttable presumption of guilt to the underlying criminal charges. However, the board shall allow the person being disciplined to present any evidence relevant to the underlying charges and the circumstances surrounding her or his plea;

(d) False, deceptive, or misleading advertising;

~~(e) Failing to report to the board any person who the licensee knows is in violation of this part or the rules of the board;~~

~~(f) Aiding, assisting, procuring, or advising any unlicensed person to use the title "interior designer" contrary to this part or to a rule of the board;~~

~~(g) Failing to perform any statutory or legal obligation placed upon a registered interior designer;~~

~~(h) Making or filing a report which the registrant licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the capacity as a registered interior designer;~~

~~(f)(i) Making deceptive, untrue, or fraudulent representations in the provision of interior design services;~~

~~(g)(j) Accepting and performing professional responsibilities which the registrant licensee knows or has reason to know that she or he is not competent or licensed to perform;~~

~~(k) Violating any provision of this part, any rule of the board, or a lawful order of the board previously entered in a disciplinary hearing;~~

~~(l) Conspiring with another licensee or with any other person to commit an act, or committing an act, which would tend to coerce, intimidate, or preclude another licensee from lawfully advertising her or his services;~~

~~(m) Acceptance of compensation or any consideration by an interior designer from someone other than the client without full disclosure of the compensation or consideration amount or value to the client prior to the engagement for services, in violation of s. 481.2131(2);~~

~~(h)(n) Rendering or offering to render architectural services; or~~

~~(i)(o) Committing an act of fraud or deceit, or of negligence, incompetency, or misconduct, in the practice of interior design, including, but not limited to, allowing the preparation of any interior design studies, plans, or other instruments of service in an office that does not have a full time Florida registered interior designer assigned to such office or failing to exercise responsible supervisory control over services or projects, as required by board rule.~~

(2) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order taking the following action or imposing one or more of the following penalties:

(a) Refusal to register the applicant ~~approve an application for licensure;~~

(b) Refusal to renew an existing registration license;

(c) Removal from the state registry ~~Revocation or suspension of a license; or~~

(d) Imposition of an administrative fine not to exceed \$500 ~~\$1,000~~ for each violation or separate offense and a fine of up to \$2,500 ~~\$5,000~~ for matters pertaining to a material violation of the Florida Building Code as reported by a local jurisdiction; ~~or~~

~~(e) Issuance of a reprimand.~~

Section 53. Paragraph (b) of subsection (5) and subsections (6) and (8) of section 481.229, Florida Statutes, are amended to read:

481.229 Exceptions; exemptions from licensure.—

(5)

(b) Notwithstanding any other provision of this part, all persons licensed as architects under this part shall be qualified for interior design registration licensure upon submission of a completed application for such license and a fee not to exceed \$30. Such persons shall be exempt from the requirements of s. 481.209(2). For architects licensed as interior designers, satisfaction of the requirements for renewal of

licensure as an architect under s. 481.215 shall be deemed to satisfy the requirements for renewal of registration licensure as an interior designer under that section. Complaint processing, investigation, or other discipline-related legal costs related to persons licensed as interior designers under this paragraph shall be assessed against the architects' account of the Regulatory Trust Fund.

(6) This part shall not apply to:

(a) A person who performs interior design services or interior decorator services for any residential application, ~~provided that such person does not advertise as, or represent himself or herself as, an interior designer.~~ For purposes of this paragraph, "residential applications" includes all types of residences, including, but not limited to, residence buildings, single-family homes, multifamily homes, townhouses, apartments, condominiums, and domestic outbuildings appurtenant to one-family or two-family residences. ~~However, "residential applications" does not include common areas associated with instances of multiple-unit dwelling applications.~~

(b) An employee of a retail establishment providing "interior decorator services" on the premises of the retail establishment or in the furtherance of a retail sale or prospective retail sale, provided that such employee does not advertise as, or represent himself or herself as, a registered ~~an~~ interior designer.

(8) A manufacturer of commercial food service equipment or the manufacturer's representative, distributor, or dealer or an employee thereof, who prepares designs, specifications, or layouts for the sale or installation of such equipment is exempt from licensure as an architect ~~or interior designer~~, if:

(a) The designs, specifications, or layouts are not used for construction or installation that may affect structural, mechanical, plumbing, heating, air conditioning, ventilating, electrical, or vertical transportation systems.

(b) The designs, specifications, or layouts do not materially affect lifesafety systems pertaining to firesafety protection, smoke evacuation and compartmentalization, and emergency ingress or egress systems.

(c) Each design, specification, or layout document prepared by a person or entity exempt under this subsection contains a statement on each page of the document that the designs, specifications, or layouts are not architectural, interior design, or engineering designs, specifications, or layouts and not used for construction unless reviewed and approved by a licensed architect or engineer.

Section 54. Subsection (1) of section 481.231, Florida Statutes, is amended to read:

481.231 Effect of part locally.—

(1) ~~Nothing in~~ This part ~~does not~~ ~~shall be construed to~~ repeal, amend, limit, or otherwise affect any specific provision of any local building code or zoning law or ordinance that has been duly adopted, now or hereafter enacted, which is more restrictive, with respect to the services of registered architects or registered interior designers, than the provisions of this part; provided, however, that a licensed architect shall be deemed registered licensed as an interior designer for purposes of offering or rendering interior design services to a county, municipality, or other local government or political subdivision.

Section 55. Section 481.303, Florida Statutes, is amended to read:

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

(1) "Board" means the Board of Landscape Architecture.

~~(3)(2)~~ "Department" means the Department of Business and Professional Regulation.

~~(6)(3)~~ "Registered landscape architect" means a person who holds a license to practice landscape architecture in this state under the authority of this act.

~~(2)(4)~~ "Certificate of registration" means a license issued by the department to a natural person to engage in the practice of landscape architecture.

~~(5) “Certificate of authorization” means a license issued by the department to a corporation or partnership to engage in the practice of landscape architecture.~~

~~(4)(6)~~ “Landscape architecture” means professional services, including, but not limited to, the following:

(a) Consultation, investigation, research, planning, design, preparation of drawings, specifications, contract documents and reports, responsible construction supervision, or landscape management in connection with the planning and development of land and incidental water areas, including the use of Florida-friendly landscaping as defined in s. 373.185, where, and to the extent that, the dominant purpose of such services or creative works is the preservation, conservation, enhancement, or determination of proper land uses, natural land features, ground cover and plantings, or naturalistic and aesthetic values;

(b) The determination of settings, grounds, and approaches for and the siting of buildings and structures, outdoor areas, or other improvements;

(c) The setting of grades, shaping and contouring of land and water forms, determination of drainage, and provision for storm drainage and irrigation systems where such systems are necessary to the purposes outlined herein; and

(d) The design of such tangible objects and features as are necessary to the purpose outlined herein.

~~(5)(7)~~ “Landscape design” means consultation for and preparation of planting plans drawn for compensation, including specifications and installation details for plant materials, soil amendments, mulches, edging, gravel, and other similar materials. Such plans may include only recommendations for the conceptual placement of tangible objects for landscape design projects. Construction documents, details, and specifications for tangible objects and irrigation systems shall be designed or approved by licensed professionals as required by law.

Section 56. Section 481.310, Florida Statutes, is amended to read:

481.310 Practical experience requirement.—Beginning October 1, 1990, every applicant for licensure as a registered landscape architect shall demonstrate, prior to licensure, 1 year of practical experience in landscape architectural work. *An applicant who holds a master of landscape architecture degree and a bachelor’s degree in a related field is not required to demonstrate 1 year of practical experience in landscape architectural work to obtain licensure.* The board shall adopt rules providing standards for the required experience. An applicant who qualifies for examination pursuant to s. 481.309(1)(b)1. may obtain the practical experience after completing the required professional degree. Experience used to qualify for examination pursuant to s. 481.309(1)(b) 2. may not be used to satisfy the practical experience requirement under this section.

Section 57. Subsections (3) and (4) of s. 481.311, Florida Statutes, are amended to read:

481.311 Licensure.—

(3) The board shall certify as qualified for a license by endorsement an applicant who:

(a) Qualifies to take the examination as set forth in s. 481.309; and has passed a national, regional, state, or territorial licensing examination which is substantially equivalent to the examination required by s. 481.309; ~~or~~

(b) Holds a valid license to practice landscape architecture issued by another state or territory of the United States, if the criteria for issuance of such license were substantially identical to the licensure criteria which existed in this state at the time the license was issued; ~~or-~~

(c) *Has held a valid license to practice landscape architecture in another state or territory of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board, subject to subsection (5). An applicant who has met the requirements to be qualified for a license by endorsement, except for successful completion of an examination that is*

equivalent to or more stringent than the examination required by the board, may take the examination required by the board without completing additional education requirements. Such application must be submitted to the board while the applicant holds a valid license in another state or territory or within 2 years after the expiration of such license.

~~(4) The board shall certify as qualified for a certificate of authorization any applicant corporation or partnership who satisfies the requirements of s. 481.310.~~

Section 58. Subsection (4) of section 481.313, Florida Statutes, is amended to read:

481.313 Renewal of license.—

(4) The board, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall establish criteria for the approval of continuing education courses and providers, and shall by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis. *A landscape architect shall receive hour-for-hour credit for attending continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education that relate to and increase his or her basic knowledge of landscape architecture, as determined by the board, if the landscape architect submits proof satisfactory to the board that such course was approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education, along with the syllabus or outline for such course and proof of course attendance.*

Section 59. Subsection (2) of section 481.317, Florida Statutes, is amended to read:

481.317 Temporary certificates.—

~~(2) Upon approval by the board and payment of the fee set in s. 481.307, the department shall grant a temporary certificate of authorization for work on one specified project in this state for a period not to exceed 1 year to an out of state corporation, partnership, or firm, provided one of the principal officers of the corporation, one of the partners of the partnership, or one of the principals in the fictitiously named firm has obtained a temporary certificate of registration in accordance with subsection (1).~~

Section 60. Section 481.319, Florida Statutes, is amended to read:

481.319 Corporate and partnership practice of landscape architecture; ~~certificate of authorization.~~—

(1) The practice of or offer to practice landscape architecture by registered landscape architects registered under this part through a corporation or partnership offering landscape architectural services to the public, or through a corporation or partnership offering landscape architectural services to the public through individual registered landscape architects as agents, employees, officers, or partners, is permitted, subject to the provisions of this section, if:

(a) One or more of the principal officers of the corporation, or partners of the partnership, and all personnel of the corporation or partnership who act in its behalf as landscape architects in this state are registered landscape architects; *and*

(b) One or more of the officers, one or more of the directors, one or more of the owners of the corporation, or one or more of the partners of the partnership is a registered landscape architect; ~~and~~

~~(c) The corporation or partnership has been issued a certificate of authorization by the board as provided herein.~~

(2) All documents involving the practice of landscape architecture which are prepared for the use of the corporation or partnership shall bear the signature and seal of a registered landscape architect.

(3) *A landscape architect applying to practice in the name of a* ~~An~~ applicant corporation *must* ~~shall~~ file with the department the names and addresses of all officers and board members of the corporation, including the principal officer or officers, duly registered to practice landscape architecture in this state and, also, of all individuals duly

registered to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture by the corporation in this state. *A landscape architect applying to practice in the name of a partnership must shall file with the department the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice landscape architecture in this state and, also, of an individual or individuals duly registered to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture by said partnership in this state.*

(4) Each *landscape architect qualifying a partnership or and corporation licensed under this part must shall* notify the department within 1 month *after of* any change in the information contained in the application upon which the license is based. Any landscape architect who terminates *her or his or her* employment with a partnership or corporation licensed under this part shall notify the department of the termination within 1 month *after such termination*.

(5) ~~Disciplinary action against a corporation or partnership shall be administered in the same manner and on the same grounds as disciplinary action against a registered landscape architect.~~

(6) Except as provided in s. 558.0035, the fact that a registered landscape architect practices landscape architecture through a corporation or partnership as provided in this section does not relieve the landscape architect from personal liability for *her or his or her* professional acts.

Section 61. Subsection (5) of section 481.321, Florida Statutes, is amended to read:

481.321 Seals; display of certificate number.—

(5) Each registered landscape architect *must and each corporation or partnership holding a certificate of authorization shall* include *her or his* certificate number in any newspaper, telephone directory, or other advertising medium used by the registered landscape architect, corporation, or partnership. A corporation or partnership *must is not required to* display the certificate number *numbers of at least one officer, director, owner, or partner who is a individual* registered landscape architect ~~architects~~ employed by or practicing with the corporation or partnership.

Section 62. Subsection (5) of section 481.329, Florida Statutes, is amended to read:

481.329 Exceptions; exemptions from licensure.—

(5) This part does not prohibit any person from engaging in the practice of landscape design, as defined in s. 481.303 ~~s. 481.303(7)~~, or from submitting for approval to a governmental agency planting plans that are independent of, or a component of, construction documents that are prepared by a Florida-registered professional. Persons providing landscape design services shall not use the title, term, or designation “landscape architect,” “landscape architectural,” “landscape architecture,” “L.A.,” “landscape engineering,” or any description tending to convey the impression that she or he is a landscape architect unless she or he is registered as provided in this part.

Section 63. Subsection (9) of section 489.103, Florida Statutes, is amended to read:

489.103 Exemptions.—This part does not apply to:

(9) Any work or operation of a casual, minor, or inconsequential nature in which the aggregate contract price for labor, materials, and all other items is less than \$2,500 ~~\$1,000~~, but this exemption does not apply:

(a) If the construction, repair, remodeling, or improvement is a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than \$2,500 ~~\$1,000~~ for the purpose of evading this part or otherwise.

(b) To a person who advertises that he or she is a contractor or otherwise represents that he or she is qualified to engage in contracting.

Section 64. Subsection (2) of section 489.111, Florida Statutes, is amended to read:

489.111 Licensure by examination.—

(2) A person shall be eligible for licensure by examination if the person:

(a) Is 18 years of age;

(b) Is of good moral character; and

(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited 4-year college in the appropriate field of engineering, architecture, or building construction and has 1 year of proven experience in the category in which the person seeks to qualify. For the purpose of this part, a minimum of 2,000 person-hours shall be used in determining full-time equivalency. *An applicant who is exempt from passing an examination under s. 489.113(1) is eligible for a license under this section.*

2. Has a total of at least 4 years of active experience as a worker who has learned the trade by serving an apprenticeship as a skilled worker who is able to command the rate of a mechanic in the particular trade or as a foreman who is in charge of a group of workers and usually is responsible to a superintendent or a contractor or his or her equivalent, provided, however, that at least 1 year of active experience shall be as a foreman.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; has a combination of not less than 1 year of experience as a skilled worker, 1 year of experience as a foreman, and not less than 2 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled worker, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to *receive a certified building contractor license after passing or having previously passed* ~~take~~ the building contractors’ examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified residential contractor is eligible to *receive a certified general contractor license after passing or having previously passed* ~~take~~ the general contractors’ examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified building contractor is eligible to *receive a certified general contractor license after passing or having previously passed* ~~take~~ the general contractors’ examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

5.a. An active certified air-conditioning Class C contractor is eligible to *receive a certified air-conditioning Class B contractor license after passing or having previously passed* ~~take~~ the air-conditioning Class B contractors’ examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified air-conditioning Class C contractor is eligible to *receive a certified air-conditioning Class A contractor license after passing or having previously passed* ~~take~~ the air-conditioning Class A contractors’ examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified air-conditioning Class B contractor is eligible to *receive a certified air-conditioning Class A contractor license after passing or having previously passed* ~~take~~ the air-conditioning Class A contractors’ examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

6.a. An active certified swimming pool servicing contractor is eligible to *receive a certified residential swimming pool contractor license*

after passing or having previously passed ~~take~~ the residential swimming pool contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified swimming pool servicing contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed ~~take~~ the swimming pool commercial contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified residential swimming pool contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed ~~take~~ the commercial swimming pool contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

d. An applicant is eligible to receive a certified swimming pool/spa servicing contractor license after passing or having previously passed ~~take~~ the swimming pool/spa servicing contractors' examination if he or she has satisfactorily completed 60 hours of instruction in courses related to the scope of work covered by that license and approved by the Construction Industry Licensing Board by rule and has at least 1 year of proven experience related to the scope of work of such a contractor.

Section 65. Subsection (1) of section 489.113, Florida Statutes, is amended to read:

489.113 Qualifications for practice; restrictions.—

(1) Any person who desires to engage in contracting on a statewide basis shall, as a prerequisite thereto, establish his or her competency and qualifications to be certified pursuant to this part. To establish competency, a person shall pass the appropriate examination approved by the board and certified by the department. *If an applicant has received a baccalaureate degree in building construction from an accredited 4-year college, or a related degree as approved by the board by rule, and has a grade point average of 3.0 or higher, such applicant is only required to take and pass the business and finance portion of the examination.* Any person who desires to engage in contracting on other than a statewide basis shall, as a prerequisite thereto, be registered pursuant to this part, unless exempted by this part.

Section 66. Subsection (3) of section 489.115, Florida Statutes, is amended to read:

489.115 Certification and registration; endorsement; reciprocity; renewals; continuing education.—

(3) The board shall certify as qualified for certification by endorsement any applicant who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.111;

(b) Holds a valid license to practice contracting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to Florida's current certification criteria; ~~or~~

(c) Holds a valid, current license to practice contracting issued by another state or territory of the United States, if the state or territory has entered into a reciprocal agreement with the board for the recognition of contractor licenses issued in that state, based on criteria for the issuance of such licenses that are substantially equivalent to the criteria for certification in this state; ~~or~~

(d) *Has held a valid, current license to practice contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to subsections (5)-(9). The board may consider an applicant's technical competence to ensure the applicant is able to meet the requirements of this state's codes and standards for wind mitigation and water intrusion. The board may also consider whether such applicant has had a license to practice contracting revoked, suspended, or other-*

wise acted against by the licensing authority of another state, territory, or country. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Division I contractors and roofing contractors must complete a 2-hour course on the Florida Building Code which includes information on wind mitigation techniques. The required courses may be completed online.

Section 67. Subsection (5) of section 489.511, Florida Statutes, is amended to read:

489.511 Certification; application; examinations; endorsement.—

(5) The board shall certify as qualified for certification by endorsement any individual applying for certification who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.521; ~~or~~

(b) Holds a valid license to practice electrical or alarm system contracting issued by another state or territory of the United States, if the criteria for issuance of such license was substantially equivalent to the certification criteria that existed in this state at the time the certificate was issued; ~~or~~

(c) *Has held a valid, current license to practice electrical or alarm system contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to ss. 489.510 and 489.521(3)(a) and subparagraph (1)(b)1. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Electrical contractors and alarm system contractors must complete a 2-hour course on the Florida Building Code. The required courses may be completed online.*

Section 68. Subsection (3) and paragraph (b) of subsection (4) of section 489.517, Florida Statutes, are amended to read:

489.517 Renewal of certificate or registration; continuing education.—

(3)(a) Each certificateholder or registrant licensed as a specialty contractor or an alarm system contractor shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 7 ~~14~~ classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.

(b) *Each certificateholder or registrant licensed as an electrical contractor shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 11 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.*

(4)

(b)1. *For licensed specialty contractors or alarm system contractors, of the 7 ~~14~~ classroom hours of continuing education required, at least 1 hour ~~7 hours~~ must be on technical subjects, 1 hour on workers' compensation, 1 hour on workplace safety, 1 hour on business practices, and ~~for alarm system contractors and electrical contractors engaged in alarm system contracting, 2 hours on false alarm prevention.~~*

2. *For licensed electrical contractors, of the minimum 11 classroom hours of continuing education required, at least 7 hours must be on technical subjects, 1 hour on workers' compensation, 1 hour on workplace safety, and 1 hour on business practices. Electrical contractors engaged in alarm system contracting must also complete 2 hours on false alarm prevention.*

Section 69. Paragraph (b) of subsection (1) of section 489.518, Florida Statutes, is amended to read:

489.518 Alarm system agents.—

(1) A licensed electrical or alarm system contractor may not employ a person to perform the duties of a burglar alarm system agent unless the person:

(b) Has successfully completed a minimum of 14 hours of training *within 90 days after employment*, to include basic alarm system electronics in addition to related training including CCTV and access control training, with at least 2 hours of training in the prevention of false alarms. Such training shall be from a board-approved provider, and the employee or applicant for employment shall provide proof of successful completion to the licensed employer. The board shall by rule establish criteria for the approval of training courses and providers and may by rule establish criteria for accepting alternative nonclassroom education on an hour-for-hour basis. The board shall approve providers that conduct training in other than the English language. The board shall establish a fee for the approval of training providers or courses, not to exceed \$60. Qualified employers may conduct training classes for their employees, with board approval.

Section 70. Section 492.104, Florida Statutes, is amended to read:

492.104 Rulemaking authority.—The Board of Professional Geologists has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter. Every licensee shall be governed and controlled by this chapter and the rules adopted by the board. The board is authorized to set, by rule, fees for application, examination, ~~certificate of authorization~~, late renewal, initial licensure, and license renewal. These fees ~~may should~~ not exceed the cost of implementing the application, examination, initial licensure, and license renewal or other administrative process and shall be established as follows:

(1) The application fee shall not exceed \$150 and shall be non-refundable.

(2) The examination fee shall not exceed \$250, and the fee may be apportioned to each part of a multipart examination. The examination fee shall be refundable in whole or part if the applicant is found to be ineligible to take any portion of the licensure examination.

(3) The initial license fee shall not exceed \$100.

(4) The biennial renewal fee shall not exceed \$150.

~~(5) The fee for a certificate of authorization shall not exceed \$350 and the fee for renewal of the certificate shall not exceed \$350.~~

~~(5)(6)~~ The fee for reactivation of an inactive license ~~may shall~~ not exceed \$50.

~~(6)(7)~~ The fee for a provisional license ~~may shall~~ not exceed \$400.

~~(7)(8)~~ The fee for application, examination, and licensure for a license by endorsement ~~is shall be~~ as provided in this section for licenses in general.

Section 71. Subsection (1) of section 492.108, Florida Statutes, is amended to read:

492.108 Licensure by endorsement; requirements; fees.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting an application fee, has been certified by the board that he or she:

(a) Has met the qualifications for licensure in s. 492.105(1)(b)-(e) ~~and:-~~

~~1.(b)~~ Is the holder of an active license in good standing in a state, trust, territory, or possession of the United States.

~~2.(c)~~ Was licensed through written examination in at least one state, trust, territory, or possession of the United States, the examination requirements of which have been approved by the board as substantially equivalent to or more stringent than those of this state, and

has received a score on such examination which is equal to or greater than the score required by this state for licensure by examination.

~~3.(d)~~ Has taken and successfully passed the laws and rules portion of the examination required for licensure as a professional geologist in this state.

~~(b)~~ *Has held a valid license to practice geology in another state, trust, territory, or possession of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the department. If such applicant has met the requirements for a license by endorsement except successful completion of an examination that is equivalent to or more stringent than the examination required by the board, such applicant may take the examination required by the board. Such application must be submitted to the board while the applicant holds a valid license in another state or territory or within 2 years after the expiration of such license.*

Section 72. Section 492.111, Florida Statutes, is amended to read:

492.111 Practice of professional geology by a firm, corporation, or partnership; ~~certificate of authorization~~.—The practice of, or offer to practice, professional geology by individual professional geologists licensed under the provisions of this chapter through a firm, corporation, or partnership offering geological services to the public through individually licensed professional geologists as agents, employees, officers, or partners thereof is permitted subject to the provisions of this chapter, ~~if provided that:~~

(1) At all times that it offers geological services to the public, the firm, corporation, or partnership ~~is qualified by~~ ~~has on file with the department the name and license number of~~ one or more individuals who hold a current, active license as a professional geologist in the state and are serving as a geologist of record for the firm, corporation, or partnership. A geologist of record may be any principal officer or employee of such firm or corporation, or any partner or employee of such partnership, who holds a current, active license as a professional geologist in this state, or any other Florida-licensed professional geologist with whom the firm, corporation, or partnership has entered into a long-term, ongoing relationship, as defined by rule of the board, to serve as one of its geologists of record. ~~It shall be the responsibility of the firm, corporation, or partnership and~~ The geologist of record ~~shall~~ notify the department of any changes in the relationship or identity of that geologist of record within 30 days after such change.

~~(2) The firm, corporation, or partnership has been issued a certificate of authorization by the department as provided in this chapter. For purposes of this section, a certificate of authorization shall be required of any firm, corporation, partnership, association, or person practicing under a fictitious name and offering geological services to the public, except that, when an individual is practicing professional geology in her or his own name, she or he shall not be required to obtain a certificate of authorization under this section. Such certificate of authorization shall be renewed every 2 years.~~

~~(2)(3)~~ All final geological papers or documents involving the practice of the profession of geology which have been prepared or approved for the use of such firm, corporation, or partnership, for delivery to any person for public record with the state, shall be dated and bear the signature and seal of the professional geologist or professional geologists who prepared or approved them.

~~(3)(4)~~ Except as provided in s. 558.0035, the fact that a licensed professional geologist practices through a corporation or partnership does not relieve the registrant from personal liability for negligence, misconduct, or wrongful acts committed by her or him. The partnership and all partners are jointly and severally liable for the negligence, misconduct, or wrongful acts committed by their agents, employees, or partners while acting in a professional capacity. Any officer, agent, or employee of a corporation is personally liable and accountable only for negligent acts, wrongful acts, or misconduct committed by her or him or committed by any person under her or his direct supervision and control, while rendering professional services on behalf of the corporation. The personal liability of a shareholder of a corporation, in her or his capacity as shareholder, may be no greater than that of a shareholder-employee of a corporation incorporated under chapter 607. The corporation is liable up to the full value of its property for any negligent

acts, wrongful acts, or misconduct committed by any of its officers, agents, or employees while they are engaged on behalf of the corporation in the rendering of professional services.

~~(5) The firm, corporation, or partnership desiring a certificate of authorization shall file with the department an application therefor, upon a form to be prescribed by the department, accompanied by the required application fee.~~

~~(6) The department may refuse to issue a certificate of authorization if any facts exist which would entitle the department to suspend or revoke an existing certificate of authorization or if the department, after giving persons involved a full and fair hearing, determines that any of the officers or directors of said firm or corporation, or partners of said partnership, have violated the provisions of s. 492.113.~~

Section 73. Subsection (4) of section 492.113, Florida Statutes, is amended to read:

492.113 Disciplinary proceedings.—

(4) The department shall reissue the license of a disciplined professional geologist ~~or business~~ upon certification by the board that the disciplined person has complied with ~~all of~~ the terms and conditions set forth in the final order.

Section 74. Section 492.115, Florida Statutes, is amended to read:

492.115 Roster of licensed professional geologists.—A roster showing the names and places of business or residence of all licensed professional geologists and all *properly qualified* firms, corporations, or partnerships ~~practicing holding certificates of authorization to practice~~ professional geology in the state shall be prepared annually by the department. A copy of this roster ~~must be made available to shall be obtainable by~~ each licensed professional geologist and each firm, corporation, or partnership ~~qualified by a professional geologist holding a certificate of authorization~~, and copies thereof shall be placed on file with the department.

Section 75. Section 509.102, Florida Statutes, is created to read:

509.102 *Mobile food dispensing vehicles; preemption.*—

(1) *As used in this section, the term “mobile food dispensing vehicle” means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.*

(2) *Regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle within the entity’s jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity’s jurisdiction.*

(3) *This section may not be construed to affect a municipality, county, or other local governmental entity’s authority to regulate the operation of mobile food dispensing vehicles other than the regulations described in subsection (2).*

(4) *This section does not apply to any port authority, aviation authority, airport, or seaport.*

Section 76. Paragraph (i) of subsection (2) of section 548.003, Florida Statutes, is amended to read:

548.003 Florida State Boxing Commission.—

(2) The Florida State Boxing Commission, as created by subsection (1), shall administer the provisions of this chapter. The commission has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter and to implement each of the duties and responsibilities conferred upon the commission, including, but not limited to:

~~(i) Designation and duties of a knockdown timekeeper.~~

Section 77. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

548.017 Participants, managers, and other persons required to have licenses.—

(1) A participant, manager, trainer, second, ~~timekeeper~~, referee, judge, ~~announcer~~, physician, matchmaker, or promoter must be licensed before directly or indirectly acting in such capacity in connection with any match involving a participant. A physician approved by the commission must be licensed pursuant to chapter 458 or chapter 459, must maintain an unencumbered license in good standing, and must demonstrate satisfactory medical training or experience in boxing, or a combination of both, to the executive director before working as the ringside physician.

Section 78. Paragraph (d) of subsection (1) of section 553.5141, Florida Statutes, is amended to read:

553.5141 Certifications of conformity and remediation plans.—

(1) For purposes of this section:

(d) “Qualified expert” means:

1. An engineer licensed pursuant to chapter 471.
2. A certified general contractor licensed pursuant to chapter 489.
3. A certified building contractor licensed pursuant to chapter 489.
4. A building code administrator licensed pursuant to chapter 468.
5. A building inspector licensed pursuant to chapter 468.
6. A plans examiner licensed pursuant to chapter 468.
7. An interior designer ~~registered licensed~~ pursuant to chapter 481.
8. An architect licensed pursuant to chapter 481.
9. A landscape architect licensed pursuant to chapter 481.
10. Any person who has prepared a remediation plan related to a claim under Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, that has been accepted by a federal court in a settlement agreement or court proceeding, or who has been qualified as an expert in Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

Section 79. Effective January 1, 2021, subsection (1) of section 553.74, Florida Statutes, is amended to read:

553.74 Florida Building Commission.—

(1) The Florida Building Commission is created and located within the Department of Business and Professional Regulation for administrative purposes. Members are appointed by the Governor subject to confirmation by the Senate. The commission is composed of ~~19~~ **27** members, consisting of the following *members*:

(a) One architect *licensed pursuant to chapter 481 with at least 5 years of experience in the design and construction of buildings designated for Group E or Group I occupancies by the Florida Building Code registered to practice in this state and actively engaged in the profession.* The American Institute of Architects, Florida Section, is encouraged to recommend a list of candidates for consideration.

(b) One structural engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.

(c) One air-conditioning *contractor, or* mechanical contractor, *or mechanical engineer* certified to do business in this state and actively engaged in the profession. The Florida Air Conditioning Contractors Association, the Florida Refrigeration and Air Conditioning Contractors Association, ~~and~~ the Mechanical Contractors Association of Florida, *and*

the Florida Engineering Society are encouraged to recommend a list of candidates for consideration.

(d) One electrical contractor or *electrical engineer* certified to do business in this state and actively engaged in the profession. The Florida Association of Electrical Contractors, and the National Electrical Contractors Association, Florida Chapter, and *the Florida Engineering Society* are encouraged to recommend a list of candidates for consideration.

~~(e) One member from fire protection engineering or technology who is actively engaged in the profession. The Florida Chapter of the Society of Fire Protection Engineers and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.~~

(e) One certified general contractor or one certified building contractor certified to do business in this state and actively engaged in the profession. The Associated Builders and Contractors of Florida, the Florida Associated General Contractors Council, *the Florida Home Builders Association*, and the Union Contractors Association are encouraged to recommend a list of candidates for consideration.

(f) One plumbing contractor licensed to do business in this state and actively engaged in the profession. The Florida Association of Plumbing, Heating, and Cooling Contractors is encouraged to recommend a list of candidates for consideration.

(g) One roofing or sheet metal contractor certified to do business in this state and actively engaged in the profession. The Florida Roofing, Sheet Metal, and Air Conditioning Contractors Association and the Sheet Metal and Air Conditioning Contractors' National Association are encouraged to recommend a list of candidates for consideration.

(h) One certified residential contractor licensed to do business in this state and actively engaged in the profession. The Florida Home Builders Association is encouraged to recommend a list of candidates for consideration.

(i) Three members who are municipal, county, or district codes enforcement officials, one of whom is also a fire official. The Building Officials Association of Florida and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.

~~(k) One member who represents the Department of Financial Services.~~

~~(l) One member who is a county codes enforcement official. The Building Officials Association of Florida is encouraged to recommend a list of candidates for consideration.~~

(j) One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state which complies with or is certified to be compliant with the requirements of the Americans with Disabilities Act of 1990, as amended.

(k) One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry. The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.

~~(o) One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.~~

~~(p) One member who is a representative of a municipality or a charter county. The Florida League of Cities and the Florida Association of Counties are encouraged to recommend a list of candidates for consideration.~~

(l) One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. The Florida Building Material Association, the Florida Concrete and Products Association, and the Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.

(m) One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.

(n) One member who is a representative of the insurance industry. The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.

~~(t) One member who is a representative of public education.~~

(o) One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession. The Florida Swimming Pool Association and the United Pool and Spa Association are encouraged to recommend a list of candidates for consideration.

(p) *The Chief Resilience Officer or his or her designee.*

~~(q) One member who is a representative of the green building industry and who is a third party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, a professional who is accredited under the International Green Construction Code (IGCC), or a professional who is accredited under Leadership in Energy and Environmental Design (LEED).~~

(w) One member who is a representative of a natural gas distribution system and who is actively engaged in the distribution of natural gas in this state. The Florida Natural Gas Association is encouraged to recommend a list of candidates for consideration.

~~(x) One member who is a representative of the Department of Agriculture and Consumer Services' Office of Energy. The Commissioner of Agriculture is encouraged to recommend a list of candidates for consideration.~~

~~(y) One member who shall be the chair.~~

Section 80. Subsections (5) and (6) are added to section 823.15, Florida Statutes, to read:

823.15 Dogs and cats released from animal shelters or animal control agencies; sterilization requirement.—

(5) *Employees, agents, or contractors of a public or private animal shelter, a humane organization, or an animal control agency operated by a humane organization or by a county, municipality, or other incorporated political subdivision may implant dogs and cats with radio frequency identification microchips as part of their work with such public or private animal shelter, humane organization, or animal control agency.*

(6) *Notwithstanding s. 474.2165, employees, agents, or contractors of a public or private animal shelter, a humane organization, or an animal control agency operated by a humane organization or by a county, municipality, or other incorporated political subdivision may contact the owner of record listed on a radio frequency identification microchip to verify pet ownership.*

Section 81. Paragraphs (h) and (k) of subsection (2) of section 287.055, Florida Statutes, are amended to read:

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

(2) DEFINITIONS.—For purposes of this section:

(h) A “design-build firm” means a partnership, corporation, or other legal entity that:

1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or

2. Is *qualified certified* under s. 471.023 to practice or to offer to practice engineering; ~~qualified certified~~ under s. 481.219 to practice or

to offer to practice architecture; or ~~qualified certified~~ under s. 481.319 to practice or to offer to practice landscape architecture.

(k) A “design criteria professional” means a firm *that is qualified who holds a current certificate of registration* under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

Section 82. Subsection (7) of section 558.002, Florida Statutes, is amended to read:

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

(7) “Design professional” means a person, as defined in s. 1.01, *who is licensed in this state as an architect, interior designer, a landscape architect, an engineer, a surveyor, or a geologist or who is a registered interior designer, as defined in s. 481.203.*

Section 83. Subsection (4) of section 725.08, Florida Statutes, is amended to read:

725.08 Design professional contracts; limitation in indemnification.—

(4) “Design professional” means an individual or entity licensed by the state who holds a current certificate of registration *or is qualified* under chapter 481 to practice architecture or landscape architecture, under chapter 472 to practice land surveying and mapping, or under chapter 471 to practice engineering, and who enters into a professional services contract.

And the title is amended as follows:

Delete lines 4-227 and insert: 322.57, F.S.; defining the term “servicemember”; requiring the Department of Highway Safety and Motor Vehicles to waive the requirement to pass the Commercial Driver License Skills Tests for certain servicemembers and veterans; requiring an applicant who receives such waiver to complete certain requirements within a specified time; requiring the department to adopt rules; amending s. 326.004, F.S.; deleting the requirement that a yacht broker maintain a separate license for each branch office; deleting the requirement that the Division of Florida Condominiums, Timeshares, and Mobile Homes establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the Department of Business and Professional Regulation; amending s. 455.213, F.S.; requiring the department or a board to enter into reciprocal licensing agreements with other states under certain circumstances; providing requirements; creating s. 455.2278, F.S.; defining terms; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a delinquency or default in the payment of his or her student loan; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a default in satisfying the requirements of his or her work-conditional scholarship; amending s. 456.072, F.S.; specifying that the failure to repay certain student loans is not considered a failure to perform a statutory or legal obligation for which certain disciplinary action can be taken; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners who are in default on student loan or scholarship obligations; amending s. 456.074, F.S.; deleting a provision relating to the suspension of a license issued by the Department of Health for defaulting on certain student loans; amending s. 468.505, F.S.; providing that certain unlicensed persons are not prohibited or restricted from their practice, services, or activities in dietetics and nutrition under certain circumstances;

amending s. 468.603, F.S.; revising which inspectors are included in the definition of the term “categories of building code inspectors”; amending s. 468.609, F.S.; revising certain experience requirements for a person to take the examination for certification; revising the time period a provisional certificate is valid; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 471.015, F.S.; revising licensure requirements for engineers who hold specified licenses in another state; amending s. 473.308, F.S.; deleting continuing education requirements for license by endorsement for certified public accountants; amending s. 474.202, F.S.; revising the definition of the term “limited-service veterinary medical practice” to include certain procedures; amending s. 474.203, F.S.; providing an exemption for certain persons whose work is solely confined to microchip implantation in dogs and cats; amending s. 474.207, F.S.; revising education requirements for licensure by examination; amending s. 474.217, F.S.; requiring the department to issue a license by endorsement to certain applicants who successfully complete a specified examination; amending s. 476.114, F.S.; revising training requirements for licensure as a barber; amending s. 476.144, F.S.; requiring the department to certify as qualified for licensure by endorsement an applicant who is licensed to practice barbering in another state; amending s. 477.013, F.S.; revising the definition of the term “hair braiding”; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing additional exemptions from license or registration requirements for specified occupations or practices; amending s. 477.019, F.S.; deleting a provision prohibiting the Board of Cosmetology from asking for proof of certain educational hours under certain circumstances; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; providing that certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising and deleting definitions; amending s. 481.205, F.S.; conforming provisions to changes made by the act; amending s. 481.207, F.S.; revising certain fees for interior designers; conforming provisions to changes made by the act; amending s. 481.209, F.S.; providing requirements for a certificate of registration and a seal for interior designers; specifying that certain persons who are already licensed as interior designers are eligible to obtain a certificate of registration; conforming provisions to changes made by the act; amending s. 481.213, F.S.; revising requirements for certification of licensure by endorsement for a certain licensee to engage in the practice of architecture; providing that a certificate of registration is not required for specified persons to practice; conforming provisions to changes made by the act; amending s. 481.2131, F.S.; revising who may perform interior design; requiring certain interior designers to include a specified seal when submitting documents for the issuance of a building permit under certain circumstances; amending s. 481.215, F.S.; conforming provisions to changes made by the act; revising the number of hours of specified courses the board must require for the renewal of a license or certificate of registration; authorizing licensees to complete certain courses online; amending s. 481.217, F.S.; conforming provisions to changes made by the act; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; requiring a licensee or applicant in the practice of architecture to qualify as a business organization; providing requirements; amending s. 481.221, F.S.; conforming provisions to changes made by the act; requiring registered architects and certain business organizations to display certain license numbers in specified advertisements; amending s. 481.223, F.S.; providing construction; conforming provisions to changes made by the act; amending s. 481.2251, F.S.; revising the acts that constitute grounds for disciplinary actions relating to interior designers; conforming provisions to changes made by the act; amending ss. 481.229 and 481.231, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; deleting the definition of the term “certificate of authorization”; amending s. 481.310, F.S.; providing that an appli-

cant who holds certain degrees is not required to demonstrate 1 year of practical experience for licensure; amending s. 481.311, F.S.; revising requirements for certification of licensure by endorsement for a certain applicant to engage in the practice of landscape architecture; amending s. 481.313, F.S.; authorizing a landscape architect to receive hour-for-hour credit for certain approved continuing education courses under certain circumstances; amending s. 481.317, F.S.; conforming provisions to changes made by the act; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice in the name of a corporation or partnership; amending s. 481.321, F.S.; requiring a landscape architect to display a certain certificate number in specified advertisements; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for exemption; amending s. 489.111, F.S.; revising provisions relating to eligibility for licensure; amending s. 489.113, F.S.; providing that applicants who meet certain requirements are not required to pass a specified examination; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or territory of the United States under certain circumstances; requiring certain applicants to complete certain training; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; requiring certain applicants to complete certain training; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, trust, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions to changes made by the act; creating s. 509.102, F.S.; defining the term “mobile food dispensing vehicle”; preempting certain regulation of mobile food dispensing vehicles to the state; prohibiting certain entities from prohibiting mobile food dispensing vehicles from operating within the entirety of such entities’ jurisdictions; providing construction and applicability; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or an announcer; amending s. 553.5141, F.S.; conforming provisions to changes made by the act; amending s. 553.74, F.S.; revising the membership and qualifications of the Florida Building Commission; amending s. 823.15, F.S.; authorizing certain persons to implant dogs and cats with specified microchips under certain circumstances; authorizing certain persons to contact the owner of record listed on radio frequency identification microchips under certain circumstances; amending ss. 287.055, 558.002, and 725.08, F.S.; conforming provisions to changes made by the act; providing

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

Senator Albritton moved the following amendment to **Amendment 1 (828936)** which was adopted:

Amendment 1A (338142)—Delete lines 828-829 and insert: *entity or has successfully passed*

Amendment 1 (828936), as amended, was adopted.

On motion by Senator Albritton, by two-thirds vote, **CS for HB 1193**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Albritton	Benacquisto	Bradley
Baxley	Berman	Brandes
Bean	Book	Braynon

Broxson	Hutson	Rouson
Cruz	Lee	Simmons
Diaz	Mayfield	Simpson
Farmer	Montford	Stargel
Flores	Passidomo	Stewart
Gainer	Perry	Taddeo
Gibson	Pizzo	Thurston
Gruters	Powell	Torres
Harrell	Rader	Wright
Hooper	Rodriguez	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for HB 7097** was deferred.

By direction of the President, there being no objection, the Senate reverted to—

BILLS ON THIRD READING, continued

HB 7091—A bill to be entitled An act relating to probation violations; amending s. 948.06, F.S.; revising the circumstances under which a court must modify or continue a term of probation; providing an effective date.

—as amended March 11, was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bradley, the Senate reconsidered the vote by which **Amendment 1 (254366)** was adopted March 11.

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

Senator Bradley moved the following amendment to **Amendment 1 (254366)** which was adopted by two-thirds vote:

Amendment 1A (238312) (with title amendment)—Delete lines 39-366 and insert:

Section 2. Paragraph (b) of subsection (1) of section 961.03, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

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

(1)

(b) The person must file the petition with the court:

1. *Within 2 years after the order vacating a conviction and sentence becomes final and the criminal charges against the person are dismissed or the person is retried and acquitted, if the person’s conviction and sentence is vacated on or after July 1, 2020.*

2. *By July 1, 2022, if the person’s conviction and sentence was vacated and the criminal charges against the person were dismissed or the person was retried and acquitted on or after January 1, 2006, but before July 1, 2020, and he or she previously filed a petition under this section that was dismissed or did not file a petition under this section because the:*

a. *Date when the criminal charges against the person were dismissed or the date the person was acquitted upon retrial occurred more than 90 days after the date of the final order vacating the conviction and sentence; or*

b. Person was convicted of an unrelated felony before or during his or her wrongful conviction and incarceration and was ineligible for compensation under former s. 961.04.

(c) A deceased person's heirs, successors, or assigns do not have standing to file a petition on the deceased person's behalf under this section.

~~1. Within 90 days after the order vacating a conviction and sentence becomes final if the person's conviction and sentence is vacated on or after July 1, 2008.~~

~~2. By July 1, 2010, if the person's conviction and sentence was vacated by an order that became final prior to July 1, 2008.~~

Section 3. Section 961.04, Florida Statutes, is amended to read:

961.04 Eligibility for compensation for wrongful incarceration.—A wrongfully incarcerated person is not eligible for compensation under the act for any period of incarceration during which the person was concurrently serving a sentence for a conviction of another crime for which such person was lawfully incarcerated ~~if~~:

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

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

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

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

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

Section 4. Section 961.06, Florida Statutes, is amended to read:

961.06 Compensation for wrongful incarceration.—

(1) Except as otherwise provided in this act and subject to the limitations and procedures prescribed in this section, a person who is found to be entitled to compensation under the provisions of this act is entitled to:

(a) Monetary compensation for wrongful incarceration, which shall be calculated at a rate of \$50,000 for each year of wrongful incarceration, prorated as necessary to account for a portion of a year. For persons found to be wrongfully incarcerated after December 31, 2005 ~~2008~~, the Chief Financial Officer may adjust the annual rate of compensation for inflation using the change in the December-to-December "Consumer Price Index for All Urban Consumers" of the Bureau of Labor Statistics of the Department of Labor;

(b) A waiver of tuition and fees for up to 120 hours of instruction at any career center established under s. 1001.44, any Florida College System institution as defined in s. 1000.21(3), or any state university as defined in s. 1000.21(6), if the wrongfully incarcerated person meets and maintains the regular admission requirements of such career center, Florida College System institution, or state university; remains registered at such educational institution; and makes satisfactory academic progress as defined by the educational institution in which the claimant is enrolled;

(c) The amount of any fine, penalty, or court costs imposed and paid by the wrongfully incarcerated person;

(d) The amount of any reasonable ~~attorney~~ attorney's fees and expenses incurred and paid by the wrongfully incarcerated person in connection with all criminal proceedings and appeals regarding the wrongful conviction, to be calculated by the department based upon the supporting documentation submitted as specified in s. 961.05; and

(e) Notwithstanding any provision to the contrary in s. 943.0583 or s. 943.0585, immediate administrative expunction of the person's criminal record resulting from his or her wrongful arrest, wrongful conviction, and wrongful incarceration. The Department of Legal Affairs and the Department of Law Enforcement shall, upon a determination that a claimant is entitled to compensation, immediately take all action necessary to administratively expunge the claimant's criminal record arising from his or her wrongful arrest, wrongful conviction, and wrongful incarceration. All fees for this process shall be waived.

The total compensation awarded under paragraphs (a), (c), and (d) may not exceed \$2 million. No further award for ~~attorney~~ attorney's fees, lobbying fees, costs, or other similar expenses shall be made by the state.

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

~~(2)(3)~~ Within 15 calendar days after issuing notice to the claimant that his or her claim satisfies all of the requirements under this act, the department shall notify the Chief Financial Officer to draw a warrant from the General Revenue Fund or another source designated by the Legislature in law for the purchase of an annuity for the claimant based on the total amount determined by the department under this act.

~~(3)(4)~~ The Chief Financial Officer shall issue payment in the amount determined by the department to an insurance company or other financial institution admitted and authorized to issue annuity contracts in this state to purchase an annuity or annuities, selected by the wrongfully incarcerated person, for a term of not less than 10 years. The Chief Financial Officer is directed to execute all necessary agreements to implement this act and to maximize the benefit to the wrongfully incarcerated person. The terms of the annuity or annuities shall:

(a) Provide that the annuity or annuities may not be sold, discounted, or used as security for a loan or mortgage by the wrongfully incarcerated person.

(b) Contain beneficiary provisions for the continued disbursement of the annuity or annuities in the event of the death of the wrongfully incarcerated person.

~~(4)(5) If, at the time monetary compensation is determined under paragraph (1)(a), a court has previously entered a monetary judgment in favor of the claimant in a civil action related to the claimant's wrongful incarceration, or the claimant has entered into a settlement agreement with the state or any political subdivision thereof related to the claimant's wrongful incarceration, the amount of the damages in the civil action or settlement agreement, less any sums paid for attorney fees or for costs incurred in litigating the civil action or obtaining the settlement agreement, shall be deducted from the total monetary compensation to which the claimant is entitled under this section. Before the department approves the application for compensation, the wrongfully incarcerated person must sign a release and waiver on behalf of the wrongfully incarcerated person and his or her heirs, successors, and assigns, forever releasing the state or any agency, instrumentality, or any political subdivision thereof, or any other entity subject to s. 768.28, from all present or future claims that the wrongfully incarcerated person or his or her heirs, successors, or assigns may have against such entities arising out of the facts in connection with the wrongful conviction for which compensation is being sought under the act.~~

(5) If subsection (4) does not apply, and if after the time monetary compensation is determined under paragraph (1)(a) the court enters a monetary judgment in favor of the claimant in a civil action related to the claimant's wrongful incarceration, or the claimant enters into a settlement agreement with the state or any political subdivision thereof related to the claimant's wrongful incarceration, the claimant shall reimburse the state for the monetary compensation in paragraph (1)(a), less any sums paid for attorney fees or for costs incurred in litigating the civil action or obtaining the settlement agreement. A reimbursement required under this subsection shall not exceed the amount of the monetary award the claimant received for damages in a civil action or settlement agreement. In the order of judgment, the court shall award to the state any amount required to be deducted under this subsection.

(6)(a) The claimant shall notify the department upon filing a civil action against the state or any political subdivision thereof in which the claimant is seeking monetary damages related to the claimant's wrongful incarceration for which he or she previously received or is applying to receive compensation under paragraph (1)(a).

(b) Upon notice of the claimant's civil action, the department shall file in the case a notice of payment of monetary compensation to the claimant under paragraph (1)(a). The notice shall constitute a lien upon any monetary judgment or settlement recovered under the civil action that is equal to the sum of monetary compensation paid to the claimant under paragraph (1)(a), less any attorney fees and costs incurred in litigating the civil action or obtaining the settlement agreement. ~~A wrongfully incarcerated person may not submit an application for compensation under this act if the person has a lawsuit pending against the state or any agency, instrumentality, or any political subdivision thereof, or any other entity subject to the provisions of s. 768.28, in state or federal court requesting compensation arising out of the facts in connection with the claimant's conviction and incarceration.~~

(7)(a)(b) A wrongfully incarcerated person may not submit an application for compensation under this act if the person is the subject of a claim bill pending for claims arising out of the facts in connection with the claimant's conviction and incarceration.

(b)(e) Once an application is filed under this act, a wrongfully incarcerated person may not pursue recovery under a claim bill until the final disposition of the application.

(c)(d) ~~Any amount awarded under this act is intended to provide the sole compensation for any and all present and future claims arising out of the facts in connection with the claimant's conviction and incarceration.~~ Upon notification by the department that an application meets the requirements of this act, a wrongfully incarcerated person may not recover under a claim bill.

(d)(e) Any compensation awarded under a claim bill shall be the sole redress for claims arising out of the facts in connection with the claimant's conviction and incarceration and, upon any award of compensation to a wrongfully incarcerated person under a claim bill, the person may not receive compensation under this act.

(8)(7) Any payment made under this act does not constitute a waiver of any defense of sovereign immunity or an increase in the limits of liability on behalf of the state or any person subject to the provisions of s. 768.28 or other law.

Section 5. Section 961.07, Florida Statutes, is amended to read:

961.07 Continuing appropriation.—

(1) Beginning in the 2020-2021 ~~2008-2009~~ fiscal year and continuing each fiscal year thereafter, a sum sufficient to pay the approved payments under s. 961.03(1)(b)1. ~~this act~~ is appropriated from the General Revenue Fund to the Chief Financial Officer, which sum is further appropriated for expenditure pursuant to the provisions of this act.

(2) Payments for petitions filed pursuant to s. 961.03(1)(b)2. are subject to specific appropriation.

And the title is amended as follows:

Delete lines 457-488 and insert: exceptions; amending s. 961.03, F.S.; extending the filing deadline for a petition claiming wrongful incarceration; providing limited retroactivity for filing a petition claiming

wrongful incarceration; providing that a deceased person's heirs, successors, or assigns do not have standing to file a claim related to the wrongful incarceration of the deceased person; amending s. 961.04, F.S.; revising eligibility for compensation for wrongful incarceration for a wrongfully incarcerated person; amending s. 961.06, F.S.; authorizing the Chief Financial Officer to adjust compensation for inflation for additional wrongfully incarcerated persons; revising conditions for eligibility for compensation for wrongful incarceration; requiring the state to deduct the amount of a civil award from the state compensation amount owed if the claimant first receives a civil award; deleting a requirement that a wrongfully incarcerated person sign a liability release before receiving compensation; requiring a claimant to reimburse the state for any difference between state compensation and a civil award if the claimant receives statutory compensation before a civil award; deleting provisions prohibiting an application for compensation if the applicant has a pending civil suit requesting compensation; requiring a claimant to notify the Department of Legal Affairs upon filing a civil action; requiring the department to file a notice of payment of monetary compensation in the civil action; amending s. 961.07, F.S.; specifying that payments for certain petitions filed under the Victims of Wrongful Incarceration Act are subject to specific appropriation; re-enacting ss. 961.02(4) and 961.03(1)(a),

Amendment 1 (254366), as amended, was adopted by two-thirds vote.

On motion by Senator Simmons, **HB 7091**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

By direction of the President, there being no objection, the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

HB 1135—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; authorizing election of a permanent registration period for certain vehicles if certain conditions are met; providing an exception to the design of dealer license plates; requiring the Department of Highway Safety and Motor Vehicles to conduct a pilot program regarding digital license plates; amending s. 320.0657, F.S.; providing an exception to the design of fleet license plates; authorizing fleet companies to purchase specialty license plates in lieu of standard fleet license plates; requiring fleet companies to be responsible for certain costs; amending s. 320.08, F.S.; authorizing dealers to purchase specialty license plates in lieu of standard dealer license plates; requiring dealers to be responsible for certain costs; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; allowing the department to authorize dealer and fleet specialty license plates; providing requirements for such plates; deleting provisions relating to annual use fees for certain specialty license plates; revising provisions for dis-

continuing issuance of a specialty license plate; revising provisions relating to expenditure of annual use fees and interest earned therefrom; prohibiting annual use fees received by any entity from being used for certain purposes; requiring the department, in cooperation with independent colleges and universities, to create a standard template specialty license plate for each independent college or university for use in lieu of certain specialty license plates; providing for distribution and use of annual use fees collected from the sale of the plates; providing requirements for meeting the license plate sales threshold and determining the license plate limit; requiring standard template specialty license plates to be ordered from the department; requiring certain organizations to establish endowments based in this state for providing scholarships to Florida residents and to provide documentation of consent to use certain images; providing requirements for issuance of presale vouchers for out-of-state college or university license plates; amending s. 320.08058, F.S.; revising the design of and distribution of proceeds from the Special Olympics Florida specialty license plate; deleting certain specialty license plates; revising the distribution of annual use fees for certain specialty license plates; directing the department to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.08068, F.S.; requiring distribution of a specified percentage of motorcycle specialty license plate annual use fees to Preserve Vision Florida; amending s. 320.0807, F.S.; deleting provisions relating to special license plates for certain federal and state legislators; creating s. 320.0875, F.S.; providing for a special motorcycle license plate to be issued to a recipient of the Purple Heart; providing requirements for the plate; amending s. 320.089, F.S.; providing for a special license plate to be issued to a recipient of the Bronze Star; providing for the design and issuance of special veteran's motorcycle license plates; amending s. 320.0891, F.S.; revising eligibility requirements for the U.S. Paratroopers license plate; amending s. 320.0894, F.S.; revising requirements for eligibility for and issuance of the Gold Star license plate; providing contingent effective dates.

—which was previously considered March 11 with pending **Amendment 1 (464008)** by Senator Bean and pending **Amendment 1B (409002)** by Senator Thurston. **Amendment 1B (409002)** was withdrawn.

THE PRESIDENT PRESIDING

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

Senator Thurston moved the following amendment to **Amendment 1 (464008)** which was adopted:

Amendment 1C (746424)—Delete lines 1104-1121 and insert:

(101) *DIVINE NINE LICENSE PLATES.*—

(a) *The department shall develop a Divine Nine license plate as provided in this section and s. 320.08053 using a standard template and a unique logo, graphic, or color for each of the organizations listed in sub-subparagraphs (b)2.a.-i. The plate must bear the colors and design approved by the department, and must include the official logo, graphic, or color as appropriate for each organization. The word "Florida" must appear at the top of the plate, and the words "Divine Nine" must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed as follows:*

1. *Five percent of the proceeds shall be distributed to the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities.*

2. *The remaining 95 percent of the proceeds shall be distributed to one of the following organizations as selected by the purchaser of the plate who shall receive a license plate with the logo, graphic, or color associated with the appropriate recipient organization:*

a. *Alpha Phi Alpha Fraternity, Inc.*

(I) *Eighty-five percent shall be distributed to the Florida Federation of Alpha Chapters, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Florida Federation of Alpha Chapters, Inc., solely for the marketing of the plate.*

b. *Alpha Kappa Alpha Sorority, Inc.*

(I) *Eighty-five percent shall be distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc., solely for the marketing of the plate.*

c. *Kappa Alpha Psi Fraternity, Inc.*

(I) *Eighty-five percent shall be distributed to the Southern Province of Kappa Alpha Psi Fraternity, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Southern Province of Kappa Alpha Psi Fraternity, Inc., solely for the marketing of the plate.*

d. *Omega Psi Phi Fraternity, Inc.*

(I) *Eighty-five percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., solely for the marketing of the plate.*

e. *Delta Sigma Theta Sorority, Inc.*

(I) *Eighty-five percent shall be distributed to the Delta Research and Educational Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Delta Research and Educational Foundation, Inc., solely for the marketing of the plate.*

f. *Phi Beta Sigma Fraternity, Inc.*

(I) *Eighty-five percent shall be distributed to the TMB Charitable Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the TMB Charitable Foundation, Inc., solely for the marketing of the plate.*

g. *Zeta Phi Beta Sorority, Inc.*

(I) *Eighty-five percent shall be distributed to the Florida Pearls, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Florida Pearls, Inc., solely for the marketing of the plate.*

h. *Sigma Gamma Rho Sorority, Inc.*

(I) *Eighty-five percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.*

(II) *Ten percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., solely for the marketing of the plate.*

i. *Iota Phi Theta Fraternity, Inc.*

(I) Eighty-five percent shall be distributed to the National Iota Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the National Iota Foundation, Inc., solely for the marketing of the plate.

License plates created pursuant to this subsection shall have their plate sales combined for the purpose of meeting the minimum license plate sales threshold in s. 320.08056(8)(a) and for determining the license plate limit in s. 320.08053(3)(b). License plates created pursuant to this subsection must be ordered directly from the department.

Amendment 1 (464008), as amended, was adopted.

On motion by Senator Bean, by two-thirds vote, HB 1135, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Name, Diaz, Pizzo, Farmer, Powell, Gainer, Rader, Gibson, Rodriguez, Gruters, Rouson, Harrell, Simmons, Hooper, Simpson, Hutson, Stargel, Lee, Stewart, Mayfield, Taddeo, Montford, Thurston, Passidomo, Torres, Cruz, Perry, Wright

Nays—None

Vote after roll call:

Yea—Flores

CS for CS for SB 414—A bill to be entitled An act relating to fees; amending s. 320.08056, F.S.; creating a uniform annual use fee collected for a specialty license plate unless otherwise specified; adding annual use fees for certain specialty license plates; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of CS for CS for SB 414, pursuant to Rule 3.11(3), there being no objection, CS for HB 387 was withdrawn from the Committees on Infrastructure and Security; and Appropriations.

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

CS for HB 387—A bill to be entitled An act relating to license plate fees; amending s. 320.08056, F.S.; providing for collection of a uniform annual use fee for a specialty license plate unless otherwise specified; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 414 and read the second time by title.

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

Yeas—39

Table with 3 columns: Name, Book, Cruz, Albritton, Bracy, Diaz, Baxley, Bradley, Farmer, Bean, Brandes, Gainer, Benacquisto, Braynon, Gibson, Berman, Broxson, Gruters

Table with 3 columns: Harrell, Perry, Simpson, Hooper, Pizzo, Stargel, Hutson, Powell, Stewart, Lee, Rader, Taddeo, Mayfield, Rodriguez, Thurston, Montford, Rouson, Torres, Passidomo, Simmons, Wright

Nays—None

Vote after roll call:

Yea—Flores

On motion by Senator Simmons, the Senate resumed consideration of—

HB 641—A bill to be entitled An act relating to articulated acceleration mechanisms in education; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; providing an effective date.

—which was previously considered March 11.

Senator Simmons moved the following amendment:

Amendment 1 (534296) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (7) and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection. The specific course for which a student may receive such credit shall be specified in the statewide articulation agreement required by s. 1007.23(1). Students enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether or not the student achieves a passing score on the examination.

(8) The Advanced International Certificate of Education Program and the International General Certificate of Secondary Education (pre-AICE) Program shall be the curricula in which eligible secondary students are enrolled in programs of study offered through the Advanced International Certificate of Education Program or the International General Certificate of Secondary Education (pre-AICE) Program administered by the University of Cambridge Local Examinations Syndicate. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and Advanced International Certificate of Education examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the cutoff scores, which changes have the effect of raising the required cutoff score or of changing the Advanced International Certification of Education examinations which will be used to grant postsecondary credit, shall apply to students taking Advanced International Certificate of Education examinations after such changes are adopted

by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be determined by the Florida College System institution or university that accepts the student for admission. Students enrolled in either program of study pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether the student achieves a passing score on the examination.

Section 2. Paragraph (n) of subsection (1), and subsections (11) and (18) of section 1011.62, Florida Statutes, are amended to read:

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

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

(n) *Calculation of additional full-time equivalent membership based on college board advanced placement scores of students and earning college board advanced placement capstone diplomas.*—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives a College Board Advanced Placement Capstone Diploma and meets the requirements for a standard high school diploma under s. 1003.4282. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of “D” or “F” who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded under this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score.

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, the ~~teacher salary increase allocation~~ ~~best and brightest teacher and principal allocation~~, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

(18) *TEACHER SALARY INCREASE ALLOCATION.*—*The Legislature may annually provide in the Florida Education Finance Program a teacher salary increase allocation to assist school districts in their recruitment and retention of classroom teachers and other instructional personnel. The amount of the allocation shall be specified in the General Appropriations Act.*

(a) *Each school district shall receive an allocation based on the school district’s proportionate share of the base FEFP allocation. Each school district shall provide each charter school within its district its proportionate share calculated pursuant to s. 1002.33(17)(b).*

(b) *Allocation funds are restricted in use as follows:*

1. *Each school district and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, as specified in the General Appropriations Act, or to the maximum amount achievable based on the allocation. The term “minimum base salary” means the annual base salary reported on the salary schedule for a full-time classroom teacher with zero years of classroom teaching experience. This subparagraph does not apply to substitute teachers.*

2. *In addition, each school district shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:*

a. *Full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than two percent under subparagraph 1. or as specified in the General Appropriations Act. This subparagraph does not apply to substitute teachers.*

b. *Other full-time instructional personnel as defined in s. 1012.01(2)(b)-(d).*

3. *A school district or charter school shall not reduce the minimum base salary achieved for classroom teachers provided under subparagraph 1. or the salary increases provided under subparagraph 2. in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.*

(c) *Before distributing allocation funds received pursuant to paragraph (a), each school district and each charter school shall develop a salary distribution plan that clearly delineates the planned distribution of funds pursuant to paragraph (b) in accordance with modified salary schedules, as necessary, for the implementation of this subsection.*

1. *Each school district superintendent and each charter school administrator must submit its proposed salary distribution plan to the district school board or the charter school governing body, as appropriate, for approval.*

2. *Each school district shall submit the approved district salary distribution plan, along with the approved salary distribution plan for each charter school in the district, to the department by October 1 of each fiscal year.*

(d) *In a format specified by the department, provide as follows:*

1. *By December 1, each school district shall provide a preliminary report to the department that includes a detailed summary explaining the school district’s planned expenditure of the entire allocation for the district received pursuant to paragraph (a), the amount of the increase to the minimum base salary for classroom teachers pursuant to paragraph (b), and the school district’s salary schedule for the prior fiscal year and the fiscal year in which the base salary is increased. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district’s preliminary report to the department.*

2. *By February 1, the department shall submit to the Governor, President of the Senate, and the Speaker of the House, a statewide report on the planned expenditure of the teacher salary increase allocation, which includes the detailed summary provided by each school district and charter school.*

3. By August 1, each school district shall provide a final report to the department with the information required in subparagraph 1. for the prior fiscal year. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's final report to the department.

(e) Although district school boards and charter school governing boards are not precluded from bargaining over wages, the teacher salary increase allocation must be used solely to comply with the requirements of this section. A district school board or charter school governing board that is unable to meet the reporting requirements specified in paragraphs (c) or (d) due to a collective bargaining impasse must provide written notification to department or district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.

~~THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.—~~

~~(a) The Florida Best and Brightest Teacher and Principal Allocation is created to recruit, retain, and recognize classroom teachers and instructional personnel who meet the criteria established in s. 1012.731 and reward principals who meet the criteria established in s. 1012.732. Subject to annual appropriation, each school district shall receive an allocation based on the district's proportionate share of FEEP base funding. The Legislature may specify a minimum allocation for all districts in the General Appropriations Act.~~

~~(b) From the allocation, each district shall provide the following:~~

- ~~1. A one-time recruitment award, as provided in s. 1012.731(3)(a);~~
- ~~2. A retention award, as provided in s. 1012.731(3)(b); and~~
- ~~3. A recognition award, as provided in s. 1012.731(3)(c) from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732.~~

~~(c) From the allocation, each district shall provide eligible principals an award as provided in s. 1012.732(3).~~

~~If a district's calculated awards exceed the allocation, the district may prorate the awards.~~

- Section 3. *Section 1012.731, Florida Statutes, is repealed.*
- Section 4. *Section 1012.732, Florida Statutes, is repealed.*
- Section 5. Effective upon becoming law, subsection (5) is added to section 1006.33, Florida Statutes, to read:

1006.33 Bids or proposals; advertisement and its contents.—

(5) *Notwithstanding the requirements of this section and rules adopted to implement this section, for the 2020 adoption cycle, the department may establish timeframes for the advertisement and submission of bids for instructional materials. This subsection expires July 1, 2022*

Section 6. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funds for the operation of schools; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; conforming provision to changes made by the act; creating the teacher salary increase allocation; providing that each school district shall receive the teacher salary allocation based on a certain calculation; providing restrictions on the use of funds from the teacher salary allocation; defining the term, "minimum base salary"; providing funding priority for certain instructional personnel; prohibiting a school district or charter school from

reducing the base minimum salary; providing an exception; providing that each school district and charter school must submit a proposed salary distribution plan for approval to the district school board or charter school governing body, as applicable; providing that each school district and charter school governing body shall submit a preliminary report of the distribution plans to the Department of Education by a certain date; requiring that final reports must be filed by a certain date; providing the department must submit a report that contains specified information to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a certain date; requiring a district school board or a charter school governing board that is unable to meet reporting requirements to provide written notification to the department or a district school board, as applicable, and requiring the notification to include specified information; deleting the Florida Best and Brightest Allocation; repealing s. 1012.731, F.S., relating to the Florida Best and Brightest Teacher Program; repealing s. 1012.732, F.S.; relating to the Florida Best and Brightest Principal Program; amending s. 1006.33, F.S.; providing the department may establish timeframes for the advertisement and submission of bids for instructional materials for the 2020 adoption cycle; providing an expiration date; providing effective dates.

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

Senator Simmons offered the following substitute amendment which was moved by Senator Stargel:

Substitute Amendment 2 (183008) (with title amendment)— Delete everything after the enacting clause and insert:

Section 1. Subsections (7) and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be specified in the statewide articulation agreement required by s. 1007.23(1). Students enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether or not the student achieves a passing score on the examination.

(8) The Advanced International Certificate of Education Program and the International General Certificate of Secondary Education (pre-AICE) Program shall be the curricula in which eligible secondary students are enrolled in programs of study offered through the Advanced International Certificate of Education Program or the International General Certificate of Secondary Education (pre-AICE) Program administered by the University of Cambridge Local Examinations Syndicate. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and Advanced International Certificate of Education examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the cutoff scores, which changes have the effect of raising the required cutoff score or of changing the Advanced International Certification of Education examinations which will be used to grant postsecondary credit, shall apply to students taking Advanced International Certificate of Education examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive

such credit shall be determined by the Florida College System institution or university that accepts the student for admission. Students enrolled in either program of study pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether the student achieves a passing score on the examination.

Section 2. Paragraph (n) of subsection (1), and subsections (11) and (18) of section 1011.62, Florida Statutes, are amended to read:

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

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

(n) *Calculation of additional full-time equivalent membership based on college board advanced placement scores of students and earning college board advanced placement capstone diplomas.*—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives a College Board Advanced Placement Capstone Diploma and meets the requirements for a standard high school diploma under s. 1003.4282. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of “D” or “F” who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded under this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score.

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, the ~~teacher salary increase allocation~~ ~~best and brightest teacher and principal allocation~~, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

(18) TEACHER SALARY INCREASE ALLOCATION.—The Legislature may annually provide in the Florida Education Finance Program

a teacher salary increase allocation to assist school districts in their recruitment and retention of classroom teachers and other instructional personnel. The amount of the allocation shall be specified in the General Appropriations Act.

(a) Each school district shall receive an allocation based on the school district’s proportionate share of the base FEFP allocation. Each school district shall provide each charter school within its district its proportionate share calculated pursuant to s. 1002.33(17)(b).

(b) Allocation funds are restricted in use as follows:

1. Each school district and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, to at least \$47,500, or to the maximum amount achievable based on the allocation and as specified in the General Appropriations Act. The term “minimum base salary” means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. No full-time classroom teacher shall receive a salary less than the minimum base salary as adjusted by this subparagraph. This subparagraph does not apply to substitute teachers.

2. In addition, each school district shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:

a. Full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than two percent under subparagraph 1. or as specified in the General Appropriations Act. This subparagraph does not apply to substitute teachers.

b. Other full-time instructional personnel as defined in s. 1012.01(2)(b)-(d).

3. A school district or charter school may use funds available after the requirements of subparagraph 1. are met to provide salary increases pursuant to subparagraph 2.

4. A school district or charter school shall maintain the minimum base salary achieved for classroom teachers provided under subparagraph 1. and may not reduce the salary increases provided under subparagraph 2. in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.

(c) Before distributing allocation funds received pursuant to paragraph (a), each school district and each charter school shall develop a salary distribution plan that clearly delineates the planned distribution of funds pursuant to paragraph (b) in accordance with modified salary schedules, as necessary, for the implementation of this subsection.

1. Each school district superintendent and each charter school administrator must submit its proposed salary distribution plan to the district school board or the charter school governing body, as appropriate, for approval.

2. Each school district shall submit the approved district salary distribution plan, along with the approved salary distribution plan for each charter school in the district, to the department by October 1 of each fiscal year.

(d) In a format specified by the department, provide as follows:

1. By December 1, each school district shall provide a preliminary report to the department that includes a detailed summary explaining the school district’s planned expenditure of the entire allocation for the district received pursuant to paragraph (a), the amount of the increase to the minimum base salary for classroom teachers pursuant to paragraph (b), and the school district’s salary schedule for the prior fiscal year and the fiscal year in which the base salary is increased. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district’s preliminary report to the department.

2. By February 1, the department shall submit to the Governor, President of the Senate, and the Speaker of the House, a statewide report

on the planned expenditure of the teacher salary increase allocation, which includes the detailed summary provided by each school district and charter school.

3. By August 1, each school district shall provide a final report to the department with the information required in subparagraph 1. for the prior fiscal year. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's final report to the department.

(e) Although district school boards and charter school governing boards are not precluded from bargaining over wages, the teacher salary increase allocation must be used solely to comply with the requirements of this section. A district school board or charter school governing board that is unable to meet the reporting requirements specified in paragraphs (c) or (d) due to a collective bargaining impasse must provide written notification to department or district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.

(f) Notwithstanding any other provision of law, funds allocated under this subsection shall not be included in the calculated amount for any scholarship awarded under chapter 1002.

THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.—

~~(a) The Florida Best and Brightest Teacher and Principal Allocation is created to recruit, retain, and recognize classroom teachers and instructional personnel who meet the criteria established in s. 1012.731 and reward principals who meet the criteria established in s. 1012.732. Subject to annual appropriation, each school district shall receive an allocation based on the district's proportionate share of FEEP base funding. The Legislature may specify a minimum allocation for all districts in the General Appropriations Act.~~

- ~~(b) From the allocation, each district shall provide the following:~~
- ~~1. A one-time recruitment award, as provided in s. 1012.731(3)(a);~~
 - ~~2. A retention award, as provided in s. 1012.731(3)(b); and~~
 - ~~3. A recognition award, as provided in s. 1012.731(3)(c) from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732.~~

~~(c) From the allocation, each district shall provide eligible principals an award as provided in s. 1012.732(3).~~

~~If a district's calculated awards exceed the allocation, the district may prorate the awards.~~

Section 3. *Section 1012.731, Florida Statutes, is repealed.*

Section 4. *Section 1012.732, Florida Statutes, is repealed.*

Section 5. Effective upon becoming law, subsection (5) is added to section 1006.33, Florida Statutes, to read:

1006.33 Bids or proposals; advertisement and its contents.—

(5) *Notwithstanding the requirements of this section and rules adopted to implement this section, for the 2020 adoption cycle, the department may establish timeframes for the advertisement and submission of bids for instructional materials. This subsection expires July 1, 2022.*

Section 6. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funds for the operation of schools; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for

students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; conforming provision to changes made by the act; creating the teacher salary increase allocation; providing that each school district shall receive the teacher salary allocation based on a certain calculation; providing restrictions on the use of funds from the teacher salary allocation; defining the term, "minimum base salary"; providing funding priority for certain instructional personnel; prohibiting a school district or charter school from reducing the base minimum salary; providing an exception; providing that each school district and charter school must submit a proposed salary distribution plan for approval to the district school board or charter school governing body, as applicable; providing that each school district and charter school governing body shall submit a preliminary report of the distribution plans to the Department of Education by a certain date; requiring that final reports must be filed by a certain date; providing the department must submit a report that contains specified information to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a certain date; requiring a district school board or a charter school governing board that is unable to meet reporting requirements to provide written notification to the department or a district school board, as applicable, and requiring the notification to include specified information; prohibiting funds from being included in the calculated amount for specified scholarships; deleting the Florida Best and Brightest Allocation; repealing s. 1012.731, F.S., relating to the Florida Best and Brightest Teacher Program; repealing s. 1012.732, F.S., relating to the Florida Best and Brightest Principal Program; amending s. 1006.33, F.S.; providing the department may establish timeframes for the advertisement and submission of bids for instructional materials for the 2020 adoption cycle; providing an expiration date; providing effective dates.

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

Senator Montford moved the following amendment to **Substitute Amendment 2 (183008)** which was adopted:

Amendment 2A (679870) (with directory and title amendments)—Between lines 109 and 110 insert:

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

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

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

list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other non-dual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

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

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

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

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

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

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

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

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

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph. *Notwithstanding ss. 1008.34 and 1008.44(1)(a), the 2020-2021 CAPE Industry Certification Funding List shall not be used to calculate school district bonus funding pursuant to s. 1011.62(1)(o) or school grades pursuant to s. 1008.34, and the 2019-2020 CAPE Industry Certification List shall remain in effect until July 1, 2021.*

And the directory clause is amended as follows:

Delete line 60 and insert:

Section 2. Paragraphs (n) and (o) of subsection (1), and subsections

And the title is amended as follows:

Delete line 279 and insert: beginning in a specified fiscal year; prohibiting the use of the 2020-2021 CAPE Industry Certification List to calculate school district bonus funding or school grades; requiring the 2019-2020 CAPE Industry Certification List to remain in effect until a certain date; conforming a

Substitute Amendment 2 (183008), as amended, was adopted.

Pursuant to Rule 4.19, **HB 641**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 302—A bill to be entitled An act relating to adoption records; amending s. 63.162, F.S.; providing that the name and identity of a birth parent, an adoptive parent, and an adoptee may be disclosed from adoption records without a court order under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 302**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 89** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Rules.

On motion by Senator Rader—

CS for HB 89—A bill to be entitled An act relating to adoption records; amending s. 63.162, F.S.; providing that the name and identity of a birth parent, an adoptive parent, and an adoptee may be disclosed from adoption records without a court order under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 302** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 89** was placed on the calendar of Bills on Third Reading.

CS for SB 774—A bill to be entitled An act relating to public records and public meetings; creating s. 1004.098, F.S.; providing an exemption from public records requirements for any personal identifying information of an applicant for president of a state university or Florida College System institution; specifying that personal identifying information of applicants who comprise a final group of applicants is no longer confidential and exempt at a time certain; providing an exemption from public meeting requirements for any portion of a meeting held for the purpose of identifying or vetting applicants for president of a state university or Florida College System institution, including any portion of a meeting that would disclose identifying information of such applicants; requiring a recording to be made of any portion of a closed meeting; providing that no portion of a closed meeting may be held off the record; providing that the recording of any closed portion of a meeting is exempt from public record requirements; specifying that certain meetings are not exempt from public meeting requirements; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 774**, pursuant to Rule 3.11(3), there being no objection, **HB 7081** was withdrawn from the Committees on Education; Governmental Oversight and Accountability; and Rules.

On motion by Senator Diaz—

HB 7081—A bill to be entitled An act relating to public records and public meetings; creating s. 1004.098, F.S.; providing an exemption from public records requirements for any personal identifying information of an applicant for president of a state university or Florida College System institution; specifying that personal identifying information of applicants who comprise a final group of applicants is no longer confidential and exempt at a time certain; providing an exemption from public meeting requirements for any portion of a meeting held for the purpose of identifying or vetting applicants for president of a

state university or Florida College System institution, including any portion of a meeting that would disclose identifying information of such applicants; requiring a recording to be made of any portion of a closed meeting and providing that no portion of a closed meeting may be held off the record; providing that the recording of any closed portion of a meeting is exempt from public record requirements; specifying that certain meetings are not exempt from public meeting requirements; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 774** and read the second time by title.

Senator Taddeo moved the following amendment which was adopted:

Amendment 1 (732884) (with title amendment)—Delete lines 31-105 and insert:

1004.098 Applicants for president of a state university; public records exemption; public meetings exemption.

(1)(a) *Any personal identifying information of an applicant for president of a state university is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

(b) *The personal identifying information of applicants who comprise a final group of applicants for president of a state university is no longer confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution at least 21 days before the date of a meeting at which an interview will be conducted or at which final action or a vote is to be taken on the employment of the applicants.*

(2)(a) *Any portion of a meeting held for the purpose of identifying or vetting applicants for president of a state university, including any portion of a meeting that would disclose personal identifying information of such applicants, is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.*

(b) *A complete recording must be made of any portion of a meeting that is closed pursuant to paragraph (a), and any closed portion of such meeting may not be held off the record. The recording of the closed portion of a meeting is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

(c) *The public meeting exemption provided in paragraph (a) does not apply to:*

1. *Any portion of a meeting held for the purpose of establishing qualifications of potential applicants or establishing any compensation framework to be offered to potential applicants for president of a state university.*

2. *Any meeting held after a final group of applicants for president of a state university has been established at which an interview is conducted or at which final action or a vote is to be taken on the employment of such applicants.*

(3) *This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that any personal identifying information of an applicant for president of a state university be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. The Legislature also finds that it is a public necessity that any portion of a meeting held for the purpose of identifying or vetting applicants for president of a state university, including any portion of a meeting that would disclose personal identifying information of such applicants, be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Art. I of the State Constitution, and that the recording of such meeting be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. The task of filling the position of president of a state university is often conducted by an executive search committee. Many, if not most, applicants for such a position are currently employed at another job at the time they apply and could jeopardize their current positions if it were to become known that they were seeking employment elsewhere. These exemptions from public records and public meeting requirements are needed to ensure that such a search committee can avail itself of the most experienced and desirable*

pool of qualified applicants from which to fill the position of president of a state university. If potential applicants fear the possibility of losing their current jobs as a consequence of attempting to progress along their chosen career path or simply seeking different and more rewarding employment, failure to have these safeguards in place could have a chilling effect on the number and quality of applicants available to fill the position of president of a state university.

And the title is amended as follows:

Delete lines 6-14 and insert: *of a state university; specifying that personal identifying information of applicants who comprise a final group of applicants is no longer confidential and exempt at a time certain; providing an exemption from public meeting requirements for any portion of a meeting held for the purpose of identifying or vetting applicants for president of a state university, including any portion of a meeting*

Pursuant to Rule 4.19, **HB 7081**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 916—A bill to be entitled An act relating to the Program of All-Inclusive Care for the Elderly; creating s. 430.84, F.S.; defining terms; authorizing the Agency for Health Care Administration, in consultation with the Department of Elderly Affairs, to approve certain applicants to provide benefits pursuant to the Program of All-Inclusive Care for the Elderly (PACE); specifying requirements and procedures for the submission, publication, review, and initial approval of applications; requiring prospective PACE organizations that are granted initial approval to apply within a certain timeframe for federal approval; providing accountability requirements; exempting PACE organizations from certain requirements; authorizing the transfer of PACE approvals and the assignment of PACE contracts if certain conditions are met; specifying a requirement for future appropriations to approved transferees; providing construction; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 916**, pursuant to Rule 3.11(3), there being no objection, **HB 833** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Baxley—

HB 833—A bill to be entitled An act relating to the Program of All-Inclusive Care for the Elderly; creating s. 430.84, F.S.; providing definitions; authorizing the Agency for Health Care Administration, in consultation with the Department of Elderly Affairs, to approve entities applying to deliver PACE services in the state; requiring notice of applications in the Florida Administrative Register; providing specified application requirements for such prospective PACE organizations; requiring existing PACE organizations to meet specified requirements under certain circumstances; requiring prospective PACE organizations to submit a complete application to the agency and the Centers for Medicare and Medicaid Services within a specified period; requiring that PACE organizations meet certain federal quality and performance standards; requiring the agency to oversee and monitor the PACE program and organizations; providing that a PACE organization is exempt from certain requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 916** and read the second time by title.

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

Senator Baxley moved the following amendment which was adopted:

Amendment 1 (249638) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 430.84, Florida Statutes, is created to read:

430.84 Program of All-Inclusive Care for the Elderly.—

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

- (a) “Agency” means the Agency for Health Care Administration.
- (b) “Applicant” means an entity that has filed an application with the agency for consideration as a Program of All-Inclusive Care for the Elderly (PACE) organization.
- (c) “CMS” means the Centers for Medicare and Medicaid Services within the United States Department of Health and Human Services.
- (d) “Department” means the Department of Elderly Affairs.
- (e) “PACE organization” means an entity under contract with the agency to deliver PACE services.
- (f) “Participant” means an individual receiving services from a PACE organization and who has been determined by the department to need the level of care required under the state Medicaid plan for coverage of nursing facility services.

(2) *PROGRAM CREATION.*—The agency, in consultation with the department, may approve entities that have submitted applications required by the CMS to the agency for review and consideration which contain the data and information required in subsection (3) to provide benefits pursuant to the PACE program as established in 42 U.S.C. s. 1395eee and in accordance with the requirements set forth in this section.

(3) *PACE ORGANIZATION SELECTION.*—The agency, in consultation with the department, shall on a continuous basis review and consider applications required by the CMS for PACE which have been submitted to the agency by entities seeking initial state approval to become PACE organizations. Notice of such applications must be published in the Florida Administrative Register.

(a) A prospective PACE organization shall submit application documents to the agency before requesting program funding. Application documents submitted to and reviewed by the agency, in consultation with the department, must include all of the following:

1. Evidence that the applicant is able to meet all of the applicable federal regulations and requirements established by the CMS for participation as a PACE organization by the proposed implementation date.
2. Market studies, including an estimate of the number of potential participants and the geographic service area in which the applicant proposes to serve.
3. A business plan of operation, including pro forma financial statements and projections, based on the proposed implementation date.

(b) Each applicant must propose to serve a unique and defined geographic service area without duplication of services or target populations. No more than one PACE organization may be authorized to provide services within any unique and defined geographic service area. The proposed geographic service area must not overlap with or include any part of a geographic service area that was previously authorized by the Legislature and that is specific to another prospective PACE organization.

(c) An existing PACE organization seeking authority to serve an additional geographic service area not previously authorized by the agency or the Legislature must meet the requirements set forth in paragraphs (a) and (b).

(d) Any prospective PACE organization that is granted initial state approval by the agency, in consultation with the department, shall submit its complete federal PACE application, in accordance with the application process and guidelines established by the CMS, to the agency and the CMS within 12 months after the date of initial state approval, or such approval is void.

(4) *ACCOUNTABILITY.*—All PACE organizations must meet specific quality and performance standards established by the CMS and the state administering agency for the PACE program. The agency shall oversee and monitor the PACE program and organizations based upon data and reports periodically submitted by PACE organizations to the agency and the CMS. A PACE organization is exempt from the requirements of chapter 641.

(5) *TRANSFER OF APPROVAL AND ASSIGNMENT OF PACE CONTRACT.*—Any person whom the agency has approved to enroll participants residing in a specific geographic area in a Program of All-Inclusive Care for the Elderly may transfer such approval, and assign its PACE contract, to any other person meeting federal requirements upon the prior approval of the agency and subject to any other required federal approval. Such approved transfer must include the transfer of any funds the Legislature appropriated to such Program of All-Inclusive Care for the Elderly, and all future appropriations with respect to such Program of All-Inclusive Care for the Elderly must be made to the approved transferee.

(6) *CONSTRUCTION.*—This section is subject to, and does not repeal or alter, any law in effect on June 30, 2020, which authorized a geographic service area and initial enrollees for a prospective PACE organization.

Section 2. This act shall take effect July 1, 2020.

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 Program of All-Inclusive Care for the Elderly; creating s. 430.84, F.S.; defining terms; authorizing the Agency for Health Care Administration, in consultation with the Department of Elderly Affairs, to approve certain applicants to provide benefits pursuant to the Program of All-Inclusive Care for the Elderly (PACE); specifying requirements and procedures for the submission, publication, review, and initial approval of applications; requiring prospective PACE organizations that are granted initial approval to apply within a certain timeframe for federal approval; providing accountability requirements; exempting PACE organizations from certain requirements; authorizing the transfer of PACE approvals and the assignment of PACE contracts if certain conditions are met; specifying a requirement for future appropriations to approved transferees; providing construction; providing an effective date.

Pursuant to Rule 4.19, **HB 833**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1500** and **CS for CS for CS for SB 230** was deferred.

SB 1140—A bill to be entitled An act relating to public accountancy; amending s. 473.308, F.S.; requiring certain applicants to not be licensed in any state or territory in order to be licensed by endorsement; amending s. 473.311, F.S.; providing license renewal requirements for nonresident licensees; amending s. 473.312, F.S.; requiring that a majority of the hours required for continuing education include specific content; amending s. 473.313, F.S.; authorizing certain Florida certified public accountants to apply to the Department of Business and Professional Regulation to have their license placed in a retired status; providing requirements for such conversion; providing requirements and prohibitions for retired licensees; authorizing retired licensees to use a specified title under certain circumstances; providing that retired licensees are not required to maintain continuing education requirements; authorizing retired licensees to reactivate their licenses if certain conditions are met; defining the term “retired licensee”; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1140**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 867** was withdrawn from the Committees on Innovation, Industry, and Technology; Commerce and Tourism; and Rules.

On motion by Senator Gruters—

CS for CS for HB 867—A bill to be entitled An act relating to public accountancy; amending s. 212.055, F.S.; authorizing a vendor to complete a performance audit of the program associated with a proposed surtax; revising the definition of the term “performance audit”; amending s. 473.308, F.S.; requiring certain applicants to not be licensed in any state or territory in order to be licensed by endorsement; amending s. 473.311, F.S.; providing license renewal requirements for

nonresident licensees; amending s. 473.312, F.S.; requiring that a majority of the hours required for continuing education include specific content; amending s. 473.313, F.S.; authorizing certain Florida certified public accountants to apply to the Department of Business and Professional Regulation to have their license placed in a retired status; providing requirements for such conversion; providing requirements and prohibitions for retired licensees; authorizing retired licensees to use a specified title under certain circumstances; providing that retired licensees are not required to maintain continuing education requirements; authorizing retired licensees to reactivate their licenses if certain conditions are met; defining the term “retired licensee”; providing an effective date.

—a companion measure, was substituted for **SB 1140** and read the second time by title.

Senator Gruters moved the following amendment which was adopted:

Amendment 1 (641492)—Delete lines 99-117 and insert: audit” means an *evaluation examination* of the program conducted according to applicable government auditing standards or auditing and evaluation standards of other appropriate authoritative bodies. At a minimum, a performance audit must include an *evaluation examination* of issues related to the following:

1. The economy, efficiency, or effectiveness of the program.
2. The structure or design of the program to accomplish its goals and objectives.
3. Alternative methods of providing program services or products.
4. Goals, objectives, and performance measures used by the program to monitor and report program accomplishments.
5. The accuracy or adequacy of public documents, reports, and requests prepared by the county or school district which relate to the program.
6. Compliance of the program with appropriate policies, rules, and laws.

Pursuant to Rule 4.19, **CS for CS for HB 867**, as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **SB 7060** was deferred.

CS for SB 1228—A bill to be entitled An act relating to amusement rides; amending s. 616.242, F.S.; requiring amusement ride managers to meet certain requirements; defining and redefining terms; revising standards for rules adopted by the Department of Agriculture and Consumer Services relating to amusement rides; revising provisions for permanent amusement ride annual permits; providing for temporary amusement ride permits; revising provisions for nondestructive testing and department testing of amusement rides; removing the exemption from safety standards for certain museums and institutions; providing exemptions from provisions relating to permits, testing, inspections, and fees for certain museums, institutions, specific ride types, and facilities; authorizing the department to establish exemptions from safety standards for specific rides and types of rides; revising inspection standards for amusement rides; directing the department to prescribe by rule specified signage to be posted at amusement ride events; revising requirements for compliance certifications after major modifications to amusement rides; revising requirements for amusement ride inspections by owners and managers; providing procedures for the introduction and examination of witnesses and evidence in examinations and investigations conducted by the department; revising civil penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1228**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1275** was withdrawn from the Committee on Appropriations.

On motion by Senator Book—

CS for HB 1275—A bill to be entitled An act relating to amusement rides; amending s. 616.242, F.S.; requiring amusement ride managers to meet certain requirements; defining and redefining terms; revising standards for rules adopted by the Department of Agriculture and Consumer Services relating to amusement rides; revising provisions for permanent amusement ride annual permits; providing for temporary amusement ride permits; revising provisions for nondestructive testing and department testing of amusement rides; removing the exemption from safety standards for certain museums and institutions; providing exemptions from provisions relating to permits, testing, inspections, and fees for certain museums, institutions, specific ride types, and facilities; authorizing the department to establish exemptions from safety standards for specific rides and types of rides; revising inspection standards for amusement rides; directing the department to prescribe by rule specified signage to be posted at amusement ride events; revising requirements for compliance certifications after major modifications to amusement rides; revising requirements for amusement ride inspections by owners and managers; providing procedures for the introduction and examination of witnesses and evidence in examinations and investigations conducted by the department; revising civil penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 1228** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1275** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1514—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 193.461, F.S.; specifying a methodology for the assessment of certain buildings and structures located on agricultural lands; amending s. 316.520, F.S.; revising application of agricultural load securing requirements; amending s. 570.07, F.S.; revising the functions, powers, and duties of the Department of Agriculture and Consumer Services to authorize the department to purchase private insurance policies for a specified purpose; amending s. 570.441, F.S.; extending the scheduled expiration for the Department of Agriculture and Consumer Services’ use of funds from the Pest Control Trust Fund for certain duties of the department; amending s. 590.02, F.S.; directing the Florida Forest Service to develop a training curriculum for wildland firefighters; providing requirements for such training; amending s. 633.408, F.S.; providing wildland firefighter training and certification for certain firefighters and volunteer firefighters; requiring the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services and other entities, to develop a study to estimate the benefits of renewable natural gas in this state; requiring a report to the Governor and the Legislature; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1514**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 921** was withdrawn from the Committees on Agriculture; and Appropriations.

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

CS for CS for HB 921—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 316.520, F.S.; revising application of agricultural load securing requirements; amending s. 527.01, F.S.; defining the term “recreational vehicle”; amending s. 527.0201, F.S.; requiring the Department of Agriculture and Consumer Services to adopt rules specifying requirements for agents to administer certain competency examinations and establishing a competency examination for a license to engage in activities solely related to the service and repair of recreational vehicles; authorizing certain qualifiers and master qualifiers to engage in activities solely related to the service and repair of recreational vehicles; requiring verifiable LP gas experience or professional certification by an LP gas manufacturer in order to apply for certification as a master qualifier; amending s. 570.441, F.S.; extending the scheduled expiration for the Department of Agriculture and Consumer Services’ use of funds from the Pest Control Trust Fund for certain duties of the department; amending s. 590.02, F.S.; directing the Florida Forest Service to develop

a training curriculum for wildland firefighters; providing requirements for such training; amending s. 597.003, F.S.; authorizing the Department of Agriculture and Consumer Services to revoke an aquaculture certificate of registration under certain conditions; amending s. 633.408, F.S.; providing wildland firefighter training and certification for certain firefighters and volunteer firefighters; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1514** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 921** was placed on the calendar of Bills on Third Reading.

CS for HB 7097—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; authorizing the use of tourist development taxes for certain water quality improvement projects and parks or trails; increasing population thresholds for counties to use tourist development taxes for certain purposes; revising authorized uses of tourist development taxes for specified counties; providing that existing contracts or debt service shall not be impaired; amending s. 192.001, F.S.; revising the definition of the term “inventory” for property tax purposes; revising the definition of the term “tangible personal property” to specify the conditions under which certain construction work constructed or installed by certain electric utilities is deemed substantially completed; providing applicability; providing for retroactive operation; creating s. 193.1557, F.S.; extending the time period within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; amending s. 194.011, F.S.; authorizing certain associations to represent, prosecute, or defend specified association members in front of the value adjustment board proceedings and subsequent proceedings; providing applicability; amending s. 194.035, F.S.; specifying the circumstances under which a special magistrate’s appraisal may not be submitted as evidence to a value adjustment board; amending s. 194.181, F.S.; providing and revising the parties considered as the defendants in tax suits; requiring certain notice to be provided to unit owners in a specified way; providing unit owners options for defending a tax suit; imposing certain actions for unit owners who fail to respond to a specified notice; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; removing the requirement for the Department of Revenue to review tangible personal property rolls of each county; revising required computations regarding classifications of property; specifying that properties with more than nine units are commercial property for certain assessment roll purposes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; providing applicability; amending s. 196.197, F.S.; providing criteria to be used in determining the value of tax exemptions for charitable use of certain hospitals; defining terms; providing application requirements for tax exemptions for certain properties; amending s. 196.198, F.S.; exempting land, buildings, and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit of the exemption; requiring the property owner to make certain disclosures to the educational institution; amending s. 200.065, F.S.; providing alternative methods of notice related to the truth in millage process for counties for which a declared state of emergency exists; extending deadlines for notice during a declared state of emergency; revising publication and hearing requirements; providing for automatic extensions of certain deadlines in the event of a declared state of emergency; amending s. 200.069, F.S.; specifying information which property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services after a certain date; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending ss. 206.05 and 206.90, F.S.; revising the maximum bond amount for licensed terminal suppliers; amending s. 206.8741, F.S.; reducing the penalty imposed for failure to conform to notice requirements related to dyed diesel fuel; amending s. 206.9826, F.S.; increasing the refund available to certain air carriers on the purchase of aviation fuel; amending s. 212.0305, F.S.; revising uses and distribution of the charter county convention development tax for

specified counties; providing restrictions on the use of funds; providing that no existing contract or debt service shall be affected; amending s. 212.0306, F.S.; providing a name for the local option food and beverage tax in a certain county; revising approved uses of the proceeds of the tax; prohibiting interlocal agreements and contracts with certain convention and visitors bureaus from being renewed or extended; providing that no existing contract shall be affected; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.05, F.S.; extending the period in which a dealer and nonresident purchaser must provide the state with documentation that a boat or aircraft purchased without the imposition of Florida sales tax will not be used in the state; amending s. 212.055, F.S.; providing an expiration date for the charter county and regional transportation system surtax for a certain county; requiring a resolution to levy the surtax after a certain date; requiring any new levy of the charter county and regional transportation system surtax to expire after 20 years; requiring the resolution to include a statement containing certain information; requiring the resolution to approve a school capital outlay surtax to include specified information; requiring revenues shared with charter schools to be expended by the charter schools in a certain manner; requiring revenues and expenditures to be accounted for in specified charter school financial reports; providing applicability; amending s. 212.134, F.S.; requiring specified entities that must file a return under section 6050W of the Internal Revenue Code to provide copies to the department; specifying procedures for submitting the information; providing penalties; creating s. 212.181, F.S.; providing procedures for jurisdictions to notify the department regarding changes to their business boundaries for certain purposes; providing guidelines for correction of misallocated funds; providing procedures for correcting misallocated funds; providing deadlines for notifying the department of changes to business boundaries; providing rulemaking authority; amending ss. 212.20, 212.205, 218.64, and 288.0001, F.S.; conforming provisions to changes made by the act; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing definitions; amending s. 213.21, F.S.; tolling the period for filing a claim for refund for certain transactions during certain audit periods; amending s. 220.1105, F.S.; revising the definition of the term “final tax liability” for certain purposes; providing for retroactive application; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; creating s. 220.197, F.S.; defining the term “NAICS” for purposes of a certain tax credit; providing a credit against the corporate income tax in a specified amount and taxable year for certain taxpayers in car rental or leasing industries; providing for retroactive operation; repealing s. 288.11625, F.S., relating to the Sports Development Program; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 413.4021, F.S.; increasing the percent of revenues collected from the tax collection enforcement diversion program for specified purposes; amending s. 443.163, F.S.; providing that corrections to electronically filed reemployment tax reports must also be filed electronically; revising penalties; removing the requirement for certain parties to file electronically; removing the requirement that requests for waivers from statutory requirements be in writing; amending s. 626.932, F.S.; revising downward the surplus lines tax rate; revising the operation of the surplus lines tax for policies covering risks outside the state; amending s. 718.111, F.S.; providing that a condominium association may take certain actions relating to a challenge to ad valorem taxes in its own name or on behalf of unit owners; providing applicability; providing sales tax exemptions for certain clothing, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; creating ss. 211.0252, 212.1833, 561.1212, and 624.51056, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; amending s. 220.02, F.S.; revising legislative intent; amending ss. 220.13 and 220.186, F.S.; conforming cross-references to changes made by the act; creating s. 220.1876, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain re-

strictions; providing requirements for applying a credit when the taxpayer requests an extension; creating s. 402.62, F.S.; creating the Children's Promise Tax Credit; providing definitions; providing requirements for designation as an eligible charitable organization; specifying certain organizations that may not be designated as an eligible charitable organization; providing responsibilities of eligible charitable organizations that receive contributions under the tax credit; providing responsibilities of the department related to the tax credit; providing guidelines for the application of, limitations to, and transfers of the tax credit; providing for the preservation of the tax credit under certain circumstances; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to develop a cooperative agreement to administer the tax credit; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to adopt rules; authorizing the Department of Revenue and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to share certain information as needed to administer the tax credit; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; requiring the Florida Institute for Child Welfare to analyze the use of funding provided by the tax credit and submit a report to the Governor and Legislature by a specified date; amending s. 212.07, F.S.; authorizing dealers, subject to certain conditions, to advertise or hold out to the public that they will pay sales tax on behalf of the purchaser; amending s. 212.15, F.S.; conforming a provision to changes made by the act; providing appropriations; providing a directive to the Division of Law Revision; authorizing the Department of Revenue to adopt emergency rules for certain purposes; providing effective dates.

—was read the second time by title.

The Committee on Appropriations recommended the following amendment which was moved by Senator Stargel:

Amendment 1 (882296) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 189.033, Florida Statutes, is amended to read:

189.033 Independent special district services in disproportionately affected county; rate reduction for providers providing economic benefits.—If the governing body of an independent special district that provides water, wastewater, and sanitation services in a disproportionately affected county, ~~as defined in s. 288.106(8)~~, determines that a new user or the expansion of an existing user of one or more of its utility systems will provide a significant benefit to the community in terms of increased job opportunities, economies of scale, or economic development in the area, the governing body may authorize a reduction of its rates, fees, or charges for that user for a specified period of time. A governing body that exercises this power must do so by resolution that states the anticipated economic benefit justifying the reduction as well as the period of time that the reduction will remain in place. *As used in this section, the term "disproportionally affected county" means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County.*

Section 2. Paragraphs (c) and (d) of subsection (11) of section 192.001, Florida Statutes, are amended to read:

192.001 Definitions.—All definitions set out in chapters 1 and 200 that are applicable to this chapter are included herein. In addition, the following definitions shall apply in the imposition of ad valorem taxes:

(11) "Personal property," for the purposes of ad valorem taxation, shall be divided into four categories as follows:

(c)1. "Inventory" means only those chattels consisting of items commonly referred to as goods, wares, and merchandise (as well as inventory) which are held for sale or lease to customers in the ordinary course of business. Supplies and raw materials shall be considered to be inventory only to the extent that they are acquired for sale or lease to customers in the ordinary course of business or will physically become a part of merchandise intended for sale or lease to customers in the ordinary course of business. Partially finished products which when completed will be held for sale or lease to customers in the ordinary

course of business shall be deemed items of inventory. All livestock shall be considered inventory. Items of inventory held for lease to customers in the ordinary course of business, rather than for sale, shall be deemed inventory only prior to the initial lease of such items. For the purposes of this section, fuels used in the production of electricity shall be considered inventory.

2. "Inventory" also means construction and agricultural equipment weighing 1,000 pounds or more that is returned to a dealership under a rent-to-purchase option and held for sale to customers in the ordinary course of business. This subparagraph may not be considered in determining whether property that is not construction and agricultural equipment weighing 1,000 pounds or more that is returned under a rent-to-purchase option is inventory under subparagraph 1.

3. *Notwithstanding any provision in this section to the contrary, the term "inventory," for all levies other than school district levies, also means construction equipment owned by a heavy equipment rental dealer that is for sale or short-term rental in the normal course of business on the annual assessment date. For the purposes of this chapter and chapter 196, the term "heavy equipment rental dealer" means a person or an entity principally engaged in the business of short-term rental and sale of equipment described under 532412 of the North American Industry Classification System, including attachments for the equipment or other ancillary equipment. As used in this subparagraph, the term "short-term rental" means the rental of a dealer's heavy equipment rental property for less than 365 days under an open-ended contract or under a contract with unlimited terms. The prior short-term rental of any construction or industrial equipment does not disqualify such property from qualifying as inventory under this paragraph following the term of such rental. The term "inventory" does not include heavy equipment rented with an operator.*

(d) "Tangible personal property" means all goods, chattels, and other articles of value (but does not include the vehicular items enumerated in s. 1(b), Art. VII of the State Constitution and elsewhere defined) capable of manual possession and whose chief value is intrinsic to the article itself. "Construction work in progress" consists of those items of tangible personal property commonly known as fixtures, machinery, and equipment when in the process of being installed in new or expanded improvements to real property and whose value is materially enhanced upon connection or use with a preexisting, taxable, operational system or facility. Construction work in progress shall be deemed substantially completed when connected with the preexisting, taxable, operational system or facility. *For the purposes of tangible personal property constructed or installed by an electric utility, construction work in progress is not deemed substantially completed unless all permits or approvals required to generate electricity for sale, excluding test generation, have been received or approved.* Inventory and household goods are expressly excluded from this definition.

Section 3. Section 193.019, Florida Statutes, is created to read:

193.019 *Hospitals; community benefit reporting.*—

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

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

(b) "Hospital" has the same meaning as in s. 196.012(8).

(2) *By April 1 of each year, a county property appraiser shall calculate and submit to the department the valuation of the property tax exemption for the prior tax year granted pursuant to s. 196.196 or s. 196.197 for each property owned by a hospital.*

(3) *A hospital shall submit to the department its Internal Revenue Service Form 990, Schedule H, within 30 business days after the filing of the form with the Internal Revenue Service. The hospital shall also submit a document showing the attribution of the net community benefit expense shown in Form 990 to each county where its property is located. A county may attribute net community benefit expense to its property located in a county based on services and activities provided in the county to residents of the county.*

(4) *The department must determine whether the net community benefit expense attributed to property located in a county equals or ex-*

ceeds the tax reduction resulting from the exemptions described in subsection (2).

(5) If the department determines that the net community benefit expense does not equal or exceed the value of the exemption, it shall notify the respective property appraiser to reduce the exemption proportionately so that it equals the ratio of the tax reduction to the net community benefit expense.

(6) The department shall publish the data collected pursuant to this section for each hospital from a county property appraiser, including the net community benefit expense reported in the Internal Revenue Service Form 990, Schedule H.

(7) The department shall adopt a form by rule to administer this section.

Section 4. Section 193.1557, Florida Statutes, is created to read:

193.1557 Assessment of certain property damaged or destroyed by Hurricane Michael.—For property damaged or destroyed by Hurricane Michael in 2018, s. 193.155(4)(b), s. 193.1554(6)(b), or s. 193.1555(6)(b) applies to changes, additions, or improvements commenced within 5 years after January 1, 2019. This section applies to the 2019-2023 tax rolls and shall stand repealed on December 31, 2023.

Section 5. Paragraph (e) of subsection (3) of section 194.011, Florida Statutes, is amended to read:

194.011 Assessment notice; objections to assessments.—

(3) A petition to the value adjustment board must be in substantially the form prescribed by the department. Notwithstanding s. 195.022, a county officer may not refuse to accept a form provided by the department for this purpose if the taxpayer chooses to use it. A petition to the value adjustment board must be signed by the taxpayer or be accompanied at the time of filing by the taxpayer's written authorization or power of attorney, unless the person filing the petition is listed in s. 194.034(1)(a). A person listed in s. 194.034(1)(a) may file a petition with a value adjustment board without the taxpayer's signature or written authorization by certifying under penalty of perjury that he or she has authorization to file the petition on behalf of the taxpayer. If a taxpayer notifies the value adjustment board that a petition has been filed for the taxpayer's property without his or her consent, the value adjustment board may require the person filing the petition to provide written authorization from the taxpayer authorizing the person to proceed with the appeal before a hearing is held. If the value adjustment board finds that a person listed in s. 194.034(1)(a) willfully and knowingly filed a petition that was not authorized by the taxpayer, the value adjustment board shall require such person to provide the taxpayer's written authorization for representation to the value adjustment board clerk before any petition filed by that person is heard, for 1 year after imposition of such requirement by the value adjustment board. A power of attorney or written authorization is valid for 1 assessment year, and a new power of attorney or written authorization by the taxpayer is required for each subsequent assessment year. A petition shall also describe the property by parcel number and shall be filed as follows:

(e)1. A condominium association, a cooperative association, or any homeowners' association as defined in s. 723.075, with approval of its board of administration or directors, may file with the value adjustment board a single joint petition on behalf of any association members who own parcels of property which the property appraiser determines are substantially similar with respect to location, proximity to amenities, number of rooms, living area, and condition. The condominium association, cooperative association, or homeowners' association as defined in s. 723.075 shall provide the unit owners with notice of its intent to petition the value adjustment board by hand delivery or certified mail, return receipt requested, except that such notice may be electronically transmitted to a unit owner who has expressly consented in writing to receiving notices by electronic transmission. If the association is a condominium association or cooperative association, the notice must also be posted conspicuously on the condominium or cooperative property in the same manner as a notice of board meeting under ss. 718.112(2) and 719.106(1). Such notice must ~~and shall~~ provide at least 14 ~~20~~ days for a unit owner to elect, in writing, that his or her unit not be included in the petition.

2. A condominium association, a cooperative association, or a homeowners' association as defined in s. 723.075 which has filed a single joint petition under this subsection may continue to represent, prosecute on behalf of, and defend the unit owners through any related subsequent proceeding in any tribunal, including judicial review under part II of this chapter and any appeals. This subparagraph is intended to clarify existing law and applies to cases pending on July 1, 2020, and to cases beginning thereafter.

Section 6. Subsection (1) of section 194.035, Florida Statutes, is amended to read:

194.035 Special magistrates; property evaluators.—

(1) In counties having a population of more than 75,000, the board shall appoint special magistrates for the purpose of taking testimony and making recommendations to the board, which recommendations the board may act upon without further hearing. These special magistrates may not be elected or appointed officials or employees of the county but shall be selected from a list of those qualified individuals who are willing to serve as special magistrates. Employees and elected or appointed officials of a taxing jurisdiction or of the state may not serve as special magistrates. The clerk of the board shall annually notify such individuals or their professional associations to make known to them that opportunities to serve as special magistrates exist. The Department of Revenue shall provide a list of qualified special magistrates to any county with a population of 75,000 or less. Subject to appropriation, the department shall reimburse counties with a population of 75,000 or less for payments made to special magistrates appointed for the purpose of taking testimony and making recommendations to the value adjustment board pursuant to this section. The department shall establish a reasonable range for payments per case to special magistrates based on such payments in other counties. Requests for reimbursement of payments outside this range shall be justified by the county. If the total of all requests for reimbursement in any year exceeds the amount available pursuant to this section, payments to all counties shall be prorated accordingly. If a county having a population less than 75,000 does not appoint a special magistrate to hear each petition, the person or persons designated to hear petitions before the value adjustment board or the attorney appointed to advise the value adjustment board shall attend the training provided pursuant to subsection (3), regardless of whether the person would otherwise be required to attend, but shall not be required to pay the tuition fee specified in subsection (3). A special magistrate appointed to hear issues of exemptions, classifications, and determinations that a change of ownership, a change of ownership or control, or a qualifying improvement has occurred shall be a member of The Florida Bar with no less than 5 years' experience in the area of ad valorem taxation. A special magistrate appointed to hear issues regarding the valuation of real estate shall be a state certified real estate appraiser with not less than 5 years' experience in real property valuation. A special magistrate appointed to hear issues regarding the valuation of tangible personal property shall be a designated member of a nationally recognized appraiser's organization with not less than 5 years' experience in tangible personal property valuation. A special magistrate need not be a resident of the county in which he or she serves. A special magistrate may not represent a person before the board in any tax year during which he or she has served that board as a special magistrate. *An appraisal may not be submitted as evidence to a value adjustment board in any year that the person who performed the appraisal serves as a special magistrate to that value adjustment board.* Before appointing a special magistrate, a value adjustment board shall verify the special magistrate's qualifications. The value adjustment board shall ensure that the selection of special magistrates is based solely upon the experience and qualifications of the special magistrate and is not influenced by the property appraiser. The special magistrate shall accurately and completely preserve all testimony and, in making recommendations to the value adjustment board, shall include proposed findings of fact, conclusions of law, and reasons for upholding or overturning the determination of the property appraiser. The expense of hearings before magistrates and any compensation of special magistrates shall be borne three-fifths by the board of county commissioners and two-fifths by the school board. When appointing special magistrates or when scheduling special magistrates for specific hearings, the board, the board attorney, and the board clerk may not consider the dollar amount or percentage of any assessment reductions recommended by any special magistrate in the current year or in any previous year.

Section 7. Subsection (2) of section 194.181, Florida Statutes, is amended to read:

194.181 Parties to a tax suit.—

(2)(a) In any case brought by ~~a~~ the taxpayer or a condominium association or cooperative association on behalf of some or all unit owners, contesting the assessment of any property, the county property appraiser ~~is the~~ shall be party defendant.

(b) In any case brought by the property appraiser ~~under pursuant to~~ s. 194.036(1)(a) or (b), the taxpayer ~~is the~~ shall be party defendant.

(c)1. In any case brought by the property appraiser under s. 194.036(1)(a) or (b) concerning a value adjustment board decision on a single joint petition filed by a condominium association or cooperative association under s. 194.011(3), the association and all unit owners included in the single joint petition are the party defendants.

2. The condominium association or cooperative association must provide unit owners with notice of its intent to respond to or answer the property appraiser's complaint and advise the unit owners that they may elect to:

- a. Retain their own counsel to defend the appeal;
- b. Choose not to defend the appeal; or
- c. Be represented together with unit owners by the association.

3. The notice required in subparagraph 2. must be hand-delivered or sent by certified mail, return receipt requested, to the unit owners, except that such notice may be electronically transmitted to a unit owner who has expressly consented in writing to receiving notices through electronic transmission. Additionally, the notice must be posted conspicuously on the condominium or cooperative property in the same manner as for notice of board meetings under ss. 718.112(2) and 719.106(1). The association must provide at least 14 days for unit owners to respond to the notice. Any unit owner who does not respond to the association's notice will be represented by the association.

(d) In any case brought by the property appraiser ~~under pursuant to~~ s. 194.036(1)(c), the value adjustment board ~~is the~~ shall be party defendant.

Section 8. Paragraphs (a) and (b) of subsection (1) of section 195.073, Florida Statutes, are amended to read:

195.073 Classification of property.—All items required by law to be on the assessment rolls must receive a classification based upon the use of the property. The department shall promulgate uniform definitions for all classifications. The department may designate other subclassifications of property. No assessment roll may be approved by the department which does not show proper classifications.

(1) Real property must be classified according to the assessment basis of the land into the following classes:

(a) Residential, subclassified into categories, one category for homestead property and one for nonhomestead property:

1. Single family.
2. Mobile homes.
3. Multifamily, up to nine units.
4. Condominiums.
5. Cooperatives.
6. Retirement homes.

(b) Commercial and industrial, including apartments with more than nine units.

Section 9. Subsection (2) and paragraph (a) of subsection (3) of section 195.096, Florida Statutes, are amended to read:

195.096 Review of assessment rolls.—

(2) The department shall conduct, no less frequently than once every 2 years, an in-depth review of the *real property* assessment roll ~~rolls~~ of each county. The department need not individually study every use-class of property set forth in s. 195.073, but shall at a minimum study the level of assessment in relation to just value of each classification specified in subsection (3). Such in-depth review may include proceedings of the value adjustment board and the audit or review of procedures used by the counties to appraise property.

(a) The department shall, at least 30 days prior to the beginning of an in-depth review in any county, notify the property appraiser in the county of the pending review. At the request of the property appraiser, the department shall consult with the property appraiser regarding the classifications and strata to be studied, in order that the review will be useful to the property appraiser in evaluating his or her procedures.

(b) Every property appraiser whose upcoming roll is subject to an in-depth review shall, if requested by the department on or before January 1, deliver upon completion of the assessment roll a list of the parcel numbers of all parcels that did not appear on the assessment roll of the previous year, indicating the parcel number of the parent parcel from which each new parcel was created or "cut out."

(c) In conducting assessment ratio studies, the department must use all practicable steps, including stratified statistical and analytical reviews and sale-qualification studies, to maximize the representativeness or statistical reliability of samples of properties in tests of each classification, stratum, or roll made the subject of a ratio study published by it. The department shall document and retain records of the measures of representativeness of the properties studied in compliance with this section. Such documentation must include a record of findings used as the basis for the approval or disapproval of the tax roll in each county pursuant to s. 193.1142. In addition, to the greatest extent practicable, the department shall study assessment roll strata by subclassifications such as value groups and market areas for each classification or stratum to be studied, to maximize the representativeness of ratio study samples. For purposes of this section, the department shall rely primarily on an assessment-to-sales-ratio study in conducting assessment ratio studies in those classifications of property specified in subsection (3) for which there are adequate market sales. The department shall compute the median and the value-weighted mean for each classification or subclassification studied and for the roll as a whole.

(d) In the conduct of these reviews, the department shall adhere to all standards to which the property appraisers are required to adhere.

(e) The department and each property appraiser shall cooperate in the conduct of these reviews, and each shall make available to the other all matters and records bearing on the preparation and computation of the reviews. The property appraisers shall provide any and all data requested by the department in the conduct of the studies, including electronic data processing tapes. Any and all data and samples developed or obtained by the department in the conduct of the studies shall be confidential and exempt from the provisions of s. 119.07(1) until a presentation of the findings of the study is made to the property appraiser. After the presentation of the findings, the department shall provide any and all data requested by a property appraiser developed or obtained in the conduct of the studies, including tapes. Direct reimbursable costs of providing the data shall be borne by the party who requested it. Copies of existing data or records, whether maintained or required pursuant to law or rule, or data or records otherwise maintained, shall be submitted within 30 days from the date requested, in the case of written or printed information, and within 14 days from the date requested, in the case of computerized information.

(f) Within 120 days after receipt of a county assessment roll by the executive director of the department pursuant to s. 193.1142(1), or within 10 days after approval of the assessment roll, whichever is later, the department shall complete the review for that county and publish the department's findings. The findings must include ~~a statement of the confidence interval for the median and such other~~ measures as may be appropriate for each classification or subclassification studied ~~and for the roll as a whole~~, and related statistical and analytical details. The measures in the findings must be based on:

1. A 95-percent level of confidence; or
2. Ratio study standards that are generally accepted by professional appraisal organizations in developing a statistically valid sampling plan if a 95-percent level of confidence is not attainable.

(g) Notwithstanding any other provision of this chapter, in one or more assessment years following a natural disaster in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if the department determines that the natural disaster creates difficulties in its statistical and analytical reviews of the assessment rolls in affected counties, the department shall take all practicable steps to maximize the representativeness and reliability of its statistical and analytical reviews and may use the best information available to estimate the levels of assessment. This paragraph first applies to the 2019 assessment roll and operates retroactively to January 1, 2019.

(3)(a) Upon completion of review pursuant to paragraph (2)(f), the department shall publish the results of reviews conducted under this section. The results must include all statistical and analytical measures computed under this section for the real property assessment roll as a whole, ~~the personal property assessment roll as a whole,~~ and independently for the following real property classes if the classes constituted 5 percent or more of the total assessed value of real property in a county on the previous tax roll:

1. Residential property that consists of one primary living unit, including, but not limited to, single-family residences, condominiums, cooperatives, and mobile homes.
2. Residential property that consists of two to nine ~~or more~~ primary living units.
3. Agricultural, high-water recharge, historic property used for commercial or certain nonprofit purposes, and other use-valued property.
4. Vacant lots.
5. Nonagricultural acreage and other undeveloped parcels.
6. Improved commercial and industrial property, *including apartments with more than nine units.*
7. Taxable institutional or governmental, utility, locally assessed railroad, oil, gas and mineral land, subsurface rights, and other real property.

If one of the above classes constituted less than 5 percent of the total assessed value of all real property in a county on the previous assessment roll, the department may combine it with one or more other classes of real property for purposes of assessment ratio studies or use the weighted average of the other classes for purposes of calculating the level of assessment for all real property in a county. The department shall also publish such results for any subclassifications of the classes or assessment rolls it may have chosen to study.

Section 10. Effective upon this act becoming a law, subsection (2) of section 196.173, Florida Statutes, is amended to read:

196.173 Exemption for deployed servicemembers.—

(2) The exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of any of the following military operations:

- (a) Operation Joint Task Force Bravo, which began in 1995.
- (b) Operation Joint Guardian, which began on June 12, 1999.
- (c) Operation Noble Eagle, which began on September 15, 2001.
- ~~(d) Operation Enduring Freedom, which began on October 7, 2001, and ended on December 31, 2014.~~
- (d)(e) Operations in the Balkans, which began in 2004.

~~(e)(f)~~ Operation Nomad Shadow, which began in 2007.

~~(f)(g)~~ Operation U.S. Airstrikes Al Qaeda in Somalia, which began in January 2007.

~~(g)(h)~~ Operation Copper Dune, which began in 2009.

~~(h)(i)~~ Operation Georgia Deployment Program, which began in August 2009.

~~(i)(j)~~ Operation Spartan Shield, which began in June 2011.

~~(j)(k)~~ Operation Observant Compass, which began in October 2011.

~~(k)(l)~~ Operation Inherent Resolve, which began on August 8, 2014.

~~(l)(m)~~ Operation Atlantic Resolve, which began in April 2014.

~~(m)(n)~~ Operation Freedom's Sentinel, which began on January 1, 2015.

~~(n)(o)~~ Operation Resolute Support, which began in January 2015.

(o) *Operation Juniper Shield, which began in February 2007.*

(p) *Operation Pacific Eagle, which began in September 2017.*

(q) *Operation Martillo, which began in January 2012.*

The Department of Revenue shall notify all property appraisers and tax collectors in this state of the designated military operations.

Section 11. *The amendment made by this act to s. 196.173(2), Florida Statutes, first applies to the 2020 ad valorem tax roll.*

Section 12. *Application deadline for additional ad valorem tax exemption for specified deployments.—*

(1) *Notwithstanding the filing deadlines contained in s. 196.173(6), Florida Statutes, the deadline for an applicant to file an application with the property appraiser for an additional ad valorem tax exemption under s. 196.173, Florida Statutes, for the 2020 tax roll is June 1, 2020.*

(2) *If an application is not timely filed under subsection (1), a property appraiser may grant the exemption if:*

(a) *The applicant files an application for the exemption on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes;*

(b) *The applicant is qualified for the exemption; and*

(c) *The applicant produces sufficient evidence, as determined by the property appraiser, which demonstrates that the applicant was unable to apply for the exemption in a timely manner or otherwise demonstrates extenuating circumstances that warrant granting the exemption.*

(3) *If the property appraiser denies an application under subsection (2), the applicant may file, pursuant to s. 194.011(3), Florida Statutes, a petition with the value adjustment board which requests that the exemption be granted. Such petition must be filed on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes. Notwithstanding s. 194.013, Florida Statutes, the eligible servicemember is not required to pay a filing fee for such petition. Upon reviewing the petition, the value adjustment board may grant the exemption if the applicant is qualified for the exemption and demonstrates extenuating circumstances, as determined by the board, which warrant granting the exemption.*

(4) *This section shall take effect upon this act becoming a law and applies to the 2020 ad valorem tax roll.*

Section 13. Effective upon becoming a law and operating retroactively to January 1, 2020, subsection (1) of section 196.1978, Florida Statutes, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the ex-

tremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this ~~subsection~~ section must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. *Units that are vacant shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.*

Section 14. Effective January 1, 2021, section 196.1978, Florida Statutes, as amended by this act, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. *If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property.* Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

(2)(a) Notwithstanding ss. 196.195 and 196.196, property in a multifamily project that meets the requirements of this paragraph is considered property used for a charitable purpose and ~~is exempt shall receive a 50 percent discount from the amount of ad valorem tax~~ otherwise owed beginning with the January 1 assessment after the 15th completed year of the term of the recorded agreement on those portions of the affordable housing property that provide housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004. The multifamily project must:

1. Contain more than 70 units that are used to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004; and

2. Be subject to an agreement with the Florida Housing Finance Corporation recorded in the official records of the county in which the property is located to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

This ~~exemption discount~~ terminates if the property no longer serves extremely-low-income, very-low-income, or low-income persons pursuant to the recorded agreement.

- (b) To receive the discount under paragraph (a), a qualified applicant must submit an application to the county property appraiser by March 1.

~~(c) The property appraiser shall apply the discount by reducing the taxable value on those portions of the affordable housing property that provide housing to natural persons or families meeting the extremely low income, very low income, or low income limits specified in s. 420.0004 before certifying the tax roll to the tax collector.~~

1. ~~The property appraiser shall first ascertain all other applicable exemptions, including exemptions provided pursuant to local option, and deduct all other exemptions from the assessed value.~~

2. ~~Fifty percent of the remaining value shall be subtracted to yield the discounted taxable value.~~

3. ~~The resulting taxable value shall be included in the certification for use by taxing authorities in setting millage.~~

4. ~~The property appraiser shall place the discounted amount on the tax roll when it is extended.~~

Section 15. Effective upon becoming a law, section 196.198, Florida Statutes, is amended to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes are exempt from taxation. Sheltered workshops providing rehabilitation and retraining of individuals who have disabilities and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and are exempt from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process are exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and is exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property, or if the entity owning 100 percent of the educational institution and the entity owning the property are owned by the identical natural persons. Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the land is a nonprofit entity and the land is used, under a ground lease or other contractual arrangement, by an educational institution that owns the buildings and other improvements to the real property, is a nonprofit entity under s. 501(c)(3) of the Internal Revenue Code, and provides education limited to students in prekindergarten through grade 8. *Notwithstanding ss. 196.195 and 196.196, property owned by a house of public worship and used by an educational institution for educational purposes limited to students in preschool through grade 8 shall be exempt from ad valorem taxes.* If legal title to property is held by a governmental agency that leases the property to a lessee, the property shall be deemed to be owned by the governmental agency and used exclusively for educational purposes if the governmental agency continues to use such property exclusively for educational purposes pursuant to a sublease or other contractual agreement with that lessee. If the title to land is held by the trustee of an irrevocable inter vivos trust and if the trust grantor owns 100 percent of the entity that owns an educational institution that is using the land exclusively for educational purposes, the land is deemed to be property owned by the educational institution for purposes of this exemption. Property owned by an educational in-

stitution shall be deemed to be used for an educational purpose if the institution has taken affirmative steps to prepare the property for educational use. The term "affirmative steps" means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate commitment of the property to an educational use.

Section 16. *The amendment made by this act to s. 196.198, Florida Statutes, relating to certain property owned by a house of public worship, is intended to clarify existing law and shall apply to actions pending on the effective date of this act.*

Section 17. Section 196.198, Florida Statutes, as amended by this act, is amended to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes are exempt from taxation. Sheltered workshops providing rehabilitation and retraining of individuals who have disabilities and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and are exempt from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process are exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and is exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property, or if the entity owning 100 percent of the educational institution and the entity owning the property are owned by the identical natural persons. Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the land is a nonprofit entity and the land is used, under a ground lease or other contractual arrangement, by an educational institution that owns the buildings and other improvements to the real property, is a nonprofit entity under s. 501(c)(3) of the Internal Revenue Code, and provides education limited to students in prekindergarten through grade 8. *Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the educational institution that currently uses the land, buildings, and other improvements for educational purposes received the exemption under this section on the same property in any 10 consecutive prior years or is an educational institution described in s. 212.0602, and, under a lease, the educational institution is responsible for any taxes owed and for ongoing maintenance and operational expenses for the land, buildings, and other improvements. For such leasehold properties, the educational institution shall receive the full benefit of the exemption. The owner of the property shall disclose to the educational institution the full amount of the benefit derived from the exemption and the method for ensuring that the educational institution receives the benefit.* Notwithstanding ss. 196.195 and 196.196, property owned by a house of public worship and used by an educational institution for educational purposes limited to students in preschool through grade 8 shall be exempt from ad valorem taxes. If legal title to property is held by a governmental agency that leases the property to a lessee, the property shall be deemed to be owned by the governmental agency and used exclusively for educational purposes if the governmental agency continues to use such property exclusively for educational purposes pursuant to a sublease or other contractual agreement with that lessee. If the title to land is held by the trustee of an irrevocable inter vivos trust and if the trust grantor owns 100 percent of the entity that owns an educational institution that is using the land exclusively for educational purposes, the land is deemed to be property owned by the educational institution for purposes of this exemption. Property owned by an educational institution shall be deemed to be used for an educational purpose if the institution has taken affirmative steps to prepare the property for educational use. The term "affirmative steps" means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar ac-

tivities that demonstrate commitment of the property to an educational use.

Section 18. Effective upon this act becoming a law, paragraphs (b), (d), (e), and (f) of subsection (2) of section 200.065, Florida Statutes, are amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(b) Within 35 days of certification of value pursuant to subsection (1), each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate computed pursuant to subsection (1), and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. The property appraiser shall utilize this information in preparing the notice of proposed property taxes pursuant to s. 200.069. The deadline for mailing the notice shall be the later of 55 days after certification of value pursuant to subsection (1) or 10 days after either the date the tax roll is approved or the interim roll procedures under s. 193.1145 are instituted. *However, for counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if mailing is not possible during the state of emergency, the property appraiser may post the notice on the county's website.* If the deadline for mailing the notice of proposed property taxes is 10 days after the date the tax roll is approved or the interim roll procedures are instituted, all subsequent deadlines provided in this section shall be extended. *In addition, the deadline for mailing the notice may be extended for 30 days in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, and property appraisers may use alternate methods of distribution only when mailing the notice is not possible. In such event, however, property appraisers must work with county tax collectors to ensure the timely assessment and collection of taxes.* The number of days by which the deadlines shall be extended shall equal the number of days by which the deadline for mailing the notice of proposed taxes is extended beyond 55 days after certification. If any taxing authority fails to provide the information required in this paragraph to the property appraiser in a timely fashion, the taxing authority shall be prohibited from levying a millage rate greater than the rolled-back rate computed pursuant to subsection (1) for the upcoming fiscal year, which rate shall be computed by the property appraiser and used in preparing the notice of proposed property taxes. *Each multicounty taxing authority that levies taxes in any county that has extended the deadline for mailing the notice due to a declared state of emergency and that has noticed hearings in other counties must advertise the hearing at which it intends to adopt a tentative budget and millage rate in a newspaper of general paid circulation within each county not less than 2 days or more than 5 days before the hearing.*

(d) Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county as provided in subsection (3), its intent to finally adopt a millage rate and budget. A public hearing to finalize the budget and adopt a millage rate shall be held not less than 2 days nor more than 5 days after the day that the advertisement is first published. *In the event of a need to postpone or recess the final meeting due to a declared state of emergency, the taxing authority may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The taxing authority shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the taxing authority's website.* During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution or ordinance stating the millage rate to be levied. The resolution or ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate computed pursuant to subsection (1), which shall be characterized as the percentage increase in property taxes adopted by the governing body. The adoption of the budget and the millage-levy resolution or ordinance shall be by separate votes. For each taxing authority levying millage, the name of the taxing authority, the rolled-back rate, the percentage increase, and

the millage rate to be levied shall be publicly announced ~~before~~ ~~prior to~~ the adoption of the millage-levy resolution or ordinance. In no event may the millage rate adopted pursuant to this paragraph exceed the millage rate tentatively adopted pursuant to paragraph (c). If the rate tentatively adopted pursuant to paragraph (c) exceeds the proposed rate provided to the property appraiser pursuant to paragraph (b), or as subsequently adjusted pursuant to subsection (11), each taxpayer within the jurisdiction of the taxing authority shall be sent notice by first-class mail of his or her taxes under the tentatively adopted millage rate and his or her taxes under the previously proposed rate. The notice must be prepared by the property appraiser, at the expense of the taxing authority, and must generally conform to the requirements of s. 200.069. If such additional notice is necessary, its mailing must precede the hearing held pursuant to this paragraph by not less than 10 days and not more than 15 days.

(e)1. In the hearings required pursuant to paragraphs (c) and (d), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions ~~before~~ ~~prior to~~ adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate ~~before~~ ~~prior to~~ adopting its tentative or final budget.

2. These hearings shall be held after 5 p.m. if scheduled on a day other than Saturday. No hearing shall be held on a Sunday. The county commission shall not schedule its hearings on days scheduled for hearings by the school board. The hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings. *However, in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252 and the re-scheduling of hearings on the same day is unavoidable, the county commission and school board must conduct their hearings at different times, and other taxing authorities must schedule their hearings so as not to conflict with the times of the county commission and school board hearings.* A multicounty taxing authority shall make every reasonable effort to avoid scheduling hearings on days utilized by the counties or school districts within its jurisdiction. Tax levies and budgets for dependent special taxing districts shall be adopted at the hearings for the taxing authority to which such districts are dependent, following such discussion and adoption of levies and budgets for the superior taxing authority. A taxing authority may adopt the tax levies for all of its dependent special taxing districts, and may adopt the budgets for all of its dependent special taxing districts, by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a dependent special taxing district be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately. If, due to circumstances beyond the control of the taxing authority, *including a state of emergency declared by executive order or proclamation of the Governor pursuant to chapter 252, the hearing provided for in paragraph (c) or paragraph (d) is recessed or postponed, the taxing authority shall publish a notice in a newspaper of general paid circulation in the county. The notice shall state the time and place for the continuation of the hearing and shall be published at least 2 days but not more than 5 days before ~~prior to~~ the date the hearing will be continued. In the event of postponement or recess due to a declared state of emergency, all subsequent dates in this section shall be extended by the number of days of the postponement or recess. Notice of the postponement or recess must be in writing by the affected taxing authority to the tax collector, the property appraiser, and the Department of Revenue within 3 calendar days after the postponement or recess. In the event of such extension, the affected taxing authority must work with the county tax collector and property appraiser to ensure timely assessment and collection of taxes.*

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget in a newspaper of general circulation pursuant to subsection (3) within 29 days of certification of value pursuant to subsection (1). Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). *In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the*

hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website.

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 19. Section 200.069, Florida Statutes, is amended to read:

200.069 Notice of proposed property taxes and non-ad valorem assessments.—Pursuant to s. 200.065(2)(b), the property appraiser, in the name of the taxing authorities and local governing boards levying non-ad valorem assessments within his or her jurisdiction and at the expense of the county, shall prepare and deliver by first-class mail to each taxpayer to be listed on the current year's assessment roll a notice of proposed property taxes, which notice shall contain the elements and use the format provided in the following form. Notwithstanding the provisions of s. 195.022, no county officer shall use a form other than that provided herein. The Department of Revenue may adjust the spacing and placement on the form of the elements listed in this section as it considers necessary based on changes in conditions necessitated by various taxing authorities. If the elements are in the order listed, the placement of the listed columns may be varied at the discretion and expense of the property appraiser, and the property appraiser may use printing technology and devices to complete the form, the spacing, and the placement of the information in the columns. *In addition, the property appraiser may not include in the mailing of the notice of ad valorem taxes and non-ad valorem assessments additional information or items unless such information or items explain a component of the notice or provide information directly related to the assessment and taxation of the property.* A county officer may use a form other than that provided by the department for purposes of this part, but only if his or her office pays the related expenses and he or she obtains prior written permission from the executive director of the department; however, a county officer may not use a form the substantive content of which is at variance with the form prescribed by the department. The county officer may continue to use such an approved form until the law that specifies the form is amended or repealed or until the officer receives written disapproval from the executive director.

(1) The first page of the notice shall read:

NOTICE OF PROPOSED PROPERTY TAXES
DO NOT PAY—THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

(2)(a) The notice shall include a brief legal description of the property, the name and mailing address of the owner of record, and the tax information applicable to the specific parcel in question. The information shall be in columnar form. There shall be seven column headings which shall read: "Taxing Authority," "Your Property Taxes Last Year," "Last Year's Adjusted Tax Rate (Millage)," "Your Taxes This Year IF No Budget Change Is Adopted," "Tax Rate This Year IF PROPOSED

Budget Is Adopted (Millage),” “Your Taxes This Year IF PROPOSED Budget Change Is Adopted,” and “A Public Hearing on the Proposed Taxes and Budget Will Be Held.”

(b) As used in this section, the term “last year’s adjusted tax rate” means the rolled-back rate calculated pursuant to s. 200.065(1).

(3) There shall be under each column heading an entry for the county; the school district levy required pursuant to s. 1011.60(6); other operating school levies; the municipality or municipal service taxing unit or units in which the parcel lies, if any; the water management district levying pursuant to s. 373.503; the independent special districts in which the parcel lies, if any; and for all voted levies for debt service applicable to the parcel, if any.

(4) For each entry listed in subsection (3), there shall appear on the notice the following:

(a) In the first column, a brief, commonly used name for the taxing authority or its governing body. The entry in the first column for the levy required pursuant to s. 1011.60(6) shall be “By State Law.” The entry for other operating school district levies shall be “By Local Board.” Both school levy entries shall be indented and preceded by the notation “Public Schools:”. For each voted levy for debt service, the entry shall be “Voter Approved Debt Payments.”

(b) In the second column, the gross amount of ad valorem taxes levied against the parcel in the previous year. If the parcel did not exist in the previous year, the second column shall be blank.

(c) In the third column, last year’s adjusted tax rate or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(d) In the fourth column, the gross amount of ad valorem taxes which will apply to the parcel in the current year if each taxing authority levies last year’s adjusted tax rate or, in the case of voted levies for debt service, the amount previously authorized by referendum.

(e) In the fifth column, the tax rate that each taxing authority must levy against the parcel to fund the proposed budget or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(f) In the sixth column, the gross amount of ad valorem taxes that must be levied in the current year if the proposed budget is adopted.

(g) In the seventh column, the date, the time, and a brief description of the location of the public hearing required pursuant to s. 200.065(2)(c).

(5) Following the entries for each taxing authority, a final entry shall show: in the first column, the words “Total Property Taxes:” and in the second, fourth, and sixth columns, the sum of the entries for each of the individual taxing authorities. The second, fourth, and sixth columns shall, immediately below said entries, be labeled Column 1, Column 2, and Column 3, respectively. Below these labels shall appear, in bold-faced type, the statement: SEE REVERSE SIDE FOR EXPLANATION.

(6)(a) The second page of the notice shall state the parcel’s market value and for each taxing authority that levies an ad valorem tax against the parcel:

1. The assessed value, value of exemptions, and taxable value for the previous year and the current year.

2. Each assessment reduction and exemption applicable to the property, including the value of the assessment reduction or exemption and tax levies to which they apply.

(b) The reverse side of the second page shall contain definitions and explanations for the values included on the front side.

(7) The following statement shall appear after the values listed on the front of the second page:

If you feel that the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or

classification that is not reflected above, contact your county property appraiser at _____ (phone number) _____ or _____ (location) _____.

If the property appraiser’s office is unable to resolve the matter as to market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the county property appraiser and must be filed ON OR BEFORE _____ (date) _____.

(8) The reverse side of the first page of the form shall read:

EXPLANATION

*COLUMN 1—“YOUR PROPERTY TAXES LAST YEAR”

This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property’s previous taxable value.

*COLUMN 2—“YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED”

This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year’s budgets and your current assessment.

*COLUMN 3—“YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED”

This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on the front side of this notice. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

*Note: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

(9) The bottom portion of the notice shall further read in bold, conspicuous print:

“Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district.”

(10)(a) If requested by the local governing board levying non-ad valorem assessments and agreed to by the property appraiser, the notice specified in this section may contain a notice of proposed or adopted non-ad valorem assessments. If so agreed, the notice shall be titled:

NOTICE OF PROPOSED PROPERTY TAXES AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS DO NOT PAY—THIS IS NOT A BILL

There must be a clear partition between the notice of proposed property taxes and the notice of proposed or adopted non-ad valorem assessments. The partition must be a bold, horizontal line approximately 1/8-inch thick. By rule, the department shall provide a format for the form of the notice of proposed or adopted non-ad valorem assessments which meets the following minimum requirements:

1. There must be subheading for columns listing the levying local governing board, with corresponding assessment rates expressed in dollars and cents per unit of assessment, and the associated assessment amount.

2. The purpose of each assessment must also be listed in the column listing the levying local governing board if the purpose is not clearly indicated by the name of the board.

3. Each non-ad valorem assessment for each levying local governing board must be listed separately.

4. If a county has too many municipal service benefit units or assessments to be listed separately, it shall combine them by function.

5. A brief statement outlining the responsibility of the tax collector and each levying local governing board as to any non-ad valorem assessment must be provided on the form, accompanied by directions as to which office to contact for particular questions or problems.

(b) If the notice includes all adopted non-ad valorem assessments, the provisions contained in subsection (9) shall not be placed on the notice.

Section 20. Effective January 1, 2021, paragraphs (a) and (b) of subsection (1) of section 202.12, Florida Statutes, are amended to read:

202.12 Sales of communications services.—The Legislature finds that every person who engages in the business of selling communications services at retail in this state is exercising a taxable privilege. It is the intent of the Legislature that the tax imposed by chapter 203 be administered as provided in this chapter.

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

(a) Except as otherwise provided in this subsection, at the rate of ~~4.42~~ ~~4.92~~ percent applied to the sales price of the communications service that:

1. Originates and terminates in this state, or
2. Originates or terminates in this state and is charged to a service address in this state,

when sold at retail, computed on each taxable sale for the purpose of remitting the tax due. The gross receipts tax imposed by chapter 203 shall be collected on the same taxable transactions and remitted with the tax imposed by this paragraph. If no tax is imposed by this paragraph due to the exemption provided under s. 202.125(1), the tax imposed by chapter 203 shall nevertheless be collected and remitted in the manner and at the time prescribed for tax collections and remittances under this chapter.

(b) At the rate of ~~8.57~~ ~~9.07~~ percent applied to the retail sales price of any direct-to-home satellite service received in this state. The proceeds of the tax imposed under this paragraph shall be accounted for and distributed in accordance with s. 202.18(2). The gross receipts tax imposed by chapter 203 shall be collected on the same taxable transactions and remitted with the tax imposed by this paragraph.

Section 21. Effective January 1, 2021, section 202.12001, Florida Statutes, is amended to read:

202.12001 Combined rate for tax collected pursuant to ss. 202.12(1)(a) and 203.01(1)(b).—In complying with ss. 1-3, ch. 2010-149, Laws of Florida, the dealer of communication services may collect a combined rate of ~~4.57~~ ~~5.07~~ percent, composed of the ~~4.42~~ ~~4.92~~ percent and 0.15 percent rates required by ss. 202.12(1)(a) and 203.01(1)(b)3., respectively, if the provider properly reflects the tax collected with respect to the two provisions as required in the return to the department.

Section 22. Effective January 1, 2021, section 203.001, Florida Statutes, is amended to read:

203.001 Combined rate for tax collected pursuant to ss. 202.12(1)(a) and 203.01(1)(b).—In complying with ss. 1-3, ch. 2010-149, Laws of Florida, the dealer of communication services may collect a combined rate of ~~4.57~~ ~~5.07~~ percent, composed of the ~~4.42~~ ~~4.92~~ percent and 0.15 percent rates required by ss. 202.12(1)(a) and 203.01(1)(b)3., respectively, if the provider properly reflects the tax collected with respect to the two provisions as required in the return to the Department of Revenue.

Section 23. Subsection (1) of section 206.05, Florida Statutes, is amended to read:

206.05 Bond required of licensed terminal supplier, importer, exporter, or wholesaler.—

(1) Each terminal supplier, importer, exporter, or wholesaler, except a municipality, county, school board, state agency, federal agency, or special district which is licensed under this part, shall file with the department a bond in a penal sum of not more than ~~\$300,000~~ ~~\$100,000~~, such sum to be approximately 3 times the combined average monthly tax levied under this part and local option tax on motor fuel paid or due during the preceding 12 calendar months under the laws of this state. An exporter shall file a bond in an amount equal to 3 times the average monthly tax due on gallons acquired for export. The bond shall be in such form as may be approved by the department, executed by a surety company duly licensed to do business under the laws of the state as surety thereon, and conditioned upon the prompt filing of true reports and the payment to the department of any and all fuel taxes levied under this chapter including local option taxes which are now or which hereafter may be levied or imposed, together with any and all penalties and interest thereon, and generally upon faithful compliance with the provisions of the fuel tax and local option tax laws of the state. The licensee shall be the principal obligor, and the state shall be the obligee. An assigned time deposit or irrevocable letter of credit may be accepted in lieu of a surety bond.

Section 24. Subsection (6) of section 206.8741, Florida Statutes, is amended to read:

206.8741 Dyeing and marking; notice requirements.—

(6) Any person who fails to provide or post the required notice with respect to any dyed diesel fuel is subject to a penalty of \$2,500 for each month such failure occurs ~~the penalty imposed by s. 206.872(11).~~

Section 25. Subsection (1) section 206.90, Florida Statutes, is amended to read:

206.90 Bond required of terminal suppliers, importers, and wholesalers.—

(1) Every terminal supplier, importer, or wholesaler, except a municipality, county, state agency, federal agency, school board, or special district, shall file with the department a bond or bonds in the penal sum of not more than ~~\$300,000~~ ~~\$100,000~~. The sum of such bond shall be approximately 3 times the average monthly diesel fuels tax and local option tax on diesel fuels paid or due during the preceding 12 calendar months, with a surety approved by the department. The licensee shall be the principal obligor and the state shall be the obligee, conditioned upon the faithful compliance with the provisions of this chapter, including the local option tax laws. If the sum of 3 times a licensee's average monthly tax is less than \$50, no bond shall be required.

Section 26. Effective January 1, 2021, paragraphs (c) and (d) of subsection (1) of section 212.031, Florida Statutes, are amended to read:

212.031 Tax on rental or license fee for use of real property.—

(1)

(c) For the exercise of such privilege, a tax is levied at the rate of ~~5.4~~ ~~5.5~~ percent of and on the total rent or license fee charged for such real property by the person charging or collecting the rental or license fee. The total rent or license fee charged for such real property shall include payments for the granting of a privilege to use or occupy real property for any purpose and shall include base rent, percentage rents, or similar charges. Such charges shall be included in the total rent or license fee subject to tax under this section whether or not they can be attributed to the ability of the lessor's or licensor's property as used or operated to attract customers. Payments for intrinsically valuable personal property such as franchises, trademarks, service marks, logos, or patents are not subject to tax under this section. In the case of a contractual arrangement that provides for both payments taxable as total rent or license fee and payments not subject to tax, the tax shall be based on a reasonable allocation of such payments and shall not apply to that portion which is for the nontaxable payments.

(d) If the rental or license fee of any such real property is paid by way of property, goods, wares, merchandise, services, or other thing of value, the tax shall be at the rate of ~~5.4~~ ~~5.5~~ percent of the value of the property, goods, wares, merchandise, services, or other thing of value.

Section 27. Paragraph (a) of subsection (2) of section 212.04, Florida Statutes, is amended to read:

212.04 Admissions tax; rate, procedure, enforcement.—

(2)(a) A tax may not be levied on:

1. Admissions to athletic or other events sponsored by elementary schools, junior high schools, middle schools, high schools, community colleges, public or private colleges and universities, deaf and blind schools, facilities of the youth services programs of the Department of Children and Families, and state correctional institutions if only student, faculty, or inmate talent is used. However, this exemption does not apply to admission to athletic events sponsored by a state university, and the proceeds of the tax collected on such admissions shall be retained and used by each institution to support women's athletics as provided in s. 1006.71(2)(c).

2. Dues, membership fees, and admission charges imposed by not-for-profit sponsoring organizations. To receive this exemption, the sponsoring organization must qualify as a not-for-profit entity under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended.

3. Admission charges to an event sponsored by a governmental entity, sports authority, or sports commission if held in a convention hall, exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility and if 100 percent of the risk of success or failure lies with the sponsor of the event and 100 percent of the funds at risk for the event belong to the sponsor, and student or faculty talent is not exclusively used. As used in this subparagraph, the terms "sports authority" and "sports commission" mean a nonprofit organization that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code and that contracts with a county or municipal government for the purpose of promoting and attracting sports-tourism events to the community with which it contracts.

4. An admission paid by a student, or on the student's behalf, to any required place of sport or recreation if the student's participation in the sport or recreational activity is required as a part of a program or activity sponsored by, and under the jurisdiction of, the student's educational institution if his or her attendance is as a participant and not as a spectator.

5. Admissions to the National Football League championship game or Pro Bowl; admissions to any semifinal game or championship game of a national collegiate tournament; admissions to a Major League Baseball, Major League Soccer, National Basketball Association, or National Hockey League all-star game; admissions to the Major League Baseball Home Run Derby held before the Major League Baseball All-Star Game; admissions to a *Formula 1 Grand Prix, including qualifying and support races held at the circuit 72 hours before such Grand Prix*; or admissions to National Basketball Association all-star events produced by the National Basketball Association and held at a facility such as an arena, convention center, or municipal facility.

6. A participation fee or sponsorship fee imposed by a governmental entity as described in s. 212.08(6) for an athletic or recreational program if the governmental entity by itself, or in conjunction with an organization exempt under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended, sponsors, administers, plans, supervises, directs, and controls the athletic or recreational program.

7. Admissions to live theater, live opera, or live ballet productions in this state which are sponsored by an organization that has received a determination from the Internal Revenue Service that the organization is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended, if the organization actively participates in planning and conducting the event, is responsible for the safety and success of the event, is organized for the purpose of sponsoring live theater, live opera, or live ballet productions in this state, has more than 10,000 subscribing members and has among the stated purposes in its charter the promotion of arts education in the communities it serves, and will receive at least 20 percent of the net profits, if any, of the events the organization sponsors and will bear the risk of at least 20 percent of the losses, if any, from the events it sponsors if the organization employs other persons as agents to provide services in connection with a sponsored event. Before March 1 of each year, such

organization may apply to the department for a certificate of exemption for admissions to such events sponsored in this state by the organization during the immediately following state fiscal year. The application must state the total dollar amount of admissions receipts collected by the organization or its agents from such events in this state sponsored by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Such organization shall receive the exemption only to the extent of \$1.5 million multiplied by the ratio that such receipts bear to the total of such receipts of all organizations applying for the exemption in such year; however, such exemption granted to any organization may not exceed 6 percent of such admissions receipts collected by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Each organization receiving the exemption shall report each month to the department the total admissions receipts collected from such events sponsored by the organization during the preceding month and shall remit to the department an amount equal to 6 percent of such receipts reduced by any amount remaining under the exemption. Tickets for such events sold by such organizations may not reflect the tax otherwise imposed under this section.

8. Entry fees for participation in freshwater fishing tournaments.

9. Participation or entry fees charged to participants in a game, race, or other sport or recreational event if spectators are charged a taxable admission to such event.

10. Admissions to any postseason collegiate football game sanctioned by the National Collegiate Athletic Association.

11. Admissions to and membership fees for gun clubs. For purposes of this subparagraph, the term "gun club" means an organization whose primary purpose is to offer its members access to one or more shooting ranges for target or skeet shooting.

Section 28. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended, and paragraph (n) is added to that subsection, to read:

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

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

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed.

Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within ~~90~~ ~~30~~ days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within ~~90~~ ~~30~~ days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within ~~30~~ ~~10~~ days ~~after~~ ~~of~~ removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hanging from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within ~~30~~ ~~5~~ days ~~after~~ ~~of~~ the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The

number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost \$425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

(n) At the rate of 5.5 percent of the sales price on the sale of a new mobile home. As used in this paragraph, the term "new mobile home" has the same meaning as in s. 319.001.

Section 29. Subsection (6) of section 212.055, Florida Statutes, is amended, and paragraph (f) is added to subsection (1) of that section, to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the pur-

1. Industrial machinery and equipment purchased by eligible manufacturing businesses which is used at a fixed location in this state for the manufacture, processing, compounding, or production of items of tangible personal property for sale is exempt from the tax imposed by this chapter. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this paragraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.

2. For purposes of this paragraph, the term:

a. "Eligible manufacturing business" means any business whose primary business activity at the location where the industrial machinery and equipment is located is within the industries classified under NAICS codes 31, 32, 33, 112511, and 423930.

b. "Eligible postharvest activity business" means a business whose primary business activity, at the location where the postharvest machinery and equipment is located, is within the industries classified under NAICS code 115114.

c. "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

d. "Primary business activity" means an activity representing more than 50 percent of the activities conducted at the location where the industrial machinery and equipment or postharvest machinery and equipment is located.

e. "Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. The term includes tangible personal property or other property that has a depreciable life of 3 years or more which is used as an integral part in the recycling of metals for sale. A building and its structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment are replaced. Heating and air conditioning systems are not industrial machinery and equipment unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonproduction activities. The term includes parts and accessories for industrial machinery and equipment only to the extent that the parts and accessories are *necessary for the continued operation of the industrial machinery or equipment or were purchased before the date the machinery and equipment were placed in service.*

f. "Postharvest activities" means services performed on crops, after their harvest, with the intent of preparing them for market or further processing. Postharvest activities include, but are not limited to, crop cleaning, sun drying, shelling, fumigating, curing, sorting, grading, packing, and cooling.

g. "Postharvest machinery and equipment" means tangible personal property or other property with a depreciable life of 3 years or more which is used primarily for postharvest activities. A building and its structural components are not postharvest industrial machinery and equipment unless the building or structural component is so closely related to the postharvest machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the postharvest machinery and equipment is replaced. Heating and air conditioning systems are not postharvest machinery and equipment unless the sole justification for their installation is to meet the requirements of the postharvest activities process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonpostharvest activities.

3. Postharvest machinery and equipment purchased by an eligible postharvest activity business which is used at a fixed location in this state is exempt from the tax imposed by this chapter. All labor charges for the repair of, and parts and materials used in the repair of and

incorporated into, such postharvest machinery and equipment are also exempt. If, at the time of purchase, the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this subparagraph, the seller is not required to collect the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.

Section 33. Effective January 1, 2021, section 212.134, Florida Statutes, is created to read:

212.134 Information returns relating to payment-card and third-party network transactions.—

(1) For each year in which a payment settlement entity, an electronic payment facilitator, or other third party contracted with the payment settlement entity to make payments to settle reportable payment transactions on behalf of the payment settlement entity must file a return pursuant to s. 6050W of the Internal Revenue Code, the entity, the facilitator, or the third party must submit the information in the return to the department by the 30th day after filing the federal return. The format of the information returns required must be either a copy of such information returns or a copy of such information returns related to participating payees with an address in the state. For purposes of this subsection, the term "payment settlement entity" has the same meaning as provided in s. 6050W of the Internal Revenue Code.

(2) All reports submitted to the department under this section must be in an electronic format.

(3) Any payment settlement entity, facilitator, or third party failing to file the information return required, filing an incomplete information return, or not filing an information return within the time prescribed is subject to a penalty of \$1,000 for each failure, if the failure is for not more than 30 days, with an additional \$1,000 for each month or fraction of a month during which each failure continues. The total amount of penalty imposed on a reporting entity may not exceed \$10,000 annually.

(4) The executive director or his or her designee may waive the penalty if he or she determines that the failure to timely file an information return was due to reasonable cause and not due to willful negligence, willful neglect, or fraud.

Section 34. Section 212.181, Florida Statutes, is created to read:

212.181 Determination of business address situs, distributions, and adjustments.—

(1) For each certificate of registration issued pursuant to s. 212.18(3)(b), the department shall assign the place of business to a county based on the location address provided at the time of registration or at the time the dealer notifies the department of a change in a business location address.

(2)(a) Each county that furnishes to the department information needed to update the electronic database created and maintained pursuant to s. 202.22(2)(a), including addresses of new developments, changes in addresses, annexations, incorporations, reorganizations, and any other changes in jurisdictional boundaries within the county, must specify an effective date, which must be the next ensuing January 1 or July 1, and must be furnished to the department at least 120 days before the effective date. A county that provides notification to the department at least 120 days before the effective date that it has reviewed the database and has no changes for the ensuing January 1 or July 1 satisfies the requirement of this paragraph.

(b) A county that imposes a tourist development tax in a subcounty special district pursuant to s. 125.0104(3)(b) must identify the subcounty special district addresses to which the tourist development tax applies as part of the address information submission required under paragraph (a). This paragraph does not apply to counties that self-administer the tax pursuant to s. 125.0104(10).

(c) The department shall update the electronic database created and maintained under s. 202.22(2)(a) using the information furnished by local taxing jurisdictions under paragraph (a) and shall ensure each business location is correctly assigned to the applicable county pursuant to subsection (1). Each update must specify the effective date as the next

ensuing January 1 or July 1 and must be posted by the department on a website not less than 90 days before the effective date.

(3)(a) For distributions made pursuant to ss. 125.0104, 212.20(6)(a), (b), and (d)2., misallocations occurring solely due to the assignment of an address to an incorrect county will be corrected prospectively only from the date the department is made aware of the misallocation, subject to the following:

1. If the county that should have received the misallocated distributions followed the notification and timing provisions in subsection (2) for the affected periods, such misallocations may be adjusted by prorating current and future distributions for the period the misallocation occurred, not to exceed 36 months from the date the department is made aware of the misallocation.

2. If the county that received the misallocated distribution followed the notification and timing provisions in subsection (2) for the affected periods and the county that should have received the misallocation did not, the correction shall apply only prospectively from the date the department is made aware of the misallocation.

(b) Nothing in this subsection prevents affected counties from determining an alternative method of adjustment pursuant to an interlocal agreement. Affected counties with an interlocal agreement must provide a copy of the interlocal agreement specifying an alternative method of adjustment to the department within 90 days after the date of the department's notice of the misallocation.

(4) The department may adopt rules to administer this section, including rules establishing procedures and forms.

Section 35. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust

Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to ~~420~~ ~~300~~ months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be made after certification and before July 1, 2000.

e. The department shall distribute up to \$83,333 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to \$166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

f. Beginning 45 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625 or upon a date specified by the Department of Economic Opportunity as provided under s. 288.11625(6)(d), the department shall distribute each month an amount equal to one-twelfth of the annual distribution amount certified by the

Department of Economic Opportunity for the applicant. The department may not distribute more than \$7 million in the 2014-2015 fiscal year or more than \$13 million annually thereafter under this sub-sub-paragraph.

g. Beginning December 1, 2015, and ending June 30, 2016, the department shall distribute \$26,286 monthly to the State Transportation Trust Fund. Beginning July 1, 2016, the department shall distribute \$15,333 monthly to the State Transportation Trust Fund.

7. All other proceeds must remain in the General Revenue Fund.

Section 36. Section 215.179, Florida Statutes, is created to read:

215.179 Solicitation of payment.—An owner of a public building or the owner’s employee may not seek, accept, or solicit any payment or other form of consideration for providing the written allocation letter described in s. 179D(d)(4) of the Internal Revenue Code and Internal Revenue Service (IRS) Notice 2008-40. An allocation letter must be signed and returned to the architect, engineer, or contractor within 15 days after written request. The architect, engineer, or contractor shall file the allocation request with the Department of Financial Services. This section is effective until the Internal Revenue Service supersedes s. 3 of IRS Notice 2008-40 and materially modifies the allocation process therein.

Section 37. Section 213.0537, Florida Statutes, is created to read:

213.0537 Electronic notification with affirmative consent.—

(1) Notwithstanding any other provision of law, the Department of Revenue may send notices electronically, by postal mail, or both. Electronic transmission may be used only with the affirmative consent of the taxpayer or its representative. Documents sent pursuant to this section comply with the same timing and form requirements as documents sent by postal mail. If a document sent electronically is returned as undeliverable, the department must resend the document by postal mail. However, the original electronic transmission used with the affirmative consent of the taxpayer or its representative is the official mailing for purposes of this chapter.

(2) A notice sent electronically will be considered to have been received by the recipient if the transmission is addressed to the address provided by the taxpayer or its representative. A notice sent electronically will be considered received even if no individual is aware of its receipt. In addition, a notice sent electronically shall be considered received if the department does not receive notification that the document was undeliverable.

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

(a) “Affirmative consent” means that the taxpayer or its representative expressly consented to receive notices electronically either in response to a clear and conspicuous request for the taxpayer’s or its representative’s consent, or at the taxpayer’s or its representative’s own initiative.

(b) “Notice” means all communications from the department to the taxpayer or its representative, including, but not limited to, billings, notices issued during the course of an audit, proposed assessments, and final assessments authorized by this chapter and any other actions constituting final agency action within the meaning of chapter 120.

Section 38. Paragraph (b) of subsection (1) of section 213.21, Florida Statutes, is amended to read:

213.21 Informal conferences; compromises.—

(1)

(b) The statute of limitations upon the issuance of final assessments and the period for filing a claim for refund as required by s. 215.26(2) for any transactions occurring during the audit period shall be tolled during the period in which the taxpayer is engaged in a procedure under this section.

Section 39. Effective upon this act becoming a law, paragraph (a) of subsection (4) of section 220.1105, Florida Statutes, is amended to read:

220.1105 Tax imposed; automatic refunds and downward adjustments to tax rates.—

(4) For fiscal years 2018-2019 through 2020-2021, any amount by which net collections for a fiscal year exceed adjusted forecasted collections for that fiscal year shall only be used to provide refunds to corporate income tax payers as follows:

(a) For purposes of this subsection, the term:

1. “Eligible taxpayer” means:

a. For fiscal year 2018-2019, a taxpayer whose taxable year begins between April 1, 2017, and March 31, 2018, and whose final tax liability for such taxable year is greater than zero;

b. For fiscal year 2019-2020, a taxpayer whose taxable year begins between April 1, 2018, and March 31, 2019, and whose final tax liability for such taxable year is greater than zero; or

c. For fiscal year 2020-2021 a taxpayer whose taxable year begins between April 1, 2019, and March 31, 2020, and whose final tax liability for such taxable year is greater than zero.

2. “Excess collections” for a fiscal year means the amount by which net collections for a fiscal year exceeds adjusted forecasted collections for that fiscal year.

3. “Final tax liability” means the taxpayer’s amount of tax due under this chapter for a taxable year, reported on a return filed with the department, plus the amount of any credit taken on such return under s. 220.1875.

4. “Total eligible tax liability” for a fiscal year means the sum of final tax liabilities of all eligible taxpayers for a fiscal year as such liabilities are shown on the latest return filed with the department as of February 1 immediately following that fiscal year.

5. “Taxpayer refund share” for a fiscal year means an eligible taxpayer’s final tax liability as a percentage of the total eligible tax liability for that fiscal year.

6. “Taxpayer refund” for a fiscal year means the taxpayer refund share for a fiscal year multiplied by the excess collections for a fiscal year.

Section 40. The amendment made by this act to s. 220.1105(4)(a)3., Florida Statutes, is remedial in nature and applies retroactively.

Section 41. Paragraph (f) of subsection (2) of section 220.1845, Florida Statutes, is amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(2) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(f) The total amount of the tax credits which may be granted under this section is \$18.2 ~~\$18.5~~ million in the ~~2018-2019~~ fiscal year 2020-2021 and \$10 million each fiscal year thereafter.

Section 42. Section 220.197, Florida Statutes, is created to read:

220.197 1031 exchange tax credit.—

(1) As used in this section, the term “NAICS” means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

(2) A taxpayer is eligible for a \$2 million credit against the tax imposed by this chapter for its 2018 taxable year if:

(a)1. The taxpayer is classified in the NAICS industry code 53211;

2. The taxpayer deferred gains on the sale of personal property assets for federal income purposes under s. 1031 of the Internal Revenue Code during its taxable year beginning on or after August 1, 2016, and before August 1, 2017; and

3. The taxpayer's final tax liability for its taxable year beginning on or after August 1, 2017, and before August 1, 2018, before application of the credit authorized by this section, is greater than \$15 million and is at least 700 percent greater than its final tax liability for its taxable year beginning on or after August 1, 2016, and before August 1, 2017; or

(b)1. The taxpayer is classified under NAICS industry code 522220 or 532112;

2. The taxpayer deferred gains on the sale of personal property assets for federal income purposes under s. 1031 of the Internal Revenue Code during its taxable year beginning on or after August 1, 2016, and before August 1, 2017; and

3. The taxpayer's final tax liability for its taxable year beginning on or after August 1, 2017, and before August 1, 2018, before application of the credit authorized by this section, was greater than \$15 million and was at least \$15 million greater than its final tax liability for its taxable year beginning on or after August 1, 2016, and before August 1, 2017.

(3) This section operates retroactively to January 1, 2018.

Section 43. Paragraph (b) of subsection (5) and subsections (8) and (9) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.—

(5) TAX REFUND AGREEMENT.—

(b) Compliance with the terms and conditions of the agreement is a condition precedent for the receipt of a tax refund each year. The failure to comply with the terms and conditions of the tax refund agreement results in the loss of eligibility for receipt of all tax refunds previously authorized under this section and the revocation by the department of the certification of the business entity as a qualified target industry business, unless the business is eligible to receive and elects to accept a prorated refund under paragraph (6)(e) or the department grants the business an economic recovery extension.

1. A qualified target industry business may submit a request to the department for an economic recovery extension. The request must provide quantitative evidence demonstrating how negative economic conditions in the business's industry, the effects of a named hurricane or tropical storm, or specific acts of terrorism affecting the qualified target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement.

2. Upon receipt of a request under subparagraph 1., the department has 45 days to notify the requesting business, in writing, whether its extension has been granted or denied. In determining whether an extension should be granted, the department shall consider the extent to which negative economic conditions in the requesting business's industry have occurred in the state or the effects of a named hurricane or tropical storm or specific acts of terrorism affecting the qualified target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement. The department shall consider current employment statistics for this state by industry, including whether the business's industry had substantial job loss during the prior year, when determining whether an extension shall be granted.

3. As a condition for receiving a prorated refund under paragraph (6)(e) or an economic recovery extension under this paragraph, a qualified target industry business must agree to renegotiate its tax refund agreement with the department to, at a minimum, ensure that the terms of the agreement comply with current law and the department's procedures governing application for and award of tax refunds. Upon approving the award of a prorated refund or granting an economic recovery extension, the department shall renegotiate the tax refund agreement with the business as required by this subparagraph. When amending the agreement of a business receiving an economic recovery extension, the department may extend the duration of the agreement for a period not to exceed 2 years.

4. A qualified target industry business located in a county affected by Hurricane Michael, as defined in subsection (8), may submit a request for an economic recovery extension to the department in lieu of

any tax refund claim scheduled to be submitted after January 1, 2021 2020, but before July 1, 2023 2012.

5. A qualified target industry business that receives an economic recovery extension may not receive a tax refund for the period covered by the extension.

(8) SPECIAL INCENTIVES.—If the department determines it is in the best interest of the public for reasons of facilitating economic development, growth, or new employment opportunities within a ~~Disproportionally Affected~~ county affected by Hurricane Michael, the department may, between July 1, 2020 2011, and June 30, 2023 2014, may waive any or all wage or local financial support eligibility requirements. ~~If the department elects to waive wage or financial support eligibility requirements, the waiver must be stated in writing. and allow~~ A qualified target industry business that relocates from another state to, or establishes which relocates all or a portion of its business or expands its existing business in, a ~~to a Disproportionally Affected~~ county affected by Hurricane Michael is eligible to receive a tax refund payment of up to \$10,000 \$6,000 multiplied by the number of jobs specified in the tax refund agreement under subparagraph (5)(a)1. over the term of the agreement. ~~Prior to granting such waiver, the executive director of the department shall file with the Governor a written statement of the conditions and circumstances constituting the reason for the waiver.~~ Such business shall be eligible for the additional tax refund payments specified in subparagraph (3)(b)4. if it meets the criteria. As used in this section, the term "~~Disproportionally Affected~~ county affected by Hurricane Michael" means Bay County, Calhoun County ~~Escambia County~~, Franklin County, Gadsden County, Gulf County, Holmes County, Jackson County, Jefferson County, Leon County, Liberty County, Okaloosa County, ~~Santa Rosa County, Walton County,~~ or Wakulla County, Walton County, or Washington County.

~~(9) EXPIRATION.—An applicant may not be certified as qualified under this section after June 30, 2020. A tax refund agreement existing on that date shall continue in effect in accordance with its terms.~~

Section 44. Subsection (8) of section 288.1168, Florida Statutes, is amended to read:

288.1168 Professional golf hall of fame facility.—

(8) This section is repealed June 30, 2033 2023.

Section 45. Paragraph (c) is added to subsection (2) of section 319.32, Florida Statutes, to read:

319.32 Fees; service charges; disposition.—

(2)

(c) In exercising his or her authority to contract with a license plate agent, the tax collector shall determine the additional service charges to be collected by privately owned license plate agents approved by the tax collector. Additional service charges must be itemized and disclosed to the person paying the service charges to the license plate agent. The license plate agent shall enter into a contract with the tax collector regarding the disclosure of additional service charges.

Section 46. Subsection (5) of section 320.03, Florida Statutes, is amended to read:

320.03 Registration; duties of tax collectors; International Registration Plan.—

(5) In addition to the fees required under s. 320.08, a fee of 50 cents shall be charged on every license registration sold to cover the costs of the Florida Real Time Vehicle Information System. The fees collected shall be deposited into the Highway Safety Operating Trust Fund to be used exclusively to fund the system. The fee may only be used to fund the system equipment, software, personnel associated with the maintenance and programming of the system, and networks used in the offices of the county tax collectors as agents of the department and the ancillary technology necessary to integrate the system with other tax collection systems. *Other tax collection systems may include technology systems provided by vendors contracted with the tax collector for in-person transactions of motor vehicle and mobile home registration certificates, registration license plates, and validation stickers and online motor vehicle and mobile home registration renewals and validation*

stickers. Upon a tax collector's request, the department shall provide the tax collector and its approved vendors with the same data access and interface functionality that other third parties receive from the department, including, but not limited to, bulk data for vehicle registrations and each applicant's current residential address and electronic mail address collected pursuant to s. 320.95. Such data and functionality shall be used only for purposes of fulfilling the tax collector's statutory duties under this chapter and may not be resold or used for any other purpose. For purposes of this subsection, other tax collection systems do not include electronic filing systems pursuant to this section. The department shall administer this program upon consultation with the Florida Tax Collectors, Inc., to ensure that each county tax collector's office is technologically equipped and functional for the operation of the Florida Real Time Vehicle Information System. The department and each county tax collector's approved vendor shall enter into a memorandum of understanding, which includes protection of consumer privacy and data collection. Each county tax collector and its approved license plate agents shall enter into a memorandum of understanding with the department regarding use of the Florida Real Time Vehicle Information System in accordance with paragraph (4)(b). Any designated revenue collected to support functions of the county tax collectors and not used in a given year must remain exclusively in the trust fund as a carryover to the following year.

Section 47. Present subsection (3) of section 320.04, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

320.04 Registration service charge.—

(3) In exercising his or her authority to contract with a license plate agent, the tax collector shall determine the additional service charges to be collected by privately owned license plate agents approved by the tax collector. Additional service charges must be itemized and disclosed to the person paying the service charges to the license plate agent. The license plate agent shall enter into a contract with the tax collector regarding the disclosure of additional service charges.

Section 48. Subsection (7) of section 328.72, Florida Statutes, is amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

(7) SERVICE FEE.—

(a) In addition to other registration fees, the vessel owner shall pay the tax collector a \$2.25 service fee for each registration issued, replaced, or renewed. Except as provided in subsection (15), all fees, other than the service charge, collected by a tax collector must be remitted to the department not later than 7 working days following the last day of the week in which the money was remitted. Vessels may travel in salt water or fresh water.

(b) In exercising his or her authority to contract with a license plate agent, the tax collector shall determine the additional service charges to be collected by privately owned license plate agents approved by the tax collector. Additional service charges must be itemized and disclosed to the person paying the service charges to the license plate agent. The license plate agent shall enter into a contract with the tax collector regarding the disclosure of additional service charges.

Section 49. Subsection (1) of section 328.73, Florida Statutes, is amended to read:

328.73 Registration; duties of tax collectors.—

(1) The tax collectors in the counties of the state, as authorized agents of the department, shall issue registration certificates and vessel numbers and decals to applicants, subject to the requirements of law and in accordance with rules of the department. Other tax collection systems may include technology systems provided by vendors contracted with the tax collector for in-person and online vessel registration certificates and vessel numbers and decals. Upon a tax collector's request, the department shall provide the tax collector and its approved vendors with the same data access and interface functionality that other third parties receive from the department, including, but not limited to, bulk data for vessel registrations and each applicant's current residential address and

electronic mail address collected pursuant to s. 328.30. Such data and functionality shall be used only for purposes of fulfilling the tax collector's statutory duties under this chapter and may not be resold or used for any other purpose. The department and each county tax collector's approved vendor shall enter into a memorandum of understanding, which includes protection of consumer privacy and data collection.

Section 50. Subsection (4) of section 376.30781, Florida Statutes, is amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(4) The Department of Environmental Protection is responsible for allocating the tax credits provided for in s. 220.1845, which may not exceed a total of \$18.2 ~~\$18.5~~ million in tax credits in fiscal year 2020-2021 ~~2018-2019~~ and \$10 million in tax credits each fiscal year thereafter.

Section 51. Subsection (1) of section 413.4021, Florida Statutes, is amended to read:

413.4021 Program participant selection; tax collection enforcement diversion program.—The Department of Revenue, in coordination with the Florida Association of Centers for Independent Living and the Florida Prosecuting Attorneys Association, shall select judicial circuits in which to operate the program. The association and the state attorneys' offices shall develop and implement a tax collection enforcement diversion program, which shall collect revenue due from persons who have not remitted their collected sales tax. The criteria for referral to the tax collection enforcement diversion program shall be determined cooperatively between the state attorneys' offices and the Department of Revenue.

(1) Notwithstanding s. 212.20, 75 ~~50~~ percent of the revenues collected from the tax collection enforcement diversion program shall be deposited into the special reserve account of the Florida Association of Centers for Independent Living, to be used to administer the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program and to contract with the state attorneys participating in the tax collection enforcement diversion program in an amount of not more than \$75,000 for each state attorney.

Section 52. Subsections (1), (2), and (5) of section 443.163, Florida Statutes, are amended to read:

443.163 Electronic reporting and remitting of contributions and reimbursements.—

(1) An employer may file any report and remit any contributions or reimbursements required under this chapter by electronic means. The Department of Economic Opportunity or the state agency providing reemployment assistance tax collection services shall adopt rules prescribing the format and instructions necessary for electronically filing reports and remitting contributions and reimbursements to ensure a full collection of contributions and reimbursements due. The acceptable method of transfer, the method, form, and content of the electronic means, and the method, if any, by which the employer will be provided with an acknowledgment shall be prescribed by the department or its tax collection service provider. However, any employer who employed 10 or more employees in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports, including any corrections, for the current calendar year and remit the contributions and reimbursements due by electronic means approved by the tax collection service provider. ~~A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports for each calendar quarter in the current calendar year, beginning with reports due for the second calendar quarter of 2003, by electronic means approved by the tax collection service provider.~~

(2)(a) An employer who is required by law to file an Employers Quarterly Report, including any corrections, by approved electronic means, but who files the report either directly or through an agent by a means other than approved electronic means, is liable for a penalty of \$25 ~~\$50~~ for that report and \$1 for each employee, not to exceed \$300. This penalty is in addition to any other penalty provided by this chap-

ter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance. An employer who fails to remit contributions or reimbursements either directly or through an agent by approved electronic means as required by law is liable for a penalty of \$25 \$50 for each remittance submitted by a means other than approved electronic means. This penalty is in addition to any other penalty provided by this chapter.

~~(b) A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year, but who fails to file an Employers Quarterly Report for each calendar quarter in the current calendar year by approved electronic means, is liable for a penalty of \$50 for that report and \$1 for each employee. This penalty is in addition to any other penalty provided by this chapter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance.~~

(5) The tax collection service provider may waive the penalty imposed by this section if a written request for a waiver is filed which establishes that imposition would be inequitable. Examples of inequity include, but are not limited to, situations where the failure to electronically file was caused by one of the following factors:

(a) Death or serious illness of the person responsible for the preparation and filing of the report.

(b) Destruction of the business records by fire or other casualty.

(c) Unscheduled and unavoidable computer downtime.

Section 53. Subsections (1) and (3) of section 626.932, Florida Statutes, are amended to read:

626.932 Surplus lines tax.—

(1) The premiums charged for surplus lines coverages are subject to a premium receipts tax of 4.94 5 percent of all gross premiums charged for such insurance. The surplus lines agent shall collect from the insured the amount of the tax at the time of the delivery of the cover note, certificate of insurance, policy, or other initial confirmation of insurance, in addition to the full amount of the gross premium charged by the insurer for the insurance. The surplus lines agent is prohibited from absorbing such tax or, as an inducement for insurance or for any other reason, rebating all or any part of such tax or of his or her commission.

(3) If a surplus lines policy covers risks or exposures only partially in this state and the state is the home state as defined in the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA), the tax payable shall be computed on the gross premium. *The surplus lines policy must be taxed in accordance with subsection (1) and the agent shall report the total premium for the risk that is located in this state and the total premium for the risk that is located outside of this state to the Florida Surplus Lines Service Office in the manner and form directed by the Florida Surplus Lines Service Office.* ~~The tax must not exceed the tax rate where the risk or exposure is located.~~

Section 54. Subsection (3) of section 718.111, Florida Statutes, is amended to read:

718.111 The association.—

(3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT, SUE, AND BE SUED; CONFLICT OF INTEREST.—

(a) The association may contract, sue, or be sued with respect to the exercise or nonexercise of its powers. For these purposes, the powers of the association include, but are not limited to, the maintenance, management, and operation of the condominium property.

(b) After control of the association is obtained by unit owners other than the developer, the association may:

1. Institute, maintain, settle, or appeal actions or hearings in its name on behalf of all unit owners concerning matters of common interest to most or all unit owners, including, but not limited to, the common elements; the roof and structural components of a building or other improvements; mechanical, electrical, and plumbing elements serving an improvement or a building; representations of the developer pertaining to any existing or proposed commonly used facilities;

2. ~~Protest and protesting~~ ad valorem taxes on commonly used facilities and on units; ~~and may~~

3. Defend actions pertaining to ad valorem taxation of commonly used facilities or units or related to ~~in~~ eminent domain; or

4. Bring inverse condemnation actions.

(c) If the association has the authority to maintain a class action, the association may be joined in an action as representative of that class with reference to litigation and disputes involving the matters for which the association could bring a class action.

(d) *The association, in its own name or on behalf of some or all unit owners, may institute, file, protest, maintain, or defend any administrative challenge, lawsuit, appeal, or other challenge to ad valorem taxes assessed on units, commonly used facilities, or common elements. Except as provided in s. 194.181(2)(c)1., the affected association members are not necessary or indispensable parties to such actions. This paragraph is intended to clarify existing law and applies to cases pending on July 1, 2020, and to cases beginning thereafter.*

(e) Nothing herein limits any statutory or common-law right of any individual unit owner or class of unit owners to bring any action without participation by the association which may otherwise be available.

(f) An association may not hire an attorney who represents the management company of the association.

Section 55. Paragraph (b) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 to pay for any portion of the cost of any new construction of educational plant space with a total cost per student station, including change orders, which exceeds:

a. \$17,952 for an elementary school;

b. \$19,386 for a middle school; or

c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index. The department, in conjunction with the Office of Economic and Demographic Research, shall review and adjust the cost per student station limits to reflect actual construction costs by January 1, 2020, and annually thereafter. The adjusted cost per student station shall be used by the department for computation of the state-wide average costs per student station for each instructional level pursuant to paragraph (d). The department shall also collaborate with the Office of Economic and Demographic Research to select an industry-recognized construction index to replace the Consumer Price Index by January 1, 2020, adjusted annually to reflect changes in the construction index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district.

3. Except for educational facilities and sites subject to a lease-purchase agreement entered pursuant to s. 1011.71(2)(e) or funded solely through local impact fees, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. However, if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.

4. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

Section 56. Section 48 of chapter 2018-6, 2018 Laws of Florida, is amended to read:

Section 48. The amendments made by this act to ss. 220.13, 220.1875, and 1002.395, Florida Statutes, apply to taxable years beginning on or after January 1, 2018. *The amendment made by this act to s. 1002.395(5)(c), extending the credit carryforward period from 5 to 10 years, applies to any credit available to be carried forward on or after July 1, 2018.*

Section 57. *The amendment made by this act to section 48 of chapter 2018-6, 2018 Laws of Florida, is remedial and clarifying in nature and applies retroactively to July 1, 2018.*

Section 58. *Clothing, school supplies, personal computers, and personal computer-related accessories; sales tax holiday.—*

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the retail sale of:*

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term “clothing” means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term “school supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.*

(2) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the first \$1,000 of the sales price of personal computers or personal computer-related accessories purchased for noncommercial home or personal use. As used in this subsection, the term:*

(a) *“Personal computers” includes electronic book readers, laptops, desktops, handheld devices, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.*

(b) *“Personal computer-related accessories” includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or peripherals that are designed or intended primarily for recreational use. The term “monitor” does not include any device that includes a television tuner.*

(3) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(4) *The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer’s gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by August 1, 2020, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.*

(5) *The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(6) *For the 2019-2020 fiscal year, the sum of \$241,000 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.*

(7) *This section shall take effect upon this act becoming a law.*

Section 59. *Disaster preparedness supplies; sales tax holiday.—*

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from May 29, 2020, through June 4, 2020, on the sale of:*

(a) *A portable self-powered light source selling for \$20 or less.*

(b) *A portable self-powered radio, two-way radio, or weather-band radio selling for \$50 or less.*

(c) *A tarpaulin or other flexible waterproof sheeting selling for \$50 or less.*

(d) *An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit selling for \$50 or less.*

(e) *A gas or diesel fuel tank selling for \$25 or less.*

(f) *A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for \$30 or less.*

(g) *A nonelectric food storage cooler selling for \$30 or less.*

(h) *A portable generator used to provide light or communications or preserve food in the event of a power outage selling for \$750 or less.*

(i) *Reusable ice selling for \$10 or less.*

(2) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(3) *The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.*

(4) *For the 2019-2020 fiscal year, the sum of \$70,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section.*

(5) *This section shall take effect upon this act becoming a law.*

Section 60. Section 211.0252, Florida Statutes, is created to read:

211.0252 Credit for contributions to eligible charitable organizations.—Beginning July 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax due under s. 211.02 or s. 211.025. However, the combined credit allowed under this section and s. 211.0251 may not exceed 50 percent of the tax due on the return on which the credit is taken. If the combined credit allowed under this section and s. 211.0251 exceeds 50 percent of the tax due on the return, the credit must first be taken under s. 211.0251. Any remaining liability, up to 50 percent of the tax due, shall be taken under this section. For purposes of the distributions of tax revenue under s. 211.06, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received which is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.62 apply to the credit authorized by this section.

Section 61. Section 212.1833, Florida Statutes, is created to read:

212.1833 Credit for contributions to eligible charitable organizations.—Beginning July 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax imposed by the state and due under this chapter from a direct pay permit holder as a result of the direct pay permit held pursuant to s. 212.183. For purposes of the dealer's credit granted for keeping prescribed records, filing timely tax returns, and properly accounting and remitting taxes under s. 212.12, the amount of tax due used to calculate the credit shall include any eligible contribution made to an eligible charitable organization from a direct pay permit holder. For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.62 apply to the credit authorized by this section. A dealer who claims a tax credit under this section must file his or her tax returns and pay his or her taxes by electronic means under s. 213.755.

Section 62. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.192, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, and those enumerated in s. 220.196.

Section 63. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

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

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875 or s. 220.1876 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of the deduction allowed shall not be added to taxable income in the current year. The

exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875 or s. 220.1876 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. ~~Any~~ The amount taken as a credit for the taxable year under s. 220.1875 or s. 220.1876. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

14. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

15. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

16. The amount taken as a credit for the taxable year pursuant to s. 220.194.

17. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is

not intended to result in adding the same expense back to income more than once.

Section 64. Subsection (2) of section 220.186, Florida Statutes, is amended to read:

220.186 Credit for Florida alternative minimum tax.—

(2) The credit pursuant to this section shall be the amount of the excess, if any, of the tax paid based upon taxable income determined pursuant to s. 220.13(2)(k) over the amount of tax which would have been due based upon taxable income without application of s. 220.13(2)(k), before application of this credit without application of any credit under s. 220.1875 or s. 220.1876.

Section 65. Section 220.1876, Florida Statutes, is created to read:

220.1876 Credit for contributions to eligible charitable organizations.—

(1) Beginning January 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. An eligible contribution must be made to an eligible charitable organization on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section shall be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).

(3) The provisions of s. 402.62 apply to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 402.62 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

Section 66. Section 402.62, Florida Statutes, is created to read:

402.62 Children's Promise Tax Credit.—

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

(a) "Annual tax credit amount" means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (5)(b), including tax credits to be taken under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(b) "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(c) "Eligible charitable organization" means an organization designated by the Department of Children and Families to be eligible to receive funding under this section.

(d) "Eligible contribution" means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to an eligible

charitable organization. The taxpayer making the contribution may not designate a specific child assisted by the eligible charitable organization as the beneficiary of the contribution.

(e) "Tax credit cap amount" means the maximum annual tax credit amount that the Department of Revenue may approve for a state fiscal year.

(2) CHILDREN'S PROMISE TAX CREDITS; ELIGIBILITY.—

(a) The Department of Children and Families shall designate as an eligible charitable organization an organization that:

1. Is exempt from federal income taxation under s. 501(c)(3) of the Internal Revenue Code.

2. Is a Florida entity formed under chapter 605, chapter 607, or chapter 617 and whose principal office is located in this state.

3. Provides services to:

a. Prevent child abuse, neglect, abandonment, or exploitation;

b. Enhance the safety, permanency, or well-being of children with child welfare involvement;

c. Assist families with children who have a chronic illness or physical, intellectual, developmental, or emotional disability; or

d. Provide workforce development services to families of children eligible for a federal free or reduced-price meals program.

4. Has a contract or written referral agreement with, or reference from, the department, a community-based care lead agency as defined in s. 409.986, a managing entity as defined in s. 394.9082, or the Agency for Persons with Disabilities for services specified in subparagraph 3.

5. Provides to the department accurate information including, at a minimum, a description of the services provided by the organization that are eligible for funding under this section; the number of individuals served through those services during the last calendar year in total and the number served during the last calendar year using funding under this section; basic financial information regarding the organization and services eligible for funding under this section; outcomes for such services; and contact information for the organization.

6. Annually submits a statement signed by a current officer of the organization, under penalty of perjury, that the organization meets all criteria to qualify as an eligible charitable organization, has fulfilled responsibilities under this section for the previous fiscal year if the organization received any funding through this credit during the previous year, and intends to fulfill its responsibilities during the upcoming year.

7. Provides any documentation requested by the department to verify eligibility as an eligible charitable organization or compliance with this section.

(b) The department may not designate as an eligible charitable organization an organization that:

1. Provides abortions, pays for or provides coverage for abortions, or financially supports any other entity that provides, pays for, or provides coverage for abortions; or

2. Has received more than 50 percent of its total annual revenue from the department or the Agency for Persons with Disabilities, either directly or via a contractor of the department or agency, in the prior fiscal year.

(3) RESPONSIBILITIES OF ELIGIBLE CHARITABLE ORGANIZATIONS.—An eligible charitable organization that receives a contribution under this section must:

(a) Conduct background screenings on all volunteers and staff working directly with children in any program funded under this section. The background screening shall use level 2 screening standards pursuant to s. 435.04. The department shall specify requirements for background screening in rule.

(b) Expend 100 percent of any contributions received under this section for direct services to state residents for the purposes specified in subparagraph (2)(a)3.

(c) Annually submit to the department:

1. An audit of the eligible charitable organization conducted by an independent certified public accountant in accordance with auditing standards generally accepted in the United States, government auditing standards, and rules adopted by the Auditor General. The audit report must include a report on financial statements presented in accordance with generally accepted accounting principles. The audit report must be provided to the department within 180 days after completion of the eligible charitable organization's fiscal year.

2. A copy of the eligible charitable organization's most recent federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

(d) Notify the department within 5 business days after the eligible charitable organization ceases to meet eligibility requirements or fails to fulfill its responsibilities under this section.

(e) Upon receipt of a contribution, the eligible charitable organization shall provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name and, if available, federal employer identification number, the amount contributed, the date of contribution, and the name of the eligible charitable organization.

(4) RESPONSIBILITIES OF THE DEPARTMENT.—The department shall:

(a) Annually redesignate eligible charitable organizations that have complied with all requirements of this section.

(b) Remove the designation of organizations that fail to meet all requirements of this section. An organization that has had its designation removed by the department may reapply for designation as an eligible charitable organization, and the department shall redesignate such organization if it meets the requirements of this section and demonstrates through its application that all factors leading to its previous failure to meet requirements have been sufficiently addressed.

(c) Publish information about the tax credit program and eligible charitable organizations on a department website. The website shall, at a minimum, provide:

1. The requirements and process for becoming designated or redesignated as an eligible charitable organization.

2. A list of the eligible charitable organizations that are currently designated by the department and the information provided under subparagraph (2)(a)5. regarding each eligible charitable organization.

3. The process for a taxpayer to select an eligible charitable organization as the recipient of funding through a tax credit.

(d) Compel the return of funds that are provided to an eligible charitable organization that fails to comply with the requirements of this section. Eligible charitable organizations that are subject to return of funds are ineligible to receive funding under this section for a period 10 years after final agency action to compel the return of funding.

(5) CHILDREN'S PROMISE TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) The tax credit cap amount is \$5 million in each state fiscal year.

(b) Beginning October 1, 2020, a taxpayer may submit an application to the Department of Revenue for a tax credit or credits to be taken under one or more of s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year for a credit under s. 220.1876 or s. 624.51056 or the applicable state fiscal year for a credit under s. 211.0252, s. 212.1833, or s. 561.1212. For purposes of s. 220.1876, a taxpayer may apply for a credit to be used for a prior taxable

year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51056, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The application must specify the eligible charitable organization to which the proposed contribution will be made. The Department of Revenue shall approve tax credits on a first-come, first-served basis and must obtain the division's approval before approving a tax credit under s. 561.1212.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the eligible charitable organization specified by the taxpayer in the application.

(c) If a tax credit approved under paragraph (b) is not fully used within the specified state fiscal year for credits under s. 211.0252, s. 212.1833, or s. 561.1212 or against taxes due for the specified taxable year for credits under s. 220.1876 or s. 624.51056 because of insufficient tax liability on the part of the taxpayer, the unused amount shall be carried forward for a period not to exceed 10 years. For purposes of s. 220.1876, a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 remains the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue. The Department of Revenue shall obtain the division's approval before approving a conveyance, transfer, or assignment of a tax credit under s. 561.1212.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit approved under paragraph (b). The amount rescinded shall become available for that state fiscal year to another eligible taxpayer as approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. The Department of Revenue must obtain the division's approval before accepting the rescindment of a tax credit under s. 561.1212. Any amount rescinded under this paragraph shall become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the eligible charitable organization specified by the taxpayer. The Department of Revenue shall also include the eligible charitable organization specified by the taxpayer on all letters or correspondence of acknowledgment for tax credits under s. 212.1833.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1876 or s. 624.51056 for contributions to eligible charitable organizations are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. shall be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1876, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 shall be imposed, an insurer, after earning a credit under s. 624.51056 for a taxable year, may reduce any installment payment for such taxable year

of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(6) **PRESERVATION OF CREDIT.**—If any provision or portion of this section, s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise declared invalid, the unconstitutionality or invalidity shall not affect any credit earned under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 by any taxpayer with respect to any contribution paid to an eligible charitable organization before the date of a determination of unconstitutionality or invalidity. The credit shall be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law shall result in the allowance of any credit to any taxpayer in excess of one dollar of credit for each dollar paid to an eligible charitable organization.

(7) **ADMINISTRATION; RULES.**—

(a) The Department of Revenue, the division, and the department may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section and ss. 211.0252, 212.1833, 220.1876, 561.1212, and 624.51056, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (5), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) The division may adopt rules necessary to administer its responsibilities under this section and s. 561.1212.

(d) The department may adopt rules necessary to administer this section, including, but not limited to, rules establishing application forms for organizations seeking designation as eligible charitable organizations under this act.

(e) Notwithstanding any provision of s. 213.053 to the contrary, sharing information with the division related to this tax credit is considered the conduct of the Department of Revenue's official duties as contemplated in s. 213.053(3)(c), and the Department of Revenue and the division are specifically authorized to share information as needed to administer this program.

Section 67. Section 561.1212, Florida Statutes, is created to read:

561.1212 **Credit for contributions to eligible charitable organizations.**—Beginning January 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax due under s. 563.05, s. 564.06, or s. 565.12, except excise taxes imposed on wine produced by manufacturers in this state from products grown in this state. However, a credit allowed under this section may not exceed 90 percent of the tax due on the return on which the credit is taken. For purposes of the distributions of tax revenue under ss. 561.121 and 564.06(10), the division shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.62 apply to the credit authorized by this section.

Section 68. Section 624.51056, Florida Statutes, is created to read:

624.51056 **Credit for contributions to eligible charitable organizations.**—

(1) Beginning January 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An eligible contribution must be made to an eligible charitable organization on or before the date the taxpayer is required to file a return pursuant to ss. 624.509 and 624.5092. An insurer claiming a credit against premium tax liability under this section shall not be required to pay any addi-

tional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

(2) Section 402.62 applies to the credit authorized by this section.

Section 69. The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Children's Promise Tax Credit created in this act. Notwithstanding any other provision of law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 70. For the 2020-2021 fiscal year, the sum of \$208,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing the provisions related to the Children's Promise Tax Credit created in this act.

Section 71. The Florida Institute for Child Welfare shall analyze the use of funding provided by the tax credit authorized under s. 402.62 and submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 31, 2024. The report shall, at a minimum, include the total funding amount and categorize the funding by type of program, describe the programs that were funded, and assess the outcomes that were achieved using the funding.

Section 72. For the 2020-2021 fiscal year, the sum of \$72,500 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue to implement the amendments to s. 212.031, Florida Statutes, made by this act.

Section 73. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 74. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the changes made by this act to ss. 206.05, 206.8741, 206.90, 212.05, 212.134, 212.181, 213.21, and 220.1105, Florida Statutes. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section shall take effect upon this act becoming a law.

Section 75. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 189.033, F.S.; defining the term "disproportionally affected county"; conforming a provision to changes made by the act; amending s. 192.001, F.S.; revising the definition of the term "inventory" for property tax purposes; defining the terms "heavy equipment rental dealer" and "short-term rental"; revising the definition of the term "tangible personal property" to specify the conditions under which certain construction work constructed or installed by certain electric utilities is deemed substantially completed; creating s. 193.019, F.S.; defining the terms "department" and "hospital"; requiring county property appraisers to annually calculate and submit to the Department of Revenue the valuation of certain property tax exemptions granted to property owned by hospitals; requiring hospitals to submit certain information to the department within a certain timeframe; specifying requirements for the department; requiring the department to adopt a form by rule; creating s. 193.1557, F.S.; extending the timeframe within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; providing applicability; providing for future repeal; amending s. 194.011, F.S.; revising requirements for certain community associations in providing notice to unit owners of an intent to petition the value adjustment board; decreasing the minimum period for a unit owner to elect to opt out of a petition; authorizing such community associations to represent, prose-

cute on behalf of, and defend their unit owners in certain proceedings; making clarifying changes; providing construction and applicability; amending s. 194.035, F.S.; specifying circumstances under which a special magistrate's appraisal may not be submitted as evidence to a value adjustment board; amending s. 194.181, F.S.; revising and specifying parties to a tax suit involving condominium associations or cooperative associations; specifying requirements for such associations in notifying and advising unit owners relating to certain proceedings; providing construction; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; revising requirements for the Department of Revenue's review and publication of findings of county assessment rolls; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; providing applicability; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; authorizing a property appraiser to grant an exemption for an untimely filed application if certain conditions are met; providing procedures for an applicant to file a petition with the value adjustment board if an application is denied; providing applicability; amending s. 196.1978, F.S.; providing applicability of the affordable housing property tax exemption to vacant units if certain conditions are met; providing retroactive operation; providing legislative intent relating to ownership of exempt property by certain limited liability companies; providing applicability of the tax exemption, under certain circumstances, to certain units occupied by natural persons or families whose income no longer meets income limits; exempting, rather than providing a discount, from ad valorem taxation for certain multifamily project property; conforming provisions to changes made by the act; amending s. 196.198, F.S.; exempting certain property owned by a house of public worship and used by an educational institution from ad valorem taxes; providing construction and applicability; exempting land, buildings, and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit of the exemption; requiring the property owner to make certain disclosures to the educational institution; amending s. 200.065, F.S.; authorizing a property appraiser in a county for which the Governor has declared a state of emergency to post notices of proposed property taxes on its website if mailing the notice is not possible; providing for an extension of sending the notice during such state of emergency; specifying a duty of the property appraiser; specifying hearing advertisement requirements for multicounty taxing authorities under certain circumstances; specifying procedures and requirements for taxing authorities, counties, and school districts for hearings and notices in the event of a state of emergency; amending s. 200.069, F.S.; specifying a limitation on information that property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending s. 206.05, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of motor fuel; amending s. 206.8741, F.S.; revising a penalty for failure to provide or post a notice relating to dyed diesel fuel; amending s. 206.90, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of diesel fuel; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.04, F.S.; exempting Formula 1 Grand Prix admissions from the admissions tax; amending s. 212.05, F.S.; revising timeframes for certain documentation to be provided to the department for the purposes of a sales tax exemption for the sale of certain boats and aircraft; specifying the applicable sales tax rate on the sale of a new mobile home; defining the term "new mobile home"; amending s. 212.055, F.S.; specifying a limitation on the duration of a charter county and regional transportation system surtax levied pursuant to a referendum held on or after a certain date; requiring that resolutions to approve a school capital outlay surtax include a statement relating to the sharing of revenues with eligible charter schools in a specified manner; specifying authorized uses of surtax revenues shared with charter schools; providing an accounting requirement for charter schools; specifying the eligibility of charter schools; requiring that unencumbered funds revert to the sponsor under certain circumstances; providing applicability; amending s. 212.08, F.S.; providing a sales tax exemption for certain aircraft equipment used as part of certain governmental contracts; providing a use tax exemption for certain aircraft owned by non-

residents and used in service of certain governmental contracts; providing construction; providing a sales tax exemption for parts and accessories necessary for the continued operation of certain industrial machinery or equipment; creating s. 212.134, F.S.; specifying requirements for payment settlement entities, or their electronic payment facilitators or contracted third parties, in submitting information returns to the department; defining the term "payment settlement entity"; providing penalties; authorizing the department's executive director or his or her designee to waive penalties under certain circumstances; creating s. 212.181, F.S.; specifying requirements for counties and the department in updating certain databases and determining business addresses for sales tax purposes; specifying a requirement for certain counties imposing a tourist development tax; providing procedures and requirements for correcting certain misallocations of certain tax distributions; providing construction; authorizing the department to adopt rules; amending s. 212.20, F.S.; extending the period of distribution of sales tax proceeds to the professional golf hall of fame; creating s. 215.179, F.S.; prohibiting an owner of a public building or the owner's employee from seeking, accepting, or soliciting consideration for providing a certain allocation letter relating to energy efficient commercial building property; specifying a requirement for signing and returning the allocation letter; requiring certain persons to file an allocation request to the Department of Financial Services; providing construction; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing construction; defining terms; amending s. 213.21, F.S.; providing that the period for filing a claim for certain refunds is tolled during a period in which a taxpayer is engaged in certain informal conference procedures; amending s. 220.1105, F.S.; revising the definition of the term "final tax liability" for certain purposes; providing for retroactive application; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; creating s. 220.197, F.S.; defining the term "NAICS"; providing a credit against the corporate income tax, for a specified amount and for a specified taxable year, for taxpayers classified in the sales financing or passenger car rental or leasing industries which meet certain criteria; providing for retroactive operation; amending s. 288.106, F.S.; authorizing a qualified target industry business located in a county affected by Hurricane Michael to submit a request to the Department of Economic Opportunity for an economic recovery extension in lieu of a tax refund claim scheduled to be submitted during a specified timeframe; authorizing the Department of Economic Opportunity to waive certain requirements during a specified timeframe; requiring the Department of Economic Opportunity to state any waiver in writing; providing that certain businesses are eligible for a specified tax refund payment; defining the term "county affected by Hurricane Michael"; deleting obsolete provisions; deleting a provision relating to the future expiration of certification for the tax refund program for qualified target industry businesses; amending s. 288.1168, F.S.; extending the repeal date of provisions relating to the professional golf hall of fame facility; amending s. 319.32, F.S.; requiring a tax collector to determine additional service charges to be collected by privately owned license plate agents; requiring that such service charges be itemized and disclosed to the person paying the service charge; requiring the license plate agent to enter into a certain contract with the tax collector; amending s. 320.03, F.S.; specifying requirements for the Department of Highway Safety and Motor Vehicles relating to certain data access and interface functionality; requiring the Department of Highway Safety and Motor Vehicles, county tax collectors, and certain vendors to enter into certain memorandums of understanding; amending ss. 320.04 and 328.72, F.S.; requiring a tax collector to determine additional service charges to be collected by privately owned license plate agents; requiring that such service charges be itemized and disclosed to the person paying the service charge; requiring the license plate agent to enter into a certain contract with the tax collector; amending s. 328.73, F.S.; specifying requirements for the Department of Highway Safety and Motor Vehicles relating to certain data access and interface functionality; requiring the Department of Highway Safety and Motor Vehicles and certain vendors to enter into certain memorandums of understanding; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from the tax collection enforcement diversion program which must be distributed for specified purposes; amending s. 443.163, F.S.; specifying that Employers Quarterly Reports filed with the Department of Economic Opportunity by

certain employers must include any corrections; deleting an additional filing requirement for certain persons; revising penalties for employers failing to properly file the report or failing to properly remit contributions or reimbursements; revising criteria for requesting a waiver of a penalty with the tax collection service provider; amending s. 626.932, F.S.; decreasing the rate of the surplus lines tax; revising the applicable tax on certain surplus lines policies; requiring surplus lines agents to report certain information to the Florida Surplus Lines Service Office; amending s. 718.111, F.S.; revising a condominium association's authority as a party in certain tax suits; providing construction and applicability; amending s. 1013.64, F.S.; providing that educational facilities and sites funded solely through local impact fees are exempt from certain prohibited uses of funds; amending chapter 2018-6, L.O.F.; providing retroactive applicability of a certain amendment to the credit carryforward period under the Florida Tax Credit Scholarship Program; providing sales tax exemptions for certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; creating ss. 211.0252 and 212.1833, F.S.; providing credits against oil and gas production taxes and sales taxes payable by direct pay permit holders, respectively, under the Children's Promise Tax Credit; specifying requirements and procedures for, and limitations on, the credits; amending s. 220.02, F.S.; specifying the order in which the corporate income tax credit under the Children's Promise Tax Credit is applied; amending s. 220.13, F.S.; revising the definition of the term "adjusted federal income"; amending s. 220.186, F.S.; revising the calculation of the corporate income tax credit for the Florida alternative minimum tax; creating s. 220.1876, F.S.; providing a credit against the corporate income tax under the Children's Promise Tax Credit; specifying requirements and procedures for, and limitations on, the credit; creating s. 402.62, F.S.; creating the Children's Promise Tax Credit; defining terms; specifying requirements for the Department of Children and Families in designating eligible charitable organizations; specifying requirements for eligible charitable organizations receiving contributions; specifying duties of the Department of Children and Families; specifying a limitation on, and application procedures for, the tax credit; specifying requirements and procedures for, and restrictions on, the carryforward, conveyance, transfer, assignment, and rescindment of credits; specifying requirements and procedures for the department; providing construction; authorizing the department, the Department of Children and Families, and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to develop a cooperative agreement and adopt rules; authorizing certain interagency information-sharing; creating ss. 561.1212 and 624.51056, F.S.; providing credits against excise taxes on certain alcoholic beverages and the insurance premium tax, respectively, under the Children's Promise Tax Credit; specifying requirements and procedures for, and limitations on, the credits; authorizing the department to adopt emergency rules to implement provisions related to the Children's Promise Tax Credit; providing an appropriation; requiring the Florida Institute for Child Welfare to provide a specified report to the Governor and the Legislature by a specified date; providing an appropriation; providing a directive to the Division of Law Revision; authorizing the department to adopt emergency rules for certain purposes; providing effective dates.

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

Senator Stargel moved the following substitute amendment:

Substitute Amendment 2 (271678) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (5) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(b) Tax revenues received pursuant to this section by a county of less than 950,000 ~~750,000~~ population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

Section 2. Section 189.033, Florida Statutes, is amended to read:

189.033 Independent special district services in disproportionately affected county; rate reduction for providers providing economic benefits.—If the governing body of an independent special district that provides water, wastewater, and sanitation services in a disproportionately affected county, ~~as defined in s. 298.106(8)~~, determines that a new user or the expansion of an existing user of one or more of its utility systems will provide a significant benefit to the community in terms of increased job opportunities, economies of scale, or economic development in the area, the governing body may authorize a reduction of its rates, fees, or charges for that user for a specified period of time. A governing body that exercises this power must do so by resolution that states the anticipated economic benefit justifying the reduction as well as the period of time that the reduction will remain in place. *As used in this section, the term "disproportionally affected county" means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County.*

Section 3. Effective January 1, 2022, section 193.019, Florida Statutes, is created to read:

193.019 *Hospitals; community benefit reporting.*—

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

(a) *"Department" means the Department of Revenue.*

(b) *"Hospital" has the same meaning as in s. 196.012(8).*

(2) *By January 15 of each year, a county property appraiser shall calculate and submit to the department the tax reduction resulting from the property exemption for the prior year granted pursuant to s. 196.196 or s. 196.197 for each property owned by a hospital.*

(3) *By January 15 of each year, a hospital shall submit to the department its most recently filed Internal Revenue Service Form 990, Schedule H. The hospital shall also submit a document showing the attribution of the net community benefit expense shown in Form 990 to services and activities performed within the state.*

(4) *The department must determine whether the net community benefit expense attributed to a hospital's property located in the state equals or exceeds the tax reductions resulting from the exemptions described in subsection (2).*

(5) *If the department determines that the net community benefit expense does not equal or exceed the tax reductions resulting from the exemptions described in subsection (2), the department shall notify the respective property appraiser by March 15 to reduce the exemption for the current year proportionately so that it equals the ratio of the tax reductions to the net community benefit expense.*

(6) *The department shall publish the data collected pursuant to this section for each hospital from a county property appraiser, including the net community benefit expense reported in the Internal Revenue Service Form 990, Schedule H.*

(7) *The department shall adopt a form by rule to administer this section.*

Section 4. Section 193.1557, Florida Statutes, is created to read:

193.1557 *Assessment of certain property damaged or destroyed by Hurricane Michael.*—For property damaged or destroyed by Hurricane Michael in 2018, s. 193.155(4)(b), s. 193.1554(6)(b), or s. 193.1555(6)(b) applies to changes, additions, or improvements commenced within 5

years after January 1, 2019. This section applies to the 2019-2023 tax rolls and shall stand repealed on December 31, 2023.

Section 5. Subsection (1) of section 194.035, Florida Statutes, is amended to read:

194.035 Special magistrates; property evaluators.—

(1) In counties having a population of more than 75,000, the board shall appoint special magistrates for the purpose of taking testimony and making recommendations to the board, which recommendations the board may act upon without further hearing. These special magistrates may not be elected or appointed officials or employees of the county but shall be selected from a list of those qualified individuals who are willing to serve as special magistrates. Employees and elected or appointed officials of a taxing jurisdiction or of the state may not serve as special magistrates. The clerk of the board shall annually notify such individuals or their professional associations to make known to them that opportunities to serve as special magistrates exist. The Department of Revenue shall provide a list of qualified special magistrates to any county with a population of 75,000 or less. Subject to appropriation, the department shall reimburse counties with a population of 75,000 or less for payments made to special magistrates appointed for the purpose of taking testimony and making recommendations to the value adjustment board pursuant to this section. The department shall establish a reasonable range for payments per case to special magistrates based on such payments in other counties. Requests for reimbursement of payments outside this range shall be justified by the county. If the total of all requests for reimbursement in any year exceeds the amount available pursuant to this section, payments to all counties shall be prorated accordingly. If a county having a population less than 75,000 does not appoint a special magistrate to hear each petition, the person or persons designated to hear petitions before the value adjustment board or the attorney appointed to advise the value adjustment board shall attend the training provided pursuant to subsection (3), regardless of whether the person would otherwise be required to attend, but shall not be required to pay the tuition fee specified in subsection (3). A special magistrate appointed to hear issues of exemptions, classifications, and determinations that a change of ownership, a change of ownership or control, or a qualifying improvement has occurred shall be a member of The Florida Bar with no less than 5 years' experience in the area of ad valorem taxation. A special magistrate appointed to hear issues regarding the valuation of real estate shall be a state certified real estate appraiser with not less than 5 years' experience in real property valuation. A special magistrate appointed to hear issues regarding the valuation of tangible personal property shall be a designated member of a nationally recognized appraiser's organization with not less than 5 years' experience in tangible personal property valuation. A special magistrate need not be a resident of the county in which he or she serves. A special magistrate may not represent a person before the board in any tax year during which he or she has served that board as a special magistrate. *An appraisal may not be submitted as evidence to a value adjustment board in any year that the person who performed the appraisal serves as a special magistrate to that value adjustment board.* Before appointing a special magistrate, a value adjustment board shall verify the special magistrate's qualifications. The value adjustment board shall ensure that the selection of special magistrates is based solely upon the experience and qualifications of the special magistrate and is not influenced by the property appraiser. The special magistrate shall accurately and completely preserve all testimony and, in making recommendations to the value adjustment board, shall include proposed findings of fact, conclusions of law, and reasons for upholding or overturning the determination of the property appraiser. The expense of hearings before magistrates and any compensation of special magistrates shall be borne three-fifths by the board of county commissioners and two-fifths by the school board. When appointing special magistrates or when scheduling special magistrates for specific hearings, the board, the board attorney, and the board clerk may not consider the dollar amount or percentage of any assessment reductions recommended by any special magistrate in the current year or in any previous year.

Section 6. Paragraphs (a) and (b) of subsection (1) of section 195.073, Florida Statutes, are amended to read:

195.073 Classification of property.—All items required by law to be on the assessment rolls must receive a classification based upon the use of the property. The department shall promulgate uniform definitions

for all classifications. The department may designate other subclassifications of property. No assessment roll may be approved by the department which does not show proper classifications.

(1) Real property must be classified according to the assessment basis of the land into the following classes:

(a) Residential, subclassified into categories, one category for homestead property and one for nonhomestead property:

1. Single family.
2. Mobile homes.
3. Multifamily, up to nine units.
4. Condominiums.
5. Cooperatives.
6. Retirement homes.

(b) Commercial and industrial, including apartments with more than nine units.

Section 7. Subsection (2) and paragraph (a) of subsection (3) of section 195.096, Florida Statutes, are amended to read:

195.096 Review of assessment rolls.—

(2) The department shall conduct, no less frequently than once every 2 years, an in-depth review of the *real property* assessment roll rolls of each county. The department need not individually study every use-class of property set forth in s. 195.073, but shall at a minimum study the level of assessment in relation to just value of each classification specified in subsection (3). Such in-depth review may include proceedings of the value adjustment board and the audit or review of procedures used by the counties to appraise property.

(a) The department shall, at least 30 days prior to the beginning of an in-depth review in any county, notify the property appraiser in the county of the pending review. At the request of the property appraiser, the department shall consult with the property appraiser regarding the classifications and strata to be studied, in order that the review will be useful to the property appraiser in evaluating his or her procedures.

(b) Every property appraiser whose upcoming roll is subject to an in-depth review shall, if requested by the department on or before January 1, deliver upon completion of the assessment roll a list of the parcel numbers of all parcels that did not appear on the assessment roll of the previous year, indicating the parcel number of the parent parcel from which each new parcel was created or "cut out."

(c) In conducting assessment ratio studies, the department must use all practicable steps, including stratified statistical and analytical reviews and sale-qualification studies, to maximize the representativeness or statistical reliability of samples of properties in tests of each classification, stratum, or roll made the subject of a ratio study published by it. The department shall document and retain records of the measures of representativeness of the properties studied in compliance with this section. Such documentation must include a record of findings used as the basis for the approval or disapproval of the tax roll in each county pursuant to s. 193.1142. In addition, to the greatest extent practicable, the department shall study assessment roll strata by subclassifications such as value groups and market areas for each classification or stratum to be studied, to maximize the representativeness of ratio study samples. For purposes of this section, the department shall rely primarily on an assessment-to-sales-ratio study in conducting assessment ratio studies in those classifications of property specified in subsection (3) for which there are adequate market sales. The department shall compute the median and the value-weighted mean for each classification or subclassification studied and for the roll as a whole.

(d) In the conduct of these reviews, the department shall adhere to all standards to which the property appraisers are required to adhere.

(e) The department and each property appraiser shall cooperate in the conduct of these reviews, and each shall make available to the other all matters and records bearing on the preparation and computation of

the reviews. The property appraisers shall provide any and all data requested by the department in the conduct of the studies, including electronic data processing tapes. Any and all data and samples developed or obtained by the department in the conduct of the studies shall be confidential and exempt from the provisions of s. 119.07(1) until a presentation of the findings of the study is made to the property appraiser. After the presentation of the findings, the department shall provide any and all data requested by a property appraiser developed or obtained in the conduct of the studies, including tapes. Direct reimbursable costs of providing the data shall be borne by the party who requested it. Copies of existing data or records, whether maintained or required pursuant to law or rule, or data or records otherwise maintained, shall be submitted within 30 days from the date requested, in the case of written or printed information, and within 14 days from the date requested, in the case of computerized information.

(f) Within 120 days after receipt of a county assessment roll by the executive director of the department pursuant to s. 193.1142(1), or within 10 days after approval of the assessment roll, whichever is later, the department shall complete the review for that county and publish the department's findings. The findings must include ~~a statement of the confidence interval for the median and such other~~ measures as may be appropriate for each classification or subclassification studied ~~and for the roll as a whole~~, and related statistical and analytical details. The measures in the findings must be based on:

1. A 95-percent level of confidence; or
2. Ratio study standards that are generally accepted by professional appraisal organizations in developing a statistically valid sampling plan if a 95-percent level of confidence is not attainable.

(g) Notwithstanding any other provision of this chapter, in one or more assessment years following a natural disaster in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if the department determines that the natural disaster creates difficulties in its statistical and analytical reviews of the assessment rolls in affected counties, the department shall take all practicable steps to maximize the representativeness and reliability of its statistical and analytical reviews and may use the best information available to estimate the levels of assessment. This paragraph first applies to the 2019 assessment roll and operates retroactively to January 1, 2019.

(3)(a) Upon completion of review pursuant to paragraph (2)(f), the department shall publish the results of reviews conducted under this section. The results must include all statistical and analytical measures computed under this section for the real property assessment roll ~~as a whole, the personal property assessment roll as a whole~~, and independently for the following real property classes if the classes constituted 5 percent or more of the total assessed value of real property in a county on the previous tax roll:

1. Residential property that consists of one primary living unit, including, but not limited to, single-family residences, condominiums, cooperatives, and mobile homes.
2. Residential property that consists of two *to nine* ~~or more~~ primary living units.
3. Agricultural, high-water recharge, historic property used for commercial or certain nonprofit purposes, and other use-valued property.
4. Vacant lots.
5. Nonagricultural acreage and other undeveloped parcels.
6. Improved commercial and industrial property, *including apartments with more than nine units*.
7. Taxable institutional or governmental, utility, locally assessed railroad, oil, gas and mineral land, subsurface rights, and other real property.

If one of the above classes constituted less than 5 percent of the total assessed value of all real property in a county on the previous assessment roll, the department may combine it with one or more other classes of real property for purposes of assessment ratio studies or use

the weighted average of the other classes for purposes of calculating the level of assessment for all real property in a county. The department shall also publish such results for any subclassifications of the classes or assessment rolls it may have chosen to study.

Section 8. Effective upon this act becoming a law, subsection (2) of section 196.173, Florida Statutes, is amended to read:

196.173 Exemption for deployed servicemembers.—

(2) The exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of any of the following military operations:

- (a) Operation Joint Task Force Bravo, which began in 1995.
- (b) Operation Joint Guardian, which began on June 12, 1999.
- (c) Operation Noble Eagle, which began on September 15, 2001.
- ~~(d) Operation Enduring Freedom, which began on October 7, 2001, and ended on December 31, 2014.~~
- ~~(d)(e)~~ Operations in the Balkans, which began in 2004.
- ~~(e)(f)~~ Operation Nomad Shadow, which began in 2007.
- ~~(f)(g)~~ Operation U.S. Airstrikes Al Qaeda in Somalia, which began in January 2007.
- ~~(g)(h)~~ Operation Copper Dune, which began in 2009.
- ~~(h)(i)~~ Operation Georgia Deployment Program, which began in August 2009.
- ~~(i)(j)~~ Operation Spartan Shield, which began in June 2011.
- ~~(j)(k)~~ Operation Observant Compass, which began in October 2011.
- ~~(k)(l)~~ Operation Inherent Resolve, which began on August 8, 2014.
- ~~(l)(m)~~ Operation Atlantic Resolve, which began in April 2014.
- ~~(m)(n)~~ Operation Freedom's Sentinel, which began on January 1, 2015.
- ~~(n)(o)~~ Operation Resolute Support, which began in January 2015.
- ~~(o)~~ Operation Juniper Shield, which began in February 2007.
- ~~(p)~~ Operation Pacific Eagle, which began in September 2017.
- ~~(q)~~ Operation Martillo, which began in January 2012.

The Department of Revenue shall notify all property appraisers and tax collectors in this state of the designated military operations.

Section 9. *The amendment made by this act to s. 196.173(2), Florida Statutes, first applies to the 2020 ad valorem tax roll.*

Section 10. *Application deadline for additional ad valorem tax exemption for specified deployments.—*

(1) *Notwithstanding the filing deadlines contained in s. 196.173(6), Florida Statutes, the deadline for an applicant to file an application with the property appraiser for an additional ad valorem tax exemption under s. 196.173, Florida Statutes, for the 2020 tax roll is June 1, 2020.*

(2) *If an application is not timely filed under subsection (1), a property appraiser may grant the exemption if:*

- (a) *The applicant files an application for the exemption on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes;*
- (b) *The applicant is qualified for the exemption; and*
- (c) *The applicant produces sufficient evidence, as determined by the property appraiser, which demonstrates that the applicant was unable to*

apply for the exemption in a timely manner or otherwise demonstrates extenuating circumstances that warrant granting the exemption.

(3) If the property appraiser denies an application under subsection (2), the applicant may file, pursuant to s. 194.011(3), Florida Statutes, a petition with the value adjustment board which requests that the exemption be granted. Such petition must be filed on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes. Notwithstanding s. 194.013, Florida Statutes, the eligible servicemember is not required to pay a filing fee for such petition. Upon reviewing the petition, the value adjustment board may grant the exemption if the applicant is qualified for the exemption and demonstrates extenuating circumstances, as determined by the board, which warrant granting the exemption.

(4) This section shall take effect upon this act becoming a law and applies to the 2020 ad valorem tax roll.

Section 11. Effective upon becoming a law and operating retroactively to January 1, 2020, subsection (1) of section 196.1978, Florida Statutes, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection ~~section~~ must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. *Units that are vacant shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.*

Section 12. Effective January 1, 2021, subsection (1) of section 196.1978, Florida Statutes, as amended by this act, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. *If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited*

liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

Section 13. Effective upon this act becoming a law, paragraphs (b), (d), (e), and (f) of subsection (2) of section 200.065, Florida Statutes, are amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(b) Within 35 days of certification of value pursuant to subsection (1), each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate computed pursuant to subsection (1), and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. The property appraiser shall utilize this information in preparing the notice of proposed property taxes pursuant to s. 200.069. The deadline for mailing the notice shall be the later of 55 days after certification of value pursuant to subsection (1) or 10 days after either the date the tax roll is approved or the interim roll procedures under s. 193.1145 are instituted. *However, for counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if mailing is not possible during the state of emergency, the property appraiser may post the notice on the county's website. If the deadline for mailing the notice of proposed property taxes is 10 days after the date the tax roll is approved or the interim roll procedures are instituted, all subsequent deadlines provided in this section shall be extended. In addition, the deadline for mailing the notice may be extended for 30 days in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, and property appraisers may use alternate methods of distribution only when mailing the notice is not possible. In such event, however, property appraisers must work with county tax collectors to ensure the timely assessment and collection of taxes. The number of days by which the deadlines shall be extended shall equal the number of days by which the deadline for mailing the notice of proposed taxes is extended beyond 55 days after certification. If any taxing authority fails to provide the information required in this paragraph to the property appraiser in a timely fashion, the taxing authority shall be prohibited from levying a millage rate greater than the rolled-back rate computed pursuant to subsection (1) for the upcoming fiscal year, which rate shall be computed by the property appraiser and used in preparing the notice of proposed property taxes. Each multicounty taxing authority that levies taxes in any county that has extended the deadline for mailing the notice due to a declared state of emergency and that has noticed hearings in other counties must advertise the hearing at which it intends to adopt a tentative budget and millage rate in a newspaper of general paid circulation within each county not less than 2 days or more than 5 days before the hearing.*

(d) Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county as provided in subsection (3), its intent to finally adopt a millage rate and budget. A public hearing to finalize the budget and adopt a millage rate shall be held not less than 2 days nor more than 5 days after the day that the advertisement is first published. *In the event of a need to postpone or recess the final meeting due to a declared state of emergency, the taxing authority may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The taxing authority shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the taxing authority's website. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget,*

and adopt a resolution or ordinance stating the millage rate to be levied. The resolution or ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate computed pursuant to subsection (1), which shall be characterized as the percentage increase in property taxes adopted by the governing body. The adoption of the budget and the millage-levy resolution or ordinance shall be by separate votes. For each taxing authority levying millage, the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate to be levied shall be publicly announced ~~before~~ ~~prior to~~ the adoption of the millage-levy resolution or ordinance. In no event may the millage rate adopted pursuant to this paragraph exceed the millage rate tentatively adopted pursuant to paragraph (c). If the rate tentatively adopted pursuant to paragraph (c) exceeds the proposed rate provided to the property appraiser pursuant to paragraph (b), or as subsequently adjusted pursuant to subsection (11), each taxpayer within the jurisdiction of the taxing authority shall be sent notice by first-class mail of his or her taxes under the tentatively adopted millage rate and his or her taxes under the previously proposed rate. The notice must be prepared by the property appraiser, at the expense of the taxing authority, and must generally conform to the requirements of s. 200.069. If such additional notice is necessary, its mailing must precede the hearing held pursuant to this paragraph by not less than 10 days and not more than 15 days.

(e)1. In the hearings required pursuant to paragraphs (c) and (d), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions ~~before~~ ~~prior to~~ adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate ~~before~~ ~~prior to~~ adopting its tentative or final budget.

2. These hearings shall be held after 5 p.m. if scheduled on a day other than Saturday. No hearing shall be held on a Sunday. The county commission shall not schedule its hearings on days scheduled for hearings by the school board. The hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings. *However, in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252 and the re-scheduling of hearings on the same day is unavoidable, the county commission and school board must conduct their hearings at different times, and other taxing authorities must schedule their hearings so as not to conflict with the times of the county commission and school board hearings.* A multicounty taxing authority shall make every reasonable effort to avoid scheduling hearings on days utilized by the counties or school districts within its jurisdiction. Tax levies and budgets for dependent special taxing districts shall be adopted at the hearings for the taxing authority to which such districts are dependent, following such discussion and adoption of levies and budgets for the superior taxing authority. A taxing authority may adopt the tax levies for all of its dependent special taxing districts, and may adopt the budgets for all of its dependent special taxing districts, by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a dependent special taxing district be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately. If, due to circumstances beyond the control of the taxing authority, *including a state of emergency declared by executive order or proclamation of the Governor pursuant to chapter 252*, the hearing provided for in paragraph (c) or paragraph (d) is recessed or postponed, the taxing authority shall publish a notice in a newspaper of general paid circulation in the county. The notice shall state the time and place for the continuation of the hearing and shall be published at least 2 days but not more than 5 days ~~before~~ ~~prior to~~ the date the hearing will be continued. *In the event of postponement or recess due to a declared state of emergency, all subsequent dates in this section shall be extended by the number of days of the postponement or recess. Notice of the postponement or recess must be in writing by the affected taxing authority to the tax collector, the property appraiser, and the Department of Revenue within 3 calendar days after the postponement or recess. In the event of such extension, the affected taxing authority must work with the county tax collector and property appraiser to ensure timely assessment and collection of taxes.*

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget in a newspaper of general circulation pursuant to subsection (3) within 29 days of certification of value pursuant to subsection (1). Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). *In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website.*

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 14. Section 200.069, Florida Statutes, is amended to read:

200.069 Notice of proposed property taxes and non-ad valorem assessments.—Pursuant to s. 200.065(2)(b), the property appraiser, in the name of the taxing authorities and local governing boards levying non-ad valorem assessments within his or her jurisdiction and at the expense of the county, shall prepare and deliver by first-class mail to each taxpayer to be listed on the current year's assessment roll a notice of proposed property taxes, which notice shall contain the elements and use the format provided in the following form. Notwithstanding the provisions of s. 195.022, no county officer shall use a form other than that provided herein. The Department of Revenue may adjust the spacing and placement on the form of the elements listed in this section as it considers necessary based on changes in conditions necessitated by various taxing authorities. If the elements are in the order listed, the placement of the listed columns may be varied at the discretion and expense of the property appraiser, and the property appraiser may use printing technology and devices to complete the form, the spacing, and the placement of the information in the columns. *In addition, the property appraiser may not include in the mailing of the notice of ad valorem taxes and non-ad valorem assessments additional information or items unless such information or items explain a component of the notice or provide information directly related to the assessment and taxation of the property.* A county officer may use a form other than that provided by the department for purposes of this part, but only if his or her office pays the related expenses and he or she obtains prior written permission from the executive director of the department; however, a county officer may not use a form the substantive content of which is at variance with the form prescribed by the department. The county officer may continue to use such an approved form until the law that specifies the form is amended or repealed or until the officer receives written disapproval from the executive director.

(1) The first page of the notice shall read:

NOTICE OF PROPOSED PROPERTY TAXES
DO NOT PAY—THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

(2)(a) The notice shall include a brief legal description of the property, the name and mailing address of the owner of record, and the tax information applicable to the specific parcel in question. The information shall be in columnar form. There shall be seven column headings which shall read: "Taxing Authority," "Your Property Taxes Last Year," "Last Year's Adjusted Tax Rate (Millage)," "Your Taxes This Year IF NO Budget Change Is Adopted," "Tax Rate This Year IF PROPOSED Budget Is Adopted (Millage)," "Your Taxes This Year IF PROPOSED Budget Change Is Adopted," and "A Public Hearing on the Proposed Taxes and Budget Will Be Held."

(b) As used in this section, the term "last year's adjusted tax rate" means the rolled-back rate calculated pursuant to s. 200.065(1).

(3) There shall be under each column heading an entry for the county; the school district levy required pursuant to s. 1011.60(6); other operating school levies; the municipality or municipal service taxing unit or units in which the parcel lies, if any; the water management district levying pursuant to s. 373.503; the independent special districts in which the parcel lies, if any; and for all voted levies for debt service applicable to the parcel, if any.

(4) For each entry listed in subsection (3), there shall appear on the notice the following:

(a) In the first column, a brief, commonly used name for the taxing authority or its governing body. The entry in the first column for the levy required pursuant to s. 1011.60(6) shall be "By State Law." The entry for other operating school district levies shall be "By Local Board." Both school levy entries shall be indented and preceded by the notation "Public Schools:". For each voted levy for debt service, the entry shall be "Voter Approved Debt Payments."

(b) In the second column, the gross amount of ad valorem taxes levied against the parcel in the previous year. If the parcel did not exist in the previous year, the second column shall be blank.

(c) In the third column, last year's adjusted tax rate or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(d) In the fourth column, the gross amount of ad valorem taxes which will apply to the parcel in the current year if each taxing authority levies last year's adjusted tax rate or, in the case of voted levies for debt service, the amount previously authorized by referendum.

(e) In the fifth column, the tax rate that each taxing authority must levy against the parcel to fund the proposed budget or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(f) In the sixth column, the gross amount of ad valorem taxes that must be levied in the current year if the proposed budget is adopted.

(g) In the seventh column, the date, the time, and a brief description of the location of the public hearing required pursuant to s. 200.065(2)(c).

(5) Following the entries for each taxing authority, a final entry shall show: in the first column, the words "Total Property Taxes:" and in the second, fourth, and sixth columns, the sum of the entries for each of the individual taxing authorities. The second, fourth, and sixth columns shall, immediately below said entries, be labeled Column 1, Column 2, and Column 3, respectively. Below these labels shall appear, in bold-faced type, the statement: SEE REVERSE SIDE FOR EXPLANATION.

(6)(a) The second page of the notice shall state the parcel's market value and for each taxing authority that levies an ad valorem tax against the parcel:

1. The assessed value, value of exemptions, and taxable value for the previous year and the current year.

2. Each assessment reduction and exemption applicable to the property, including the value of the assessment reduction or exemption and tax levies to which they apply.

(b) The reverse side of the second page shall contain definitions and explanations for the values included on the front side.

(7) The following statement shall appear after the values listed on the front of the second page:

If you feel that the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected above, contact your county property appraiser at _____ (phone number) or _____ (location).

If the property appraiser's office is unable to resolve the matter as to market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the county property appraiser and must be filed ON OR BEFORE _____ (date).

(8) The reverse side of the first page of the form shall read:

EXPLANATION

*COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"

This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

*COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"

This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

*COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"

This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on the front side of this notice. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

*Note: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

(9) The bottom portion of the notice shall further read in bold, conspicuous print:

"Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district."

(10)(a) If requested by the local governing board levying non-ad valorem assessments and agreed to by the property appraiser, the notice specified in this section may contain a notice of proposed or adopted non-ad valorem assessments. If so agreed, the notice shall be titled:

NOTICE OF PROPOSED PROPERTY TAXES AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS DO NOT PAY—THIS IS NOT A BILL

There must be a clear partition between the notice of proposed property taxes and the notice of proposed or adopted non-ad valorem assessments. The partition must be a bold, horizontal line approximately 1/8-inch thick. By rule, the department shall provide a format for the form of the notice of proposed or adopted non-ad valorem assessments which meets the following minimum requirements:

1. There must be subheading for columns listing the levying local governing board, with corresponding assessment rates expressed in dollars and cents per unit of assessment, and the associated assessment amount.

2. The purpose of each assessment must also be listed in the column listing the levying local governing board if the purpose is not clearly indicated by the name of the board.

3. Each non-ad valorem assessment for each levying local governing board must be listed separately.

4. If a county has too many municipal service benefit units or assessments to be listed separately, it shall combine them by function.

5. A brief statement outlining the responsibility of the tax collector and each levying local governing board as to any non-ad valorem assessment must be provided on the form, accompanied by directions as to which office to contact for particular questions or problems.

(b) If the notice includes all adopted non-ad valorem assessments, the provisions contained in subsection (9) shall not be placed on the notice.

Section 15. Effective January 1, 2021, paragraphs (a) and (b) of subsection (1) of section 202.12, Florida Statutes, are amended to read:

202.12 Sales of communications services.—The Legislature finds that every person who engages in the business of selling communications services at retail in this state is exercising a taxable privilege. It is the intent of the Legislature that the tax imposed by chapter 203 be administered as provided in this chapter.

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

(a) Except as otherwise provided in this subsection, at the rate of 4.42 ~~4.92~~ percent applied to the sales price of the communications service that:

1. Originates and terminates in this state, or
2. Originates or terminates in this state and is charged to a service address in this state,

when sold at retail, computed on each taxable sale for the purpose of remitting the tax due. The gross receipts tax imposed by chapter 203 shall be collected on the same taxable transactions and remitted with the tax imposed by this paragraph. If no tax is imposed by this paragraph due to the exemption provided under s. 202.125(1), the tax imposed by chapter 203 shall nevertheless be collected and remitted in the manner and at the time prescribed for tax collections and remittances under this chapter.

(b) At the rate of 8.57 ~~9.07~~ percent applied to the retail sales price of any direct-to-home satellite service received in this state. The proceeds of the tax imposed under this paragraph shall be accounted for and distributed in accordance with s. 202.18(2). The gross receipts tax imposed by chapter 203 shall be collected on the same taxable transactions and remitted with the tax imposed by this paragraph.

Section 16. Effective January 1, 2021, section 202.12001, Florida Statutes, is amended to read:

202.12001 Combined rate for tax collected pursuant to ss. 202.12(1)(a) and 203.01(1)(b).—In complying with ss. 1-3, ch. 2010-149, Laws of Florida, the dealer of communication services may collect a combined rate of 4.57 ~~5.07~~ percent, composed of the 4.42 ~~4.92~~ percent and 0.15 percent rates required by ss. 202.12(1)(a) and 203.01(1)(b)3., respectively, if the provider properly reflects the tax collected with respect to the two provisions as required in the return to the department.

Section 17. Effective January 1, 2021, section 203.001, Florida Statutes, is amended to read:

203.001 Combined rate for tax collected pursuant to ss. 202.12(1)(a) and 203.01(1)(b).—In complying with ss. 1-3, ch. 2010-149, Laws of Florida, the dealer of communication services may collect a combined rate of 4.57 ~~5.07~~ percent, composed of the 4.42 ~~4.92~~ percent and 0.15 percent rates required by ss. 202.12(1)(a) and 203.01(1)(b)3., respectively, if the provider properly reflects the tax collected with respect to the two provisions as required in the return to the Department of Revenue.

Section 18. Subsection (1) of section 206.05, Florida Statutes, is amended to read:

206.05 Bond required of licensed terminal supplier, importer, exporter, or wholesaler.—

(1) Each terminal supplier, importer, exporter, or wholesaler, except a municipality, county, school board, state agency, federal agency, or special district which is licensed under this part, shall file with the department a bond in a penal sum of not more than \$300,000 ~~\$100,000~~, such sum to be approximately 3 times the combined average monthly tax levied under this part and local option tax on motor fuel paid or due during the preceding 12 calendar months under the laws of this state. An exporter shall file a bond in an amount equal to 3 times the average monthly tax due on gallons acquired for export. The bond shall be in such form as may be approved by the department, executed by a surety company duly licensed to do business under the laws of the state as surety thereon, and conditioned upon the prompt filing of true reports and the payment to the department of any and all fuel taxes levied under this chapter including local option taxes which are now or which hereafter may be levied or imposed, together with any and all penalties and interest thereon, and generally upon faithful compliance with the provisions of the fuel tax and local option tax laws of the state. The licensee shall be the principal obligor, and the state shall be the obligee. An assigned time deposit or irrevocable letter of credit may be accepted in lieu of a surety bond.

Section 19. Subsection (6) of section 206.8741, Florida Statutes, is amended to read:

206.8741 Dyeing and marking; notice requirements.—

(6) Any person who fails to provide or post the required notice with respect to any dyed diesel fuel is subject to a penalty of \$2,500 for each month such failure occurs ~~the penalty imposed by s. 206.872(11)~~.

Section 20. Subsection (1) section 206.90, Florida Statutes, is amended to read:

206.90 Bond required of terminal suppliers, importers, and wholesalers.—

(1) Every terminal supplier, importer, or wholesaler, except a municipality, county, state agency, federal agency, school board, or special district, shall file with the department a bond or bonds in the penal sum of not more than \$300,000 ~~\$100,000~~. The sum of such bond shall be approximately 3 times the average monthly diesel fuels tax and local option tax on diesel fuels paid or due during the preceding 12 calendar months, with a surety approved by the department. The licensee shall be the principal obligor and the state shall be the obligee, conditioned upon the faithful compliance with the provisions of this chapter, including the local option tax laws. If the sum of 3 times a licensee's average monthly tax is less than \$50, no bond shall be required.

Section 21. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

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

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

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized

publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within ~~90~~ ~~30~~ days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within ~~90~~ ~~30~~ days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within ~~30~~ ~~10~~ days *after* ~~of~~ removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hanging from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within ~~30~~ ~~5~~ days *after* ~~of~~ the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost \$425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

Section 22. Subsection (6) of section 212.055, Florida Statutes, is amended, and paragraph (f) is added to subsection (1) of that section, to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(f) Any discretionary sales surtax levied under this subsection pursuant to a referendum held on or after July 1, 2020, may not be levied for more than 30 years.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—

(a) The school board in each county may levy, pursuant to resolution conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum, a discretionary sales surtax at a rate that may not exceed 0.5 percent.

(b) The resolution ~~shall~~ include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. *The resolution must include a statement that the revenues collected must be shared with eligible charter schools based on their proportionate share of the total school district enrollment.* The statement ~~must shall~~ conform to the requirements of s. 101.161 and shall be placed on the ballot by the governing body of the county. The following question shall be placed on the ballot:

....FOR THECENTS TAX
....AGAINST THECENTS TAX

(c) The resolution providing for the imposition of the surtax ~~shall~~ set forth a plan for use of the surtax proceeds for fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of 5 or more years, and any land acquisition, land improvement, design, and engineering costs related thereto. Additionally, the plan shall include the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district. Surtax revenues may be used to ~~service for the purpose of servicing~~ bond indebtedness to finance projects authorized by this subsection, and any interest accrued thereto may be held in trust to finance such projects. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses. *Surtax revenues shared with charter schools shall be expended by the charter school in a manner consistent with the allowable uses set forth in s. 1013.62(4). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement pursuant to s. 1002.33(9). The eligibility of a charter school to receive funds under this subsection shall be determined in accordance with s. 1013.62(1). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this subsection shall revert to the sponsor.*

(d) Surtax revenues collected by the Department of Revenue pursuant to this subsection shall be distributed to the school board imposing the surtax in accordance with law.

Section 23. *The amendment made by this act to s. 212.055(6), Florida Statutes, which amends the allowable uses of the school capital outlay surtax, applies to levies authorized by vote of the electors on or after July 1, 2020.*

Section 24. Effective January 1, 2021, section 212.134, Florida Statutes, is created to read:

212.134 Information returns relating to payment-card and third-party network transactions.—

(1) For each year in which a payment settlement entity, an electronic payment facilitator, or other third party contracted with the payment settlement entity to make payments to settle reportable payment transactions on behalf of the payment settlement entity must file a return pursuant to s. 6050W of the Internal Revenue Code, the entity, the facilitator, or the third party must submit the information in the return to the department by the 30th day after filing the federal return. The format of the information returns required must be either a copy of such information returns or a copy of such information returns related to participating payees with an address in the state. For purposes of this subsection, the term "payment settlement entity" has the same meaning as provided in s. 6050W of the Internal Revenue Code.

(2) All reports submitted to the department under this section must be in an electronic format.

(3) Any payment settlement entity, facilitator, or third party failing to file the information return required, filing an incomplete information return, or not filing an information return within the time prescribed is subject to a penalty of \$1,000 for each failure, if the failure is for not more than 30 days, with an additional \$1,000 for each month or fraction of a month during which each failure continues. The total amount of penalty imposed on a reporting entity may not exceed \$10,000 annually.

(4) The executive director or his or her designee may waive the penalty if he or she determines that the failure to timely file an information return was due to reasonable cause and not due to willful negligence, willful neglect, or fraud.

Section 25. Section 212.181, Florida Statutes, is created to read:

212.181 Determination of business address situs, distributions, and adjustments.—

(1) For each certificate of registration issued pursuant to s. 212.18(3)(b), the department shall assign the place of business to a county based on the location address provided at the time of registration or at the time the dealer notifies the department of a change in a business location address.

(2)(a) Each county that furnishes to the department information needed to update the electronic database created and maintained pursuant to s. 202.22(2)(a), including addresses of new developments, changes in addresses, annexations, incorporations, reorganizations, and any other changes in jurisdictional boundaries within the county, must specify an effective date, which must be the next ensuing January 1 or July 1, and must be furnished to the department at least 120 days before the effective date. A county that provides notification to the department at least 120 days before the effective date that it has reviewed the database and has no changes for the ensuing January 1 or July 1 satisfies the requirement of this paragraph.

(b) A county that imposes a tourist development tax in a subcounty special district pursuant to s. 125.0104(3)(b) must identify the subcounty special district addresses to which the tourist development tax applies as part of the address information submission required under paragraph (a). This paragraph does not apply to counties that self-administer the tax pursuant to s. 125.0104(10).

(c) The department shall update the electronic database created and maintained under s. 202.22(2)(a) using the information furnished by local taxing jurisdictions under paragraph (a) and shall ensure each business location is correctly assigned to the applicable county pursuant to subsection (1). Each update must specify the effective date as the next ensuing January 1 or July 1 and must be posted by the department on a website not less than 90 days before the effective date.

(3)(a) For distributions made pursuant to ss. 125.0104, 212.20(6)(a), (b), and (d)2., misallocations occurring solely due to the assignment of an address to an incorrect county will be corrected prospectively only from the date the department is made aware of the misallocation, subject to the following:

1. If the county that should have received the misallocated distributions followed the notification and timing provisions in subsection (2) for the affected periods, such misallocations may be adjusted by

prorating current and future distributions for the period the misallocation occurred, not to exceed 36 months from the date the department is made aware of the misallocation.

2. If the county that received the misallocated distribution followed the notification and timing provisions in subsection (2) for the affected periods and the county that should have received the misallocation did not, the correction shall apply only prospectively from the date the department is made aware of the misallocation.

(b) Nothing in this subsection prevents affected counties from determining an alternative method of adjustment pursuant to an interlocal agreement. Affected counties with an interlocal agreement must provide a copy of the interlocal agreement specifying an alternative method of adjustment to the department within 90 days after the date of the department's notice of the misallocation.

(4) The department may adopt rules to administer this section, including rules establishing procedures and forms.

Section 26. Section 215.179, Florida Statutes, is created to read:

215.179 *Solicitation of payment.*—An owner of a public building or the owner's employee may not seek, accept, or solicit any payment or other form of consideration for providing the written allocation letter described in s. 179D(d)(4) of the Internal Revenue Code and Internal Revenue Service (IRS) Notice 2008-40. An allocation letter must be signed and returned to the architect, engineer, or contractor within 15 days after written request. The architect, engineer, or contractor shall file the allocation request with the Department of Financial Services. This section is effective until the Internal Revenue Service supersedes s. 3 of IRS Notice 2008-40 and materially modifies the allocation process therein.

Section 27. Section 213.0537, Florida Statutes, is created to read:

213.0537 *Electronic notification with affirmative consent.*—

(1) Notwithstanding any other provision of law, the Department of Revenue may send notices electronically, by postal mail, or both. Electronic transmission may be used only with the affirmative consent of the taxpayer or its representative. Documents sent pursuant to this section comply with the same timing and form requirements as documents sent by postal mail. If a document sent electronically is returned as undeliverable, the department must resend the document by postal mail. However, the original electronic transmission used with the affirmative consent of the taxpayer or its representative is the official mailing for purposes of this chapter.

(2) A notice sent electronically will be considered to have been received by the recipient if the transmission is addressed to the address provided by the taxpayer or its representative. A notice sent electronically will be considered received even if no individual is aware of its receipt. In addition, a notice sent electronically shall be considered received if the department does not receive notification that the document was undeliverable.

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

(a) "Affirmative consent" means that the taxpayer or its representative expressly consented to receive notices electronically either in response to a clear and conspicuous request for the taxpayer's or its representative's consent, or at the taxpayer's or its representative's own initiative.

(b) "Notice" means all communications from the department to the taxpayer or its representative, including, but not limited to, billings, notices issued during the course of an audit, proposed assessments, and final assessments authorized by this chapter and any other actions constituting final agency action within the meaning of chapter 120.

Section 28. Paragraph (b) of subsection (1) of section 213.21, Florida Statutes, is amended to read:

213.21 Informal conferences; compromises.—

(1)

(b) The statute of limitations upon the issuance of final assessments and the period for filing a claim for refund as required by s. 215.26(2) for

any transactions occurring during the audit period shall be tolled during the period in which the taxpayer is engaged in a procedure under this section.

Section 29. Effective upon this act becoming a law, paragraph (a) of subsection (4) of section 220.1105, Florida Statutes, is amended to read:

220.1105 Tax imposed; automatic refunds and downward adjustments to tax rates.—

(4) For fiscal years 2018-2019 through 2020-2021, any amount by which net collections for a fiscal year exceed adjusted forecasted collections for that fiscal year shall only be used to provide refunds to corporate income tax payers as follows:

(a) For purposes of this subsection, the term:

1. "Eligible taxpayer" means:

a. For fiscal year 2018-2019, a taxpayer whose taxable year begins between April 1, 2017, and March 31, 2018, and whose final tax liability for such taxable year is greater than zero;

b. For fiscal year 2019-2020, a taxpayer whose taxable year begins between April 1, 2018, and March 31, 2019, and whose final tax liability for such taxable year is greater than zero; or

c. For fiscal year 2020-2021 a taxpayer whose taxable year begins between April 1, 2019, and March 31, 2020, and whose final tax liability for such taxable year is greater than zero.

2. "Excess collections" for a fiscal year means the amount by which net collections for a fiscal year exceeds adjusted forecasted collections for that fiscal year.

3. "Final tax liability" means the taxpayer's amount of tax due under this chapter for a taxable year, reported on a return filed with the department, plus the amount of any credit taken on such return under s. 220.1875.

4. "Total eligible tax liability" for a fiscal year means the sum of final tax liabilities of all eligible taxpayers for a fiscal year as such liabilities are shown on the latest return filed with the department as of February 1 immediately following that fiscal year.

5. "Taxpayer refund share" for a fiscal year means an eligible taxpayer's final tax liability as a percentage of the total eligible tax liability for that fiscal year.

6. "Taxpayer refund" for a fiscal year means the taxpayer refund share for a fiscal year multiplied by the excess collections for a fiscal year.

Section 30. The amendment made by this act to s. 220.1105(4)(a)3., Florida Statutes, is remedial in nature and applies retroactively.

Section 31. Paragraph (b) of subsection (5) and subsections (8) and (9) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.—

(5) TAX REFUND AGREEMENT.—

(b) Compliance with the terms and conditions of the agreement is a condition precedent for the receipt of a tax refund each year. The failure to comply with the terms and conditions of the tax refund agreement results in the loss of eligibility for receipt of all tax refunds previously authorized under this section and the revocation by the department of the certification of the business entity as a qualified target industry business, unless the business is eligible to receive and elects to accept a prorated refund under paragraph (6)(e) or the department grants the business an economic recovery extension.

1. A qualified target industry business may submit a request to the department for an economic recovery extension. The request must provide quantitative evidence demonstrating how negative economic conditions in the business's industry, the effects of a named hurricane or tropical storm, or specific acts of terrorism affecting the qualified

target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement.

2. Upon receipt of a request under subparagraph 1., the department has 45 days to notify the requesting business, in writing, whether its extension has been granted or denied. In determining whether an extension should be granted, the department shall consider the extent to which negative economic conditions in the requesting business's industry have occurred in the state or the effects of a named hurricane or tropical storm or specific acts of terrorism affecting the qualified target industry business have prevented the business from complying with the terms and conditions of its tax refund agreement. The department shall consider current employment statistics for this state by industry, including whether the business's industry had substantial job loss during the prior year, when determining whether an extension shall be granted.

3. As a condition for receiving a prorated refund under paragraph (6)(e) or an economic recovery extension under this paragraph, a qualified target industry business must agree to renegotiate its tax refund agreement with the department to, at a minimum, ensure that the terms of the agreement comply with current law and the department's procedures governing application for and award of tax refunds. Upon approving the award of a prorated refund or granting an economic recovery extension, the department shall renegotiate the tax refund agreement with the business as required by this subparagraph. When amending the agreement of a business receiving an economic recovery extension, the department may extend the duration of the agreement for a period not to exceed 2 years.

4. A qualified target industry business located in a county affected by Hurricane Michael, as defined in subsection (8), may submit a request for an economic recovery extension to the department in lieu of any tax refund claim scheduled to be submitted after January 1, 2021 2009, but before July 1, 2023 2012.

5. A qualified target industry business that receives an economic recovery extension may not receive a tax refund for the period covered by the extension.

(8) SPECIAL INCENTIVES.—If the department determines it is in the best interest of the public for reasons of facilitating economic development, growth, or new employment opportunities within a ~~Disproportionally Affected~~ county affected by Hurricane Michael, the department may, between July 1, 2020 2011, and June 30, 2023 2014, may waive ~~any or all~~ wage or local financial support eligibility requirements. ~~If the department elects to waive wage or financial support eligibility requirements, the waiver must be stated in writing. and allow~~ A qualified target industry business that relocates from another state to, or establishes ~~which relocates all or a portion of its business or expands its existing business in, a to a~~ Disproportionally Affected county affected by Hurricane Michael is eligible to receive a tax refund payment of up to \$10,000 ~~\$6,000~~ multiplied by the number of jobs specified in the tax refund agreement under subparagraph (5)(a)1. over the term of the agreement. ~~Prior to granting such waiver, the executive director of the department shall file with the Governor a written statement of the conditions and circumstances constituting the reason for the waiver. Such business shall be eligible for the additional tax refund payments specified in subparagraph (3)(b)4. if it meets the criteria. As used in this section, the term "Disproportionally Affected county affected by Hurricane Michael" means Bay County, Calhoun County, Escambia County, Franklin County, Gadsden County, Gulf County, Holmes County, Jackson County, Jefferson County, Leon County, Liberty County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County, Walton County, or Washington County.~~

~~(9) EXPIRATION.—An applicant may not be certified as qualified under this section after June 30, 2020. A tax refund agreement existing on that date shall continue in effect in accordance with its terms.~~

Section 32. Subsections (1), (2), and (5) of section 443.163, Florida Statutes, are amended to read:

443.163 Electronic reporting and remitting of contributions and reimbursements.—

(1) An employer may file any report and remit any contributions or reimbursements required under this chapter by electronic means. The

Department of Economic Opportunity or the state agency providing unemployment assistance tax collection services shall adopt rules prescribing the format and instructions necessary for electronically filing reports and remitting contributions and reimbursements to ensure a full collection of contributions and reimbursements due. The acceptable method of transfer, the method, form, and content of the electronic means, and the method, if any, by which the employer will be provided with an acknowledgment shall be prescribed by the department or its tax collection service provider. However, any employer who employed 10 or more employees in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports, *including any corrections*, for the current calendar year and remit the contributions and reimbursements due by electronic means approved by the tax collection service provider. ~~A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports for each calendar quarter in the current calendar year, beginning with reports due for the second calendar quarter of 2003, by electronic means approved by the tax collection service provider.~~

(2)(a) An employer who is required by law to file an Employers Quarterly Report, *including any corrections*, by approved electronic means, but who files the report *either directly or through an agent* by a means other than approved electronic means, is liable for a penalty of \$25 ~~\$50~~ for that report and \$1 for each employee, *not to exceed \$300*. This penalty is in addition to any other penalty provided by this chapter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance. An employer who fails to remit contributions or reimbursements *either directly or through an agent* by approved electronic means as required by law is liable for a penalty of \$25 ~~\$50~~ for each remittance submitted by a means other than approved electronic means. This penalty is in addition to any other penalty provided by this chapter.

~~(b) A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year, but who fails to file an Employers Quarterly Report for each calendar quarter in the current calendar year by approved electronic means, is liable for a penalty of \$50 for that report and \$1 for each employee. This penalty is in addition to any other penalty provided by this chapter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance.~~

(5) The tax collection service provider may waive the penalty imposed by this section if a ~~written~~ request for a waiver ~~is filed which~~ establishes that imposition would be inequitable. Examples of inequity include, but are not limited to, situations where the failure to electronically file was caused by one of the following factors:

(a) Death or serious illness of the person responsible for the preparation and filing of the report.

(b) Destruction of the business records by fire or other casualty.

(c) Unscheduled and unavoidable computer downtime.

Section 33. Subsections (1) and (3) of section 626.932, Florida Statutes, are amended to read:

626.932 Surplus lines tax.—

(1) The premiums charged for surplus lines coverages are subject to a premium receipts tax of ~~4.94~~ 5 percent of all gross premiums charged for such insurance. The surplus lines agent shall collect from the insured the amount of the tax at the time of the delivery of the cover note, certificate of insurance, policy, or other initial confirmation of insurance, in addition to the full amount of the gross premium charged by the insurer for the insurance. The surplus lines agent is prohibited from absorbing such tax or, as an inducement for insurance or for any other reason, rebating all or any part of such tax or of his or her commission.

(3) If a surplus lines policy covers risks or exposures only partially in this state and the state is the home state as defined in the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRRA), the tax payable shall be computed on the gross premium. *The surplus lines policy must be taxed in accordance with subsection (1) and the agent shall report the total premium for the risk that is located in this state and the total premium for the risk that is located outside of this state to*

the Florida Surplus Lines Service Office in the manner and form directed by the Florida Surplus Lines Service Office. The tax must not exceed the tax rate where the risk or exposure is located.

Section 34. Paragraph (b) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 to pay for any portion of the cost of any new construction of educational plant space with a total cost per student station, including change orders, which exceeds:

- a. \$17,952 for an elementary school;
- b. \$19,386 for a middle school; or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index. The department, in conjunction with the Office of Economic and Demographic Research, shall review and adjust the cost per student station limits to reflect actual construction costs by January 1, 2020, and annually thereafter. The adjusted cost per student station shall be used by the department for computation of the statewide average costs per student station for each instructional level pursuant to paragraph (d). The department shall also collaborate with the Office of Economic and Demographic Research to select an industry-recognized construction index to replace the Consumer Price Index by January 1, 2020, adjusted annually to reflect changes in the construction index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district.

3. Except for educational facilities and sites subject to a lease-purchase agreement entered pursuant to s. 1011.71(2)(e) or funded solely through local impact fees, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. However, if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.

4. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

Section 35. *Clothing, school supplies, personal computers, and personal computer-related accessories; sales tax holiday.—*

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the retail sale of:*

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term “clothing” means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term “school supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.*

(2) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the first \$1,000 of the sales price of personal computers or personal computer-related accessories purchased for noncommercial home or personal use. As used in this subsection, the term:*

(a) *“Personal computers” includes electronic book readers, laptops, desktops, handheld devices, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.*

(b) *“Personal computer-related accessories” includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or peripherals that are designed or intended primarily for recreational use. The term “monitor” does not include any device that includes a television tuner.*

(3) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(4) *The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer’s gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by August 1, 2020, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.*

(5) *The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(6) *For the 2019-2020 fiscal year, the sum of \$241,000 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.*

(7) *This section shall take effect upon this act becoming a law.*

Section 36. *Disaster preparedness supplies; sales tax holiday.—*

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from May 29, 2020, through June 4, 2020, on the sale of:*

(a) *A portable self-powered light source selling for \$20 or less.*

(b) A portable self-powered radio, two-way radio, or weather-band radio selling for \$50 or less.

(c) A tarpaulin or other flexible waterproof sheeting selling for \$50 or less.

(d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit selling for \$50 or less.

(e) A gas or diesel fuel tank selling for \$25 or less.

(f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for \$30 or less.

(g) A nonelectric food storage cooler selling for \$30 or less.

(h) A portable generator used to provide light or communications or preserve food in the event of a power outage selling for \$750 or less.

(i) Reusable ice selling for \$10 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

(4) For the 2019-2020 fiscal year, the sum of \$70,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 37. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to ss. 206.05, 206.8741, 206.90, 212.05, 213.21, and 220.1105, Florida Statutes, and the creation of ss. 212.134 and 212.181, Florida Statutes, by this act. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section shall take effect upon this act becoming a law and expires July 1, 2023.

Section 38. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; increasing a population limit on counties that may use tourist development tax revenues for certain uses; amending s. 189.033, F.S.; defining the term "disproportionally affected county"; conforming a provision to changes made by the act; creating s. 193.019, F.S.; defining the terms "department" and "hospital"; requiring county property appraisers to annually calculate and submit to the Department of Revenue the valuation of certain property tax exemptions granted to property owned by hospitals; requiring hospitals to submit certain information to the department by a certain date; specifying requirements for the department; requiring the department to adopt a form by rule; creating s. 193.1557, F.S.; extending the timeframe within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; providing applicability; providing for future repeal; amending s. 194.035, F.S.; specifying circumstances under which a special magistrate's appraisal may not be submitted as evidence to a value adjustment board; amending s. 195.073, F.S.; revising the property classifications for certain multi-family housing and commercial and industrial properties; amending s. 195.096, F.S.; revising requirements for the department's review and publication of findings of county assessment rolls; amending s. 196.173,

F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; providing applicability; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; authorizing a property appraiser to grant an exemption for an untimely filed application if certain conditions are met; providing procedures for an applicant to file a petition with the value adjustment board if an application is denied; providing applicability; amending s. 196.1978, F.S.; providing applicability of the affordable housing property tax exemption to vacant units if certain conditions are met; providing retroactive operation; providing legislative intent relating to ownership of exempt property by certain limited liability companies; providing applicability of the tax exemption, under certain circumstances, to certain units occupied by natural persons or families whose income no longer meets income limits; amending s. 200.065, F.S.; authorizing a property appraiser in a county for which the Governor has declared a state of emergency to post notices of proposed property taxes on its website if mailing the notice is not possible; providing for an extension of sending the notice during such state of emergency; specifying a duty of the property appraiser; specifying hearing advertisement requirements for multicounty taxing authorities under certain circumstances; specifying procedures and requirements for taxing authorities, counties, and school districts for hearings and notices in the event of a state of emergency; amending s. 200.069, F.S.; specifying a limitation on information that property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending s. 206.05, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of motor fuel; amending s. 206.8741, F.S.; revising a penalty for failure to provide or post a notice relating to dyed diesel fuel; amending s. 206.90, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of diesel fuel; amending s. 212.05, F.S.; revising timeframes for certain documentation to be provided to the department for the purposes of a sales tax exemption for the sale of certain boats and aircraft; amending s. 212.055, F.S.; specifying a limitation on the duration of a charter county and regional transportation system surtax levied pursuant to a referendum held on or after a certain date; requiring that resolutions to approve a school capital outlay surtax include a statement relating to the sharing of revenues with eligible charter schools in a specified manner; specifying authorized uses of surtax revenues shared with charter schools; providing an accounting requirement for charter schools; specifying the eligibility of charter schools; requiring that unencumbered funds revert to the sponsor under certain circumstances; providing applicability; creating s. 212.134, F.S.; specifying requirements for payment settlement entities, or their electronic payment facilitators or contracted third parties, in submitting information returns to the department; defining the term "payment settlement entity"; providing penalties; authorizing the department's executive director or his or her designee to waive penalties under certain circumstances; creating s. 212.181, F.S.; specifying requirements for counties and the department in updating certain databases and determining business addresses for sales tax purposes; specifying a requirement for certain counties imposing a tourist development tax; providing procedures and requirements for correcting certain misallocations of certain tax distributions; providing construction; authorizing the department to adopt rules; creating s. 215.179, F.S.; prohibiting an owner of a public building or the owner's employee from seeking, accepting, or soliciting consideration for providing a certain allocation letter relating to energy efficient commercial building property; specifying a requirement for signing and returning the allocation letter; requiring certain persons to file an allocation request to the Department of Financial Services; providing construction; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing construction; defining terms; amending s. 213.21, F.S.; providing that the period for filing a claim for certain refunds is tolled during a period in which a taxpayer is engaged in certain informal conference procedures; amending s. 220.1105, F.S.; revising the definition of the term "final tax liability" for certain purposes; providing for retroactive application; amending s. 288.106, F.S.; authorizing a qualified target industry business located in a county affected by Hurricane Michael to submit a request to the Department of Economic Opportunity for an economic recovery extension in lieu of a tax refund claim scheduled to be sub-

mitted during a specified timeframe; authorizing the Department of Economic Opportunity to waive certain requirements during a specified timeframe; requiring the Department of Economic Opportunity to state any waiver in writing; providing that certain businesses are eligible for a specified tax refund payment; defining the term “county affected by Hurricane Michael”; deleting obsolete provisions; deleting a provision relating to the future expiration of certification for the tax refund program for qualified target industry businesses; amending s. 443.163, F.S.; specifying that Employers Quarterly Reports filed with the Department of Economic Opportunity by certain employers must include any corrections; deleting an additional filing requirement for certain persons; revising penalties for employers failing to properly file the report or failing to properly remit contributions or reimbursements; revising criteria for requesting a waiver of a penalty with the tax collection service provider; amending s. 626.932, F.S.; decreasing the rate of the surplus lines tax; revising the applicable tax on certain surplus lines policies; requiring surplus lines agents to report certain information to the Florida Surplus Lines Service Office; amending s. 1013.64, F.S.; providing that educational facilities and sites funded solely through local impact fees are exempt from certain prohibited uses of funds; providing sales tax exemptions for certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; providing an appropriation; authorizing the department to adopt emergency rules for certain purposes; providing for expiration of that authority; providing effective dates.

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

Senator Taddeo moved the following amendments to **Substitute Amendment 2 (271678)** which failed:

Amendment 2A (791120) (with title amendment)—Between lines 464 and 465 insert:

Section 13. Effective January 1, 2021, paragraph (e) is added to subsection (1) of section 196.199, Florida Statutes, to read:

196.199 Government property exemption.—

(1) Property owned and used by the following governmental units shall be exempt from taxation under the following conditions:

(e) Any property of municipalities used for a motorsports entertainment complex as defined in s. 288.1171 is exempt from ad valorem taxation if the municipality is liable for payment of such ad valorem taxation pursuant to a lease agreement entered into before January 1, 2020. This paragraph does not apply to property for which the motor-sports entertainment complex or other tenant is liable for payment of such ad valorem taxation. This paragraph expires January 1, 2033.

And the title is amended as follows:

Delete line 1854 and insert: meets income limits; amending s. 196.199, F.S.; providing an exemption from ad valorem taxation for certain properties of municipalities; providing applicability; providing for expiration; amending s. 200.065, F.S.;

Amendment 2B (357978) (with title amendment)—Delete line 1322 and insert:

(4) The department may include in the electronic database that an exempt tax rate applies for tangible personal property delivered to a unique United States postal address if such address will be used exclusively by a forwarding agent to receive and export tangible personal property from and to a foreign customer proven to the satisfaction of the department. As used in this subsection, the term “unique United States postal address” means a postal address used by a single business entity.

(5) The department may adopt rules to administer this

And the title is amended as follows:

Between lines 1914 and 1915 insert: authorizing the department to include in the electronic database that an exempt tax rate applies for tangible personal property delivered to a unique United States postal address under certain circumstances; defining the term “unique United States postal address”;

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

Senator Rodriguez moved the following amendment to **Substitute Amendment 2 (271678)** which failed:

Amendment 2C (859456) (with title amendment)—Between lines 1782 and 1783 insert:

Section 37. Effective January 1, 2021, paragraph (z) of subsection (1) of section 220.03, Florida Statutes, is amended, and paragraphs (gg), (hh), and (ii) are added to that subsection, to read:

220.03 Definitions.—

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

(z) “Taxpayer” means any corporation subject to the tax imposed by this code, and includes all corporations *that are members of a water’s edge group for which a consolidated return is filed under s. 220.131*. However, the term “taxpayer” does not include a corporation having no individuals, (including individuals employed by an affiliate,) receiving compensation in this state as defined in s. 220.15 when the only property owned or leased by *the said* corporation, (including an affiliate,) in this state is located at the premises of a printer with which it has contracted for printing, if such property consists of the final printed product, property which becomes a part of the final printed product, or property from which the printed product is produced.

(gg) “Tax haven” means a jurisdiction to which any of the following apply for a particular taxable year:

1. It is identified by the Organization for Economic Co-operation and Development as a tax haven or as having harmful tax practices or a preferential tax regime.

2. It is a jurisdiction that does not impose any, or imposes only a nominal, effective tax on relevant income.

3. It has laws or practices that prevent the effective exchange of information for tax purposes with other governments regarding taxpayers who are subject to, or who are benefiting from, the tax regime.

4. It lacks transparency. For purposes of this subparagraph, a tax regime lacks transparency if the details of legislative, legal, or administrative requirements are not open to public scrutiny and apparent or are not consistently applied among similarly situated taxpayers.

5. It facilitates the establishment of foreign-owned entities without the need for a local substantive presence or prohibits the entities from having any commercial impact on the local economy.

6. It explicitly or implicitly excludes the jurisdiction’s resident taxpayers from taking advantage of the tax regime’s benefits or prohibits enterprises that benefit from the regime from operating in the jurisdiction’s domestic market.

7. It has created a tax regime that is favorable for tax avoidance based on an overall assessment of relevant factors, including whether the jurisdiction has a significant untaxed offshore financial or other services sector relative to its overall economy.

(hh) “Tax regime” means a set or system of rules, laws, regulations, or practices by which taxes are imposed on any person, corporation, or entity or on any income, property, incident, indicia, or activity pursuant to government authority.

(ii) “Water’s edge group” means a group of corporations related through common ownership whose business activities are integrated

with, are dependent upon, or contribute to a flow of value among members of the group.

Section 38. Effective January 1, 2021, section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of a *water’s edge group* ~~more than one taxpayer~~ as provided in s. 220.1363 ~~s. 220.131~~, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers’ cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.1875. The addition in this subparagraph is intended to ensure that

the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

14. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

15. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

16. The amount taken as a credit for the taxable year pursuant to s. 220.194.

17. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

(b) *Subtractions.*—

1. There shall be subtracted from such taxable income:

a. The net operating loss deduction allowable for federal income tax purposes under s. 172 of the Internal Revenue Code for the taxable year, except that any net operating loss that is transferred pursuant to s. 220.194(6) may not be deducted by the seller,

b. The net capital loss allowable for federal income tax purposes under s. 1212 of the Internal Revenue Code for the taxable year,

c. The excess charitable contribution deduction allowable for federal income tax purposes under s. 170(d)(2) of the Internal Revenue Code for the taxable year, and

d. The excess contributions deductions allowable for federal income tax purposes under s. 404 of the Internal Revenue Code for the taxable year.

However, a net operating loss and a capital loss shall never be carried back as a deduction to a prior taxable year, but all deductions attributable to such losses shall be deemed net operating loss carryovers and capital loss carryovers, respectively, and treated in the same manner, to the same extent, and for the same time periods as are prescribed for such carryovers in ss. 172 and 1212, respectively, of the Internal Revenue Code. *A deduction is not allowed for net operating losses, net capital losses, or excess contribution deductions under 26 U.S.C. ss. 170(d)(2), 172, 1212, and 404 for a member of a water’s edge group which is not a United States member. Carryovers of net operating losses, net capital losses, or excess contribution deductions under 26 U.S.C. ss. 170(d)(2), 172, 1212, and 404 may be subtracted only by the member of the water’s edge group which generates a carryover.*

2. There shall be subtracted from such taxable income any amount to the extent included therein the following:

a. Dividends treated as received from sources without the United States, as determined under s. 862 of the Internal Revenue Code.

b. All amounts included in taxable income under s. 78, s. 951, or s. 951A of the Internal Revenue Code.

However, any amount subtracted under this subparagraph is allowed only to the extent such amount is not deductible in determining federal taxable income. As to any amount subtracted under this subparagraph, there shall be added to such taxable income all expenses deducted on the taxpayer’s return for the taxable year which are attributable, directly or indirectly, to such subtracted amount. Further, no amount

shall be subtracted with respect to dividends paid or deemed paid by a Domestic International Sales Corporation.

3. *Amounts received by a member of a water's edge group as dividends paid by another member of the water's edge group must be subtracted from the taxable income to the extent that the dividends are included in the taxable income.*

~~4.3.~~ In computing "adjusted federal income" for taxable years beginning after December 31, 1976, there shall be allowed as a deduction the amount of wages and salaries paid or incurred within this state for the taxable year for which no deduction is allowed pursuant to s. 280C(a) of the Internal Revenue Code (relating to credit for employment of certain new employees).

5.4. There shall be subtracted from such taxable income any amount of nonbusiness income included therein.

~~6.5.~~ There shall be subtracted any amount of taxes of foreign countries allowable as credits for taxable years beginning on or after September 1, 1985, under s. 901 of the Internal Revenue Code to any corporation which derived less than 20 percent of its gross income or loss for its taxable year ended in 1984 from sources within the United States, as described in s. 861(a)(2)(A) of the Internal Revenue Code, not including credits allowed under ss. 902 and 960 of the Internal Revenue Code, withholding taxes on dividends within the meaning of sub-subparagraph 2.a., and withholding taxes on royalties, interest, technical service fees, and capital gains.

7.6. Notwithstanding any other provision of this code, except with respect to amounts subtracted pursuant to subparagraphs 1. and ~~4.3.~~, any increment of any apportionment factor which is directly related to an increment of gross receipts or income which is deducted, subtracted, or otherwise excluded in determining adjusted federal income shall be excluded from both the numerator and denominator of such apportionment factor. Further, all valuations made for apportionment factor purposes shall be made on a basis consistent with the taxpayer's method of accounting for federal income tax purposes.

(c) *Installment sales occurring after October 19, 1980.—*

1. In the case of any disposition made after October 19, 1980, the income from an installment sale shall be taken into account for the purposes of this code in the same manner that such income is taken into account for federal income tax purposes.

2. Any taxpayer who regularly sells or otherwise disposes of personal property on the installment plan and reports the income therefrom on the installment method for federal income tax purposes under s. 453(a) of the Internal Revenue Code shall report such income in the same manner under this code.

(d) *Nonallowable deductions.—*A deduction for net operating losses, net capital losses, or excess contributions deductions under ss. 170(d)(2), 172, 1212, and 404 of the Internal Revenue Code which has been allowed in a prior taxable year for Florida tax purposes shall not be allowed for Florida tax purposes, notwithstanding the fact that such deduction has not been fully utilized for federal tax purposes.

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

1. There shall be added to such taxable income an amount equal to 100 percent of any amount deducted for federal income tax purposes as bonus depreciation for the taxable year pursuant to ss. 167 and 168(k) of the Internal Revenue Code of 1986, as amended by s. 103 of Pub. L. No. 110-185, s. 1201 of Pub. L. No. 111-5, s. 2022 of Pub. L. No. 111-240, s. 401 of Pub. L. No. 111-312, s. 331 of Pub. L. No. 112-240, s. 125 of Pub. L. No. 113-295, s. 143 of Division Q of Pub. L. No. 114-113, and s. 13201 of Pub. L. No. 115-97, for property placed in service after December 31, 2007, and before January 1, 2027. For the taxable year and for each of

the 6 subsequent taxable years, there shall be subtracted from such taxable income an amount equal to one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

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

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

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

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

(2) For purposes of this section, a taxpayer's taxable income for the taxable year means taxable income as defined in s. 63 of the Internal Revenue Code and properly reportable for federal income tax purposes for the taxable year, but subject to the limitations set forth in paragraph (1)(b) with respect to the deductions provided by ss. 172 (relating to net operating losses), 170(d)(2) (relating to excess charitable contributions), 404(a)(1)(D) (relating to excess pension trust contributions), 404(a)(3)(A) and (B) (to the extent relating to excess stock bonus and profit-sharing trust contributions), and 1212 (relating to capital losses) of the Internal Revenue Code, except that, subject to the same limitations, the term:

(a) "Taxable income," in the case of a life insurance company subject to the tax imposed by s. 801 of the Internal Revenue Code, means life insurance company taxable income; however, for purposes of this code, the total of any amounts subject to tax under s. 815(a)(2) of the Internal Revenue Code pursuant to s. 801(c) of the Internal Revenue Code shall not exceed, cumulatively, the total of any amounts determined under s. 815(c)(2) of the Internal Revenue Code of 1954, as amended, from January 1, 1972, to December 31, 1983;

(b) "Taxable income," in the case of an insurance company subject to the tax imposed by s. 831(b) of the Internal Revenue Code, means taxable investment income;

(c) "Taxable income," in the case of an insurance company subject to the tax imposed by s. 831(a) of the Internal Revenue Code, means insurance company taxable income;

(d) "Taxable income," in the case of a regulated investment company subject to the tax imposed by s. 852 of the Internal Revenue Code, means investment company taxable income;

(e) "Taxable income," in the case of a real estate investment trust subject to the tax imposed by s. 857 of the Internal Revenue Code, means the income subject to tax, computed as provided in s. 857 of the Internal Revenue Code;

(f) “Taxable income,” in the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, means taxable income of such corporation for federal income tax purposes as if such corporation had filed a separate federal income tax return for the taxable year and each preceding taxable year for which it was a member of an affiliated group, ~~unless a consolidated return for the taxpayer and others is required or elected under s. 220.131;~~

(g) “Taxable income,” in the case of a cooperative corporation or association, means the taxable income of such organization determined in accordance with the provisions of ss. 1381-1388 of the Internal Revenue Code;

(h) “Taxable income,” in the case of an organization which is exempt from the federal income tax by reason of s. 501(a) of the Internal Revenue Code, means its unrelated business taxable income as determined under s. 512 of the Internal Revenue Code;

(i) “Taxable income,” in the case of a corporation for which there is in effect for the taxable year an election under s. 1362(a) of the Internal Revenue Code, means the amounts subject to tax under s. 1374 or s. 1375 of the Internal Revenue Code for each taxable year;

(j) “Taxable income,” in the case of a limited liability company, other than a limited liability company classified as a partnership for federal income tax purposes, as defined in and organized pursuant to chapter 605 or qualified to do business in this state as a foreign limited liability company or other than a similar limited liability company classified as a partnership for federal income tax purposes and created as an artificial entity pursuant to the statutes of the United States or any other state, territory, possession, or jurisdiction, if such limited liability company or similar entity is taxable as a corporation for federal income tax purposes, means taxable income determined as if such limited liability company were required to file or had filed a federal corporate income tax return under the Internal Revenue Code;

(k) “Taxable income,” in the case of a taxpayer liable for the alternative minimum tax as defined in s. 55 of the Internal Revenue Code, means the alternative minimum taxable income as defined in s. 55(b)(2) of the Internal Revenue Code, less the exemption amount computed under s. 55(d) of the Internal Revenue Code. A taxpayer is not liable for the alternative minimum tax unless the taxpayer’s federal tax return, or related federal consolidated tax return, if included in a consolidated return for federal tax purposes, reflect a liability on the return filed for the alternative minimum tax as defined in s. 55(b)(2) of the Internal Revenue Code;

(l) “Taxable income,” in the case of a taxpayer whose taxable income is not otherwise defined in this subsection, means the sum of amounts to which a tax rate specified in s. 11 of the Internal Revenue Code plus the amount to which a tax rate specified in s. 1201(a)(2) of the Internal Revenue Code are applied for federal income tax purposes.

Section 39. *Effective January 1, 2021, section 220.131, Florida Statutes, is repealed.*

Section 40. *Effective January 1, 2021, section 220.136, Florida Statutes, is created to read:*

220.136 Determination of the members of a water’s edge group.—

(1) *A corporation having 50 percent or more of its outstanding voting stock directly or indirectly owned or controlled by a water’s edge group is presumed to be a member of the water’s edge group. A corporation having less than 50 percent of its outstanding voting stock directly or indirectly owned or controlled by a water’s edge group is a member of the water’s edge group if the business activities of the corporation show that the corporation is a member of the water’s edge group. All of the income of a corporation that is a member of a water’s edge group is presumed to be unitary. For purposes of this subsection, the attribution rules of 26 U.S.C. s. 318 must be used to determine whether voting stock is indirectly owned.*

(2)(a) *A corporation that conducts business outside the United States is not a member of a water’s edge group if 80 percent or more of the corporation’s property and payroll, as determined by the apportionment factors described in ss. 220.15 and 220.1363, may be assigned to loca-*

tions outside of the United States. However, such a corporation that is incorporated in a tax haven may be a member of a water’s edge group pursuant to subsection (1). This subsection does not exempt a corporation that is not a member of a water’s edge group from this chapter.

(b) *As used in this subsection, the term “United States” means the 50 states, the District of Columbia, and Puerto Rico.*

(c) *The apportionment factors described in ss. 220.1363 and 220.15 must be used to determine whether a special industry corporation has engaged in a sufficient amount of activities outside of the United States to exclude it from treatment as a member of a water’s edge group.*

Section 41. *Effective January 1, 2021, section 220.1363, Florida Statutes, is created to read:*

220.1363 Water’s edge groups; special requirements.—

(1) *For purposes of this section, the term “water’s edge reporting method” is a method to determine the taxable business profits of a group of entities conducting a unitary business. Under this method, the net income of the entities must be added together, along with the additions and subtractions under s. 220.13, and apportioned to this state as a single taxpayer under ss. 220.15 and 220.151. However, each special industry member included in a water’s edge group return which would otherwise be permitted to use a special method of apportionment under s. 220.151 shall convert its single-factor apportionment to a three-factor apportionment of property, payroll, and sales. The special industry member shall calculate the denominator of its property, payroll, and sales factors in the same manner as those denominators are calculated by members that are not special industry members. The numerator of its sales, property, and payroll factors is the product of the denominator of each factor multiplied by the premiums or revenue-miles-factor ratio otherwise applicable under s. 220.151.*

(2) *All members of a water’s edge group must use the water’s edge reporting method, under which:*

(a) *Adjusted federal income, for purposes of s. 220.12, means the sum of adjusted federal income of all members of the water’s edge group as determined for a concurrent taxable year.*

(b) *The numerators and denominators of the apportionment factors must be calculated for all members of the water’s edge group combined.*

(c) *Intercompany sales transactions between members of the water’s edge group are not included in the numerator or denominator of the sales factor under ss. 220.15 and 220.151, regardless of whether indicia of a sale exist.*

(d) *For sales of intangibles, including, but not limited to, accounts receivable, notes, bonds, and stock, which are made to entities outside the group, only the net proceeds are included in the numerator and denominator of the sales factor.*

(e) *Sales that are not allocated or apportioned to any taxing jurisdiction, otherwise known as “nowhere sales,” may not be included in the numerator or denominator of the sales factor.*

(f) *The income attributable to the Florida activities of a corporation that is exempt from taxation under the Interstate Income Act of 1959, Pub. L. No. 86-272, is excluded from the apportionment factor numerators in the calculation of corporate income tax, even if another member of the water’s edge group has nexus with this state and is subject to tax.*

As used in this subsection, the term “sale” includes, but is not limited to, loans, payments for the use of intangibles, dividends, and management fees.

(3)(a) *If a parent corporation is a member of the water’s edge group and has nexus with this state, a single water’s edge group return must be filed in the name and under the federal employer identification number of the parent corporation. If the water’s edge group does not have a parent corporation, if the parent corporation is not a member of the water’s edge group, or if the parent corporation does not have nexus with this state, then the members of the water’s edge group must choose a member subject to the tax imposed by this chapter to file the return. The members of the water’s edge group may not choose another member to file a corporate income tax return in subsequent years unless the filing*

member does not maintain nexus with this state or does not remain a member of the water's edge group. The return must be signed by an authorized officer of the filing member as the agent for the water's edge group.

(b) If members of a water's edge group have different taxable years, the taxable year of a majority of the members of the water's edge group is the taxable year of the water's edge group. If the taxable years of a majority of the members of a water's edge group do not correspond, the taxable year of the member that must file the return for the water's edge group is the taxable year of the water's edge group.

(c)1. A member of a water's edge group having a taxable year that does not correspond to the taxable year of the water's edge group shall determine its income for inclusion on the tax return for the water's edge group. The member shall use:

a. The precise amount of taxable income received during the months corresponding to the taxable year of the water's edge group if the precise amount can be readily determined from the member's books and records.

b. The taxable income of the member converted to conform to the taxable year of the water's edge group on the basis of the number of months falling within the taxable year of the water's edge group. For example, if the taxable year of the water's edge group is a calendar year and a member operates on a fiscal year ending on April 30, the income of the member must include $\frac{8}{12}$ of the income from the current taxable year and $\frac{4}{12}$ of the income from the preceding taxable year. This method to determine the income of a member may be used only if the return can be timely filed after the end of the taxable year of the water's edge group.

c. The taxable income of the member during its taxable year that ends within the taxable year of the water's edge group.

2. The method of determining the income of a member of a water's edge group whose taxable year does not correspond to the taxable year of the water's edge group may not change as long as the member remains a member of the water's edge group. The apportionment factors for the member must be applied to the income of the member for the taxable year of the water's edge group.

(4)(a) A water's edge group return must include a computational schedule that:

1. Combines the federal income of all members of the water's edge group;
2. Shows all intercompany eliminations;
3. Shows Florida additions and subtractions under s. 220.13; and
4. Shows the calculation of the combined apportionment factors.

(b) In addition to its return, a water's edge group shall also file a domestic disclosure spreadsheet. The spreadsheet must fully disclose:

1. The income reported to each state;
2. The state tax liability;
3. The method used for apportioning or allocating income to the various states; and
4. Other information required by department rule in order to determine the proper amount of tax due to each state and to identify the water's edge group.

(5) The department may adopt rules and forms to administer this section. The Legislature intends to grant the department extensive authority to adopt rules and forms describing and defining principles for determining the existence of a water's edge business, definitions of common control, methods of reporting, and related forms, principles, and other definitions.

Section 42. Effective January 1, 2021, section 220.14, Florida Statutes, is amended to read:

220.14 Exemption.—

(1) In computing a taxpayer's liability for tax under this code, there shall be exempt from the tax \$50,000 of net income as defined in s. 220.12 or such lesser amount as will, without increasing the taxpayer's federal income tax liability, provide the state with an amount under this code which is equal to the maximum federal income tax credit which may be available from time to time under federal law.

(2) In the case of a taxable year for a period of less than 12 months, the exemption allowed by this section ~~shall~~ be prorated on the basis of the number of days in such year to 365 days or, in a leap year, 366 days.

(3) Only one exemption shall be allowed to taxpayers filing a water's edge group ~~consolidated~~ return under this code.

(4) Notwithstanding any other provision of this code, not more than one exemption under this section may be allowed to the Florida members of a controlled group of corporations, as defined in s. 1563 of the Internal Revenue Code with respect to taxable years ending on or after December 31, 1970, filing separate returns under this code. The exemption described in this section shall be divided equally among such Florida members of the group, unless all of such members consent, at such time and in such manner as the department shall by regulation prescribe, to an apportionment plan providing for an unequal allocation of such exemption.

Section 43. Effective January 1, 2021, paragraph (c) of subsection (5) of section 220.15, Florida Statutes, is amended to read:

220.15 Apportionment of adjusted federal income.—

(5) The sales factor is a fraction the numerator of which is the total sales of the taxpayer in this state during the taxable year or period and the denominator of which is the total sales of the taxpayer everywhere during the taxable year or period.

(c) Sales of a financial organization, including, but not limited to, banking and savings institutions, investment companies, real estate investment trusts, and brokerage companies, occur in this state if derived from:

1. Fees, commissions, or other compensation for financial services rendered within this state;
2. Gross profits from trading in stocks, bonds, or other securities managed within this state;
3. Interest received within this state, other than interest from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located without this state, and dividends received within this state;
4. Interest charged to customers at places of business maintained within this state for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts;
5. Interest, fees, commissions, or other charges or gains from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located in this state or from installment sale agreements originally executed by a taxpayer or the taxpayer's agent to sell real or tangible personal property located in this state;
6. Rents from real or tangible personal property located in this state; or
7. Any other gross income, including other interest, resulting from the operation as a financial organization within this state.

~~In computing the amounts under this paragraph, any amount received by a member of an affiliated group (determined under s. 1504(a) of the Internal Revenue Code, but without reference to whether any such corporation is an "includable corporation" under s. 1504(b) of the Internal Revenue Code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.~~

Section 44. Effective January 1, 2021, paragraph (f) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

~~(f) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis.~~

Section 45. Effective January 1, 2021, paragraphs (b), (c), and (d) of subsection (2) of section 220.1845, Florida Statutes, are amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(2) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(b) A tax credit applicant, or multiple tax credit applicants working jointly to clean up a single site, may not be granted more than \$500,000 per year in tax credits for each site voluntarily rehabilitated. Multiple tax credit applicants shall be granted tax credits in the same proportion as their contribution to payment of cleanup costs. Subject to the same conditions and limitations as provided in this section, a municipality, county, or other tax credit applicant which voluntarily rehabilitates a site may receive not more than \$500,000 per year in tax credits which it can subsequently transfer subject to the provisions in paragraph (f) ~~(g)~~.

(c) If the credit granted under this section is not fully used in any one year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward for up to 5 years. The carryover credit may be used in a subsequent year if the tax imposed by this chapter for that year exceeds the credit for which the corporation is eligible in that year after applying the other credits and unused carryovers in the order provided by s. 220.02(8). If during the 5-year period the credit is transferred, in whole or in part, pursuant to paragraph (f) ~~(g)~~, each transferee has 5 years after the date of transfer to use its credit.

~~(d) A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group.~~

Section 46. Effective January 1, 2021, subsection (2) of section 220.1875, Florida Statutes, is amended to read:

220.1875 Credit for contributions to eligible nonprofit scholarship-funding organizations.—

~~(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).~~

Section 47. Effective January 1, 2021, paragraphs (a) and (c) of subsection (3) of section 220.191, Florida Statutes, are amended to read:

220.191 Capital investment tax credit.—

(3)(a) Notwithstanding subsection (2), an annual credit against the tax imposed by this chapter shall be granted to a qualifying business which establishes a qualifying project pursuant to subparagraph (1)(g) 3., in an amount equal to the lesser of \$15 million or 5 percent of the eligible capital costs made in connection with a qualifying project, for a period not to exceed 20 years beginning with the commencement of operations of the project. The tax credit shall be granted against the corporate income tax liability of the qualifying business ~~and as further provided in paragraph (c)~~. The total tax credit provided pursuant to this subsection shall be equal to no more than 100 percent of the eligible capital costs of the qualifying project.

(c) The credit granted under this subsection may be used in whole or in part by the qualifying business ~~or any corporation that is either a member of that qualifying business's affiliated group of corporations, is a related entity taxable as a cooperative under subchapter T of the Internal Revenue Code, or, if the qualifying business is an entity taxable as a cooperative under subchapter T of the Internal Revenue Code,~~

~~is related to the qualifying business. Any entity related to the qualifying business may continue to file as a member of a Florida nexus consolidated group pursuant to a prior election made under s. 220.131(1), Florida Statutes (1985), even if the parent of the group changes due to a direct or indirect acquisition of the former common parent of the group. Any credit can be used by any of the affiliated companies or related entities referenced in this paragraph to the same extent as it could have been used by the qualifying business. However, any such use shall not operate to increase the amount of the credit or extend the period within which the credit must be used.~~

Section 48. Effective January 1, 2021, paragraphs (c) and (e) of subsection (3) of section 220.193, Florida Statutes, are amended to read:

220.193 Florida renewable energy production credit.—

(3) An annual credit against the tax imposed by this section shall be allowed to a taxpayer, based on the taxpayer's production and sale of electricity from a new or expanded Florida renewable energy facility. For a new facility, the credit shall be based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit shall be based on the increases in the facility's electrical production that are achieved after May 1, 2012.

(c) If the amount of credits applied for each year exceeds the amount authorized in paragraph (f) ~~(g)~~, the Department of Agriculture and Consumer Services shall allocate credits to qualified applicants based on the following priority:

1. An applicant who places a new facility in operation after May 1, 2012, shall be allocated credits first, up to a maximum of \$250,000 each, with any remaining credits to be granted pursuant to subparagraph 3., but if the claims for credits under this subparagraph exceed the state fiscal year cap in paragraph (f) ~~(g)~~, credits shall be allocated pursuant to this subparagraph on a prorated basis based upon each applicant's qualified production and sales as a percentage of total production and sales for all applicants in this category for the fiscal year.

2. An applicant who does not qualify under subparagraph 1. but who claims a credit of \$50,000 or less shall be allocated credits next, but if the claims for credits under this subparagraph, combined with credits allocated in subparagraph 1., exceed the state fiscal year cap in paragraph (f) ~~(g)~~, credits shall be allocated pursuant to this subparagraph on a prorated basis based upon each applicant's qualified production and sales as a percentage of total qualified production and sales for all applicants in this category for the fiscal year.

3. An applicant who does not qualify under subparagraph 1. or subparagraph 2. and an applicant whose credits have not been fully allocated under subparagraph 1. shall be allocated credits next. If there is insufficient capacity within the amount authorized for the state fiscal year in paragraph (f) ~~(g)~~, and after allocations pursuant to subparagraphs 1. and 2., the credits allocated under this subparagraph shall be prorated based upon each applicant's unallocated claims for qualified production and sales as a percentage of total unallocated claims for qualified production and sales of all applicants in this category, up to a maximum of \$1 million per taxpayer per state fiscal year. If, after application of this \$1 million cap, there is excess capacity under the state fiscal year cap in paragraph (f) ~~(g)~~ in any state fiscal year, that remaining capacity shall be used to allocate additional credits with priority given in the order set forth in this subparagraph and without regard to the \$1 million per taxpayer cap.

~~(e) A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group.~~

Section 49. Effective January 1, 2021, paragraph (a) of subsection (1) of section 220.27, Florida Statutes, is amended to read:

220.27 Additional required information.—

(1)(a) Every taxpayer that is required to file a return under s. 220.22(1) for a taxable year beginning during the 2018 or 2019 calendar years, must submit to the department the following information for those taxable years using the application form on the department's website:

1. The taxpayer's name, federal taxpayer identification number, taxable year beginning date, taxable year ending date, and, for taxable years beginning before January 1, 2021, only, whether a consolidated return for the taxpayer is required or elected under s. 220.131.

2. The taxpayer's NAICS code for business activity that generates the greatest proportion of gross receipts of the taxpayer. As used in this paragraph, the term "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

3. The taxpayer's taxable income as that term is defined in s. 220.13(2) and the taxpayer's state apportionment fraction pursuant to s. 220.15 for the taxable year.

4. The amount of global intangible low-taxed income included in federal taxable income under s. 951A of the Internal Revenue Code, and the amount of the related deduction under s. 250 of the Internal Revenue Code, as it pertains to s. 951A of the Internal Revenue Code.

5. The amount of foreign-derived intangible income computed for the federal return for the taxable year and the amount of the related deduction under s. 250 of the Internal Revenue Code, as it pertains to foreign-derived intangible income.

6. The amount of business interest expense deducted on the federal return under s. 163 of the Internal Revenue Code, including any carryover; the amount of current year business interest expense, including any carryover, which ~~that~~ was not deducted due to the limitation in s. 163(j) of the Internal Revenue Code; and the amount of business interest expense carried over from previous taxable years.

7. The amount of federal net operating loss deduction under s. 172 of the Internal Revenue Code, applied in determining federal taxable income and the amount of federal net operating loss carryover that was not applied due to the limitation in s. 172(a)(2) of the Internal Revenue Code.

8. The total amount of state net operating loss carryover available after the filing of the return for the taxable year.

9. The total amount of the state alternative minimum tax credit carryover available after the filing of the return for the taxable year.

Section 50. Effective January 1, 2021, section 220.28, Florida Statutes, is created to read:

220.28 Water's edge group transitional rules.—

(1) For the first taxable year beginning on or after January 1, 2021, a taxpayer that filed a Florida corporate income tax return in the preceding taxable year and that is a member of a water's edge group shall compute its income together with all members of its water's edge group and file a combined Florida corporate income tax return with all members of its water's edge group.

(2) An affiliated group of corporations which filed a Florida consolidated corporate income tax return pursuant to an election provided in former s. 220.131 shall cease filing a Florida consolidated return for taxable years beginning on or after January 1, 2021, and shall file a combined Florida corporate income tax return with all members of its water's edge group.

(3) An affiliated group of corporations which filed a Florida consolidated corporate income tax return pursuant to the election in former s. 220.131(1) (1985), which allowed the affiliated group to make an election within 90 days after December 20, 1984, or upon filing the taxpayer's first return after December 20, 1984, whichever was later, shall cease filing a Florida consolidated corporate income tax return using that method for taxable years beginning on or after January 1, 2021, and shall file a combined Florida corporate income tax return with all members of its water's edge group.

(4) A taxpayer that is not a member of a water's edge group remains subject to this chapter and shall file a separate Florida corporate income tax return as previously required.

(5) For taxable years beginning on or after January 1, 2021, a tax return for a member of a water's edge group must be a combined Florida corporate income tax return that includes tax information for all members of the water's edge group. The tax return must be filed by a member that has a nexus with this state.

Section 51. Effective January 1, 2021, section 220.51, Florida Statutes, is amended to read:

~~220.51 Adoption~~ ~~Promulgation~~ of rules and regulations.—In accordance with the Administrative Procedure Act, chapter 120, the department is authorized to make, ~~adopt~~ ~~promulgate~~, and enforce such reasonable rules and regulations, and to prescribe such forms relating to the administration and enforcement of ~~the provisions of~~ this code, as it may deem appropriate, including:

(1) Rules for initial implementation of this code and for taxpayers' transitional taxable years commencing before and ending after January 1, 1972; and

(2) Rules or regulations to clarify whether certain groups, organizations, or associations formed under the laws of this state or any other state, country, or jurisdiction shall be deemed "taxpayers" for the purposes of this code, in accordance with the legislative declarations of intent in s. 220.02; ~~and~~

~~(3) Regulations relating to consolidated reporting for affiliated groups of corporations, in order to provide for an equitable and just administration of this code with respect to multicorporate taxpayers.~~

Section 52. Effective January 1, 2021, section 220.64, Florida Statutes, is amended to read:

220.64 Other provisions applicable to franchise tax.—To the extent that they are not manifestly incompatible with ~~the provisions of~~ this part, parts I, III, IV, V, VI, VIII, IX, and X of this code and ss. 220.12, 220.13, 220.136, 220.1363, 220.15, and 220.16 apply to the franchise tax imposed by this part. Under rules prescribed by ~~the department in s. 220.131~~, a consolidated return may be filed by any affiliated group of corporations ~~consisting composed~~ of one or more banks or savings associations, ~~its or~~ their Florida parent ~~corporations corporation~~, and any nonbank or nonsavings subsidiaries of such parent ~~corporations corporation~~.

Section 53. Effective January 1, 2021, paragraph (f) of subsection (4) and paragraph (a) of subsection (5) of section 288.1254, Florida Statutes, are amended to read:

288.1254 Entertainment industry financial incentive program.—

(4) TAX CREDIT ELIGIBILITY; TAX CREDIT AWARDS; QUEUES; ELECTION AND DISTRIBUTION; CARRYFORWARD; CONSOLIDATED RETURNS; PARTNERSHIP AND NON-CORPORATE DISTRIBUTIONS; MERGERS AND ACQUISITIONS.—

~~(f) Consolidated returns.—A certified production company that files a Florida consolidated return as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of the tax imposed upon the consolidated group under chapter 220.~~

(5) TRANSFER OF TAX CREDITS.—

(a) Authorization.—Upon application to the Office of Film and Entertainment and approval by the department, a certified production company, or a partner or member that has received a distribution under paragraph (4)(f) ~~(4)(g)~~, may elect to transfer, in whole or in part, any unused credit amount granted under this section. An election to transfer any unused tax credit amount under chapter 212 or chapter 220 must be made no later than 5 years after the date the credit is awarded, after which period the credit expires and may not be used. The department shall notify the Department of Revenue of the election and transfer.

Section 54. Effective January 1, 2021, subsections (9) and (10) of section 376.30781, Florida Statutes, are amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(9) On or before May 1, the Department of Environmental Protection shall inform each tax credit applicant that is subject to the January 31 annual application deadline of the applicant's eligibility status and the amount of any tax credit due. The department shall provide each eligible tax credit applicant with a tax credit certificate that must be submitted with its tax return to the Department of Revenue to claim the tax credit or be transferred pursuant to s. 220.1845(2)(f) ~~s. 220.1845(2)(g)~~. The May 1 deadline for annual site rehabilitation tax credit certificate awards shall not apply to any tax credit application for which the department has issued a notice of deficiency pursuant to subsection (8). The department shall respond within 90 days after receiving a response from the tax credit applicant to such a notice of deficiency. Credits may not result in the payment of refunds if total credits exceed the amount of tax owed.

(10) For solid waste removal, new health care facility or health care provider, and affordable housing tax credit applications, the Department of Environmental Protection shall inform the applicant of the department's determination within 90 days after the application is deemed complete. Each eligible tax credit applicant shall be informed of the amount of its tax credit and provided with a tax credit certificate that must be submitted with its tax return to the Department of Revenue to claim the tax credit or be transferred pursuant to s. 220.1845(2)(f) ~~s. 220.1845(2)(g)~~. Credits may not result in the payment of refunds if total credits exceed the amount of tax owed.

Section 55. *Funds recaptured pursuant to sections 35 through 54 of this act must be appropriated in the General Appropriations Act to the various school districts to reduce the required local effort millage.*

And the title is amended as follows:

Delete line 1981 and insert: providing an appropriation; amending s. 220.03, F.S.; revising the definition of the term "taxpayer"; defining terms; amending s. 220.13, F.S.; revising the definition of the term "adjusted federal income" to prohibit specified deductions, to limit certain carryovers, and to require subtractions of certain amounts paid and received within a water's edge group for the purpose of determining subtractions from taxable income; conforming provisions to changes made by the act; repealing s. 220.131, F.S., relating to the adjusted federal income of affiliated groups; creating s. 220.136, F.S.; specifying circumstances under which a corporation is presumed to be, deemed to be, or deemed not to be a member of a water's edge group; defining the term "United States"; providing construction; creating s. 220.1363, F.S.; defining the term "water's edge reporting method"; specifying requirements for, limitations on, and prohibitions in calculating and reporting income in a water's edge group return; requiring all members of a water's edge group to use the water's edge reporting method; defining the term "sale"; specifying requirements for designating the filing member and the taxable year of the water's edge group; specifying income reporting requirements for certain members of the water's edge group; requiring that a water's edge group return include a specified computational schedule and domestic disclosure spreadsheet; authorizing the Department of Revenue to adopt rules; providing legislative intent regarding the adoption of rules; amending s. 220.14, F.S.; revising the calculation for prorating a certain corporate income tax exemption to reflect leap years; conforming a provision to changes made by the act; amending ss. 220.15, 220.183, 220.1845, 220.1875, 220.191, 220.193, and 220.27, F.S.; conforming provisions to changes made by the act; creating s. 220.28, F.S.; specifying, for certain taxpayers and for taxable years beginning on a specified date, requirements in filing corporate tax returns; amending s. 220.51, F.S.; conforming provisions to changes made by the act; amending s. 220.64, F.S.; providing applicability of water's edge group provisions to the franchise tax; conforming provisions to changes made by the act; amending ss. 288.1254 and 376.30781, F.S.; conforming provisions to changes made by the act; requiring that funds recaptured pursuant to this act be appropriated for a certain purpose; authorizing the department

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

Senator Gibson moved the following amendment to **Substitute Amendment 2 (271678)** which failed:

Amendment 2D (678516) (with title amendment)—Between lines 1605 and 1606 insert:

Section 34. Paragraph (c) is added to subsection (7) of section 1012.34, Florida Statutes, to read:

1012.34 Personnel evaluation procedures and criteria.—

(7) MEASUREMENT OF STUDENT PERFORMANCE.—

(c) *The Legislature intends that the public interest be protected by preventing the financial enrichment of owners, operators, managers, and other affiliated parties of charter schools receiving capital outlay funding. Therefore, a charter school additionally is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are owned by a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university.*

And the title is amended as follows:

Between lines 1964 and 1965 insert: 1012.34, F.S.; providing legislative intent; providing that a charter school is not eligible for a capital outlay funding allocation unless certain officials of the charter school annually certify under oath that funds will be used in a specified manner; amending s.

On motion by Senator Stargel, further consideration of **CS for HB 7097** with pending **Amendment 1 (882296)** and **Substitute Amendment 2 (271678)** was deferred.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 8:00 p.m.

RECESS

The President declared the Senate in recess at 5:17 p.m. to reconvene at 6:00 p.m. or upon his call.

EVENING SESSION

The Senate was called to order by Senator Simmons at 6:00 p.m. A quorum present—36:

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

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for HB 7097—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; authorizing the use of tourist development taxes for certain water quality improvement projects and parks or trails; increasing population thresholds for counties to use tourist development taxes for certain purposes; revising authorized uses of tourist development taxes for specified counties; providing that existing con-

tracts or debt service shall not be impaired; amending s. 192.001, F.S.; revising the definition of the term "inventory" for property tax purposes; revising the definition of the term "tangible personal property" to specify the conditions under which certain construction work constructed or installed by certain electric utilities is deemed substantially completed; providing applicability; providing for retroactive operation; creating s. 193.1557, F.S.; extending the time period within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; amending s. 194.011, F.S.; authorizing certain associations to represent, prosecute, or defend specified association members in front of the value adjustment board proceedings and subsequent proceedings; providing applicability; amending s. 194.035, F.S.; specifying the circumstances under which a special magistrate's appraisal may not be submitted as evidence to a value adjustment board; amending s. 194.181, F.S.; providing and revising the parties considered as the defendants in tax suits; requiring certain notice to be provided to unit owners in a specified way; providing unit owners options for defending a tax suit; imposing certain actions for unit owners who fail to respond to a specified notice; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; removing the requirement for the Department of Revenue to review tangible personal property rolls of each county; revising required computations regarding classifications of property; specifying that properties with more than nine units are commercial property for certain assessment roll purposes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; providing applicability; amending s. 196.197, F.S.; providing criteria to be used in determining the value of tax exemptions for charitable use of certain hospitals; defining terms; providing application requirements for tax exemptions for certain properties; amending s. 196.198, F.S.; exempting land, buildings, and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit of the exemption; requiring the property owner to make certain disclosures to the educational institution; amending s. 200.065, F.S.; providing alternative methods of notice related to the truth in millage process for counties for which a declared state of emergency exists; extending deadlines for notice during a declared state of emergency; revising publication and hearing requirements; providing for automatic extensions of certain deadlines in the event of a declared state of emergency; amending s. 200.069, F.S.; specifying information which property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services after a certain date; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending ss. 206.05 and 206.90, F.S.; revising the maximum bond amount for licensed terminal suppliers; amending s. 206.8741, F.S.; reducing the penalty imposed for failure to conform to notice requirements related to dyed diesel fuel; amending s. 206.9826, F.S.; increasing the refund available to certain air carriers on the purchase of aviation fuel; amending s. 212.0305, F.S.; revising uses and distribution of the charter county convention development tax for specified counties; providing restrictions on the use of funds; providing that no existing contract or debt service shall be affected; amending s. 212.0306, F.S.; providing a name for the local option food and beverage tax in a certain county; revising approved uses of the proceeds of the tax; prohibiting interlocal agreements and contracts with certain convention and visitors bureaus from being renewed or extended; providing that no existing contract shall be affected; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.05, F.S.; extending the period in which a dealer and nonresident purchaser must provide the state with documentation that a boat or aircraft purchased without the imposition of Florida sales tax will not be used in the state; amending s. 212.055, F.S.; providing an expiration date for the charter county and regional transportation system surtax for a certain county; requiring a resolution to levy the surtax after a certain date; requiring any new levy of the charter county and regional transportation system surtax to expire after 20 years; requiring the resolution to include a statement containing certain information; requiring the resolution to approve a school capital outlay surtax to include specified information; requiring revenues shared with charter schools to be expended by the charter schools

in a certain manner; requiring revenues and expenditures to be accounted for in specified charter school financial reports; providing applicability; amending s. 212.134, F.S.; requiring specified entities that must file a return under section 6050W of the Internal Revenue Code to provide copies to the department; specifying procedures for submitting the information; providing penalties; creating s. 212.181, F.S.; providing procedures for jurisdictions to notify the department regarding changes to their business boundaries for certain purposes; providing guidelines for correction of misallocated funds; providing procedures for correcting misallocated funds; providing deadlines for notifying the department of changes to business boundaries; providing rulemaking authority; amending ss. 212.20, 212.205, 218.64, and 288.0001, F.S.; conforming provisions to changes made by the act; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing definitions; amending s. 213.21, F.S.; tolling the period for filing a claim for refund for certain transactions during certain audit periods; amending s. 220.1105, F.S.; revising the definition of the term "final tax liability" for certain purposes; providing for retroactive application; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; creating s. 220.197, F.S.; defining the term "NAICS" for purposes of a certain tax credit; providing a credit against the corporate income tax in a specified amount and taxable year for certain taxpayers in car rental or leasing industries; providing for retroactive operation; repealing s. 288.11625, F.S., relating to the Sports Development Program; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 413.4021, F.S.; increasing the percent of revenues collected from the tax collection enforcement diversion program for specified purposes; amending s. 443.163, F.S.; providing that corrections to electronically filed reemployment tax reports must also be filed electronically; revising penalties; removing the requirement for certain parties to file electronically; removing the requirement that requests for waivers from statutory requirements be in writing; amending s. 626.932, F.S.; revising downward the surplus lines tax rate; revising the operation of the surplus lines tax for policies covering risks outside the state; amending s. 718.111, F.S.; providing that a condominium association may take certain actions relating to a challenge to ad valorem taxes in its own name or on behalf of unit owners; providing applicability; providing sales tax exemptions for certain clothing, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; creating ss. 211.0252, 212.1833, 561.1212, and 624.51056, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; amending s. 220.02, F.S.; revising legislative intent; amending ss. 220.13 and 220.186, F.S.; conforming cross-references to changes made by the act; creating s. 220.1876, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; providing requirements for applying a credit when the taxpayer requests an extension; creating s. 402.62, F.S.; creating the Children's Promise Tax Credit; providing definitions; providing requirements for designation as an eligible charitable organization; specifying certain organizations that may not be designated as an eligible charitable organization; providing responsibilities of eligible charitable organizations that receive contributions under the tax credit; providing responsibilities of the department related to the tax credit; providing guidelines for the application of, limitations to, and transfers of the tax credit; providing for the preservation of the tax credit under certain circumstances; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to develop a cooperative agreement to administer the tax credit; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to adopt rules; authorizing the Department of Revenue and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to share certain information as

needed to administer the tax credit; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; requiring the Florida Institute for Child Welfare to analyze the use of funding provided by the tax credit and submit a report to the Governor and Legislature by a specified date; amending s. 212.07, F.S.; authorizing dealers, subject to certain conditions, to advertise or hold out to the public that they will pay sales tax on behalf of the purchaser; amending s. 212.15, F.S.; conforming a provision to changes made by the act; providing appropriations; providing a directive to the Division of Law Revision; authorizing the Department of Revenue to adopt emergency rules for certain purposes; providing effective dates.

—which was previously considered this day with pending **Amendment 1 (882296)** by Senator Stargel and pending **Substitute Amendment 2 (271678)** by Senator Stargel.

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

Senator Rodriguez moved the following amendments to **Substitute Amendment 2 (271678)** which failed:

Amendment 2E (103672) (with title amendment)—Delete lines 1673-1749 and insert:
not be collected on the first Friday, Saturday, and Sunday of August of each year on the retail sale of:

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term “clothing” means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term “school supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.*

(2) *The tax levied under chapter 212, Florida Statutes, may not be collected on the first Friday, Saturday, and Sunday of August of each year on the first \$1,000 of the sales price of personal computers or personal computer-related accessories purchased for noncommercial home or personal use. As used in this subsection, the term:*

(a) *“Personal computers” includes electronic book readers, laptops, desktops, handheld devices, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.*

(b) *“Personal computer-related accessories” includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or peripherals that are designed or intended primarily for recreational use. The term “monitor” does not include any device that includes a television tuner.*

(3) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(4) *The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer’s gross sales of tangible personal property in the prior calendar year are composed of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by the last day of July of each year the dealer must notify the Department of Revenue in writing of*

its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

(5) *The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(6) *For the 2019-2020 fiscal year, the sum of \$241,000 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.*

(7) *This section shall take effect upon this act becoming a law.*

Section 59. *Disaster preparedness supplies; sales tax holiday.—*

(1) *The tax levied under chapter 212, Florida Statutes, may not be collected on the first Friday, Saturday, and Sunday of May of each year on the sale of:*

And the title is amended as follows:

Delete lines 1971-1978 and insert: certain timeframe each year; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe each year; specifying

Amendment 2F (758088) (with title amendment)—Delete lines 1381-1423 and insert:

Section 29. *Section 220.1105, Florida Statutes, is repealed.*

Section 30. Subsection (2) of section 220.11, Florida Statutes, is amended to read:

220.11 Tax imposed.—

(2)(a) *The tax imposed by this section shall be an amount equal to 5 1/2 percent of the taxpayer’s net income for the taxable year, except as provided in paragraph (b).*

~~(b) The tax rate imposed in paragraph (a) shall be adjusted as provided in s. 220.1105.~~

Section 31. Subsection (2) of section 220.63, Florida Statutes, is amended to read:

220.63 Franchise tax imposed on banks and savings associations.—

(2)(a) *The tax imposed by this section shall be an amount equal to 5 1/2 percent of the franchise tax base of the bank or savings association for the taxable year, except as provided in paragraph (b).*

~~(b) The tax rate imposed in paragraph (a) shall be adjusted as provided in s. 220.1105.~~

And the title is amended as follows:

Delete lines 1932-1935 and insert: procedures; repealing s. 220.1105, F.S., relating to corporate income taxes imposed, automatic refunds, and downward adjustments to tax rates; amending ss. 220.11 and 220.63, F.S.; conforming provisions to changes made by the act; amending s. 288.106, F.S.; authorizing a

THE PRESIDENT PRESIDING

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

Senator Lee moved the following amendments to **Substitute Amendment 2 (271678)** which failed:

Amendment 2G (439482) (with title amendment)—Between lines 1605 and 1606 insert:

Section 34. Subsection (9) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(9)(a) In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. For the purpose of distributing taxes collected pursuant to this ~~paragraph subsection~~, the term “school operational purposes” includes charter schools ~~pursuant to paragraph (b) sponsored by a school district~~. Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must not be incorporated in the calculation of any hold-harmless or other component of the Florida Education Finance Program formula in any year. If an increase in required local effort, when added to existing millage levied under the 10-mill limit, would result in a combined millage in excess of the 10-mill limit, any millage levied pursuant to this ~~paragraph subsection~~ shall be considered to be required local effort to the extent that the district millage would otherwise exceed the 10-mill limit. Funds ~~generated by the additional millage~~ levied under this ~~paragraph subsection~~ shall be shared with charter schools ~~pursuant to paragraph (b)~~ based on a ~~each~~ charter school’s proportionate share of the district’s total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy. The referendum must contain an explanation of the distribution methodology consistent with the requirements of this ~~paragraph subsection~~.

(b) *Beginning with the 2020-2021 school year, funds generated under paragraph (a) must be shared with a charter school if the charter school has been in operation within the applicable school district for at least 2 years.*

And the title is amended as follows:

Between lines 1964 and 1965 insert: 1011.71, F.S.; requiring that funds generated from additional millage for school operational purposes be shared with a charter school if the charter school has been in operation within the applicable school district for at least a certain period of time; amending s.

Amendment 2H (947834) (with title amendment)—Between lines 1337 and 1338 insert:

Section 27. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.1162 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.1162. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.1162(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center fa-

cility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be made after certification and before July 1, 2000.

e. The department shall distribute up to \$83,333 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to \$166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

f. ~~Beginning 45 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625 or upon a date specified by the Department of Economic Opportunity as provided under s. 288.11625(6)(d), the department shall distribute each month an amount equal to one twelfth of the annual distribution amount certified by the Department of Economic Opportunity for the applicant. The department may not distribute more than \$7 million in the 2014-2015 fiscal year or more than \$13 million annually thereafter under this sub-subparagraph.~~

~~g. Beginning December 1, 2015, and ending June 30, 2016, the department shall distribute \$26,286 monthly to the State Transportation Trust Fund. Beginning July 1, 2016, the department shall distribute \$15,333 monthly to the State Transportation Trust Fund.~~

7. All other proceeds must remain in the General Revenue Fund.

Section 36. *Section 288.11625, Florida Statutes, is repealed.*

Section 37. Subsection (2) and paragraph (c) of subsection (3) of section 218.64, Florida Statutes, are amended to read:

218.64 Local government half-cent sales tax; uses; limitations.—

(2) Municipalities shall expend their portions of the local government half-cent sales tax only for municipality-wide programs, ~~for reimbursing the state as required pursuant to s. 288.11625,~~ or for municipality-wide property tax or municipal utility tax relief. All utility tax rate reductions afforded by participation in the local government half-cent sales tax shall be applied uniformly across all types of taxed utility services.

(3) Subject to ordinances enacted by the majority of the members of the county governing authority and by the majority of the members of the governing authorities of municipalities representing at least 50 percent of the municipal population of such county, counties may use up to \$3 million annually of the local government half-cent sales tax allocated to that county for any of the following purposes:

~~(e) Reimbursing the state as required under s. 288.11625.~~

Section 38. Paragraph (e) of subsection (2) of section 288.0001, Florida Statutes, is amended to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(2) The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:

~~(c) Beginning January 1, 2018, and every 3 years thereafter, an analysis of the Sports Development Program established under s. 288.11625.~~

Section 39. Section 212.205, Florida Statutes, is amended to read:

212.205 Sales tax distribution reporting.—By March 15 of each year, each person who received a distribution pursuant to s. 212.20(6)(d) 6.b.-e. ~~s. 212.20(6)(d)6.b.-f.~~ in the preceding calendar year shall report to the Office of Economic and Demographic Research the following information:

(1) An itemized accounting of all expenditures of the funds distributed in the preceding calendar year, including amounts spent on debt service.

(2) A statement indicating what portion of the distributed funds have been pledged for debt service.

(3) The original principal amount and current debt service schedule of any bonds or other borrowing for which the distributed funds have been pledged for debt service.

And the title is amended as follows:

Delete line 1924 and insert: providing construction; amending s. 212.20, F.S.; conforming provisions to changes made by the act; repealing s. 288.11625, F.S., relating to the Sports Development Program; amending ss. 218.64, 288.0001, and 212.205, F.S.; conforming provisions to changes made by the act; creating s. 213.0537, F.S.;

The vote was:

Yeas—17

Berman	Lee	Rouson
Book	Montford	Stewart
Bracy	Pizzo	Taddeo
Cruz	Powell	Thurston
Farmer	Rader	Torres
Gibson	Rodriguez	

Nays—23

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

Amendment 2I (819886) (with title amendment)—Delete lines 1181-1222 and insert:

also include a statement that the revenues collected must be shared with charter schools pursuant to paragraph (e) based on a charter school's proportionate share of the school district's total unweighted full-time equivalent student enrollment. The statements must conform to the requirements of s. 101.161 and shall be placed on the ballot by the governing body of the county. The following question shall be placed on the ballot:

....FOR THECENTS TAX
....AGAINST THECENTS TAX

(c) The resolution providing for the imposition of the surtax ~~shall~~ set forth a plan for use of the surtax proceeds for fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of 5 or more years, and any land acquisition, land improvement, design, and engineering costs related thereto. Additionally, the plan shall include the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district. Surtax revenues may be used for the purpose of servicing bond indebtedness to finance projects authorized by this subsection, and any interest accrued thereto

may be held in trust to finance such projects. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses. *Surtax revenues shared with a charter school shall be expended by the charter school in a manner consistent with the purposes stated in the resolution under paragraph (b). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial report pursuant to s. 1002.33(9). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this subsection shall revert to the sponsor.*

(d) Surtax revenues collected by the Department of Revenue pursuant to this subsection shall be distributed to the school board imposing the surtax in accordance with law.

(e)1. *Notwithstanding any other law to the contrary, beginning with the 2020-2021 school year, funds generated under this subsection must be shared with a charter school if:*

a. *The charter school is eligible to receive capital outlay funds under s. 1013.62(1)(a); and*

b. *The charter school submits its brief and general description statement and plan pursuant to paragraph (b) to the school district within the timeframe specified by the district school board.*

A charter school is not eligible to receive capital outlay funds if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee or at no charge, or if it is directly or indirectly operated by the school district.

2. *A charter school that receives funds generated under this subsection must use funds for allowable purposes under this subsection.*

And the title is amended as follows:

Delete lines 1896-1899 and insert: requirement for charter schools; requiring that unencumbered funds revert to the sponsor under certain circumstances; specifying conditions under which funds must be shared with charter schools; specifying conditions under which a charter school is ineligible to receive funds; providing applicability; creating s.

The vote was:

Yeas—18

Berman	Farmer	Rodriguez
Book	Gibson	Rouson
Bracy	Lee	Stewart
Bradley	Montford	Taddeo
Braynon	Pizzo	Thurston
Cruz	Rader	Torres

Nays—21

Mr. President	Diaz	Mayfield
Albritton	Flores	Passidomo
Baxley	Gainer	Perry
Bean	Gruters	Simmons
Benacquisto	Harrell	Simpson
Brandes	Hooper	Stargel
Broxson	Hutson	Wright

Amendment 2J (608968)—Delete lines 1181-1183 and insert: *also include a statement that the revenues collected must be shared with eligible charter schools based on a charter school's proportionate share of the school district's total unweighted full-time equivalent student enrollment. The statements must ~~statement~~*

The vote was:

Yeas—17

Berman	Braynon	Gibson
Book	Cruz	Lee
Bracy	Farmer	Montford

Pizzo	Rodriguez	Thurston
Powell	Rouson	Torres
Rader	Taddeo	

Nays—22

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

Substitute Amendment 2 (271678) was adopted.

On motion by Senator Stargel, further consideration of **CS for HB 7097**, as amended, was deferred.

By direction of the President, pursuant to Rule 4.3(3), the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 646, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 646—A bill to be entitled An act relating to intercollegiate athlete compensation and rights; creating s. 1006.74, F.S.; providing legislative findings; defining terms; authorizing certain intercollegiate athletes to earn compensation for the use of their names, images, or likenesses; providing requirements for such compensation; prohibiting postsecondary educational institutions from adopting or maintaining contracts, rules, regulations, standards, or other requirements that prevent or unduly restrict intercollegiate athletes from earning specified compensation; providing that certain compensation does not affect certain intercollegiate athlete eligibilities; prohibiting a postsecondary educational institution and other entities, institutions, and their employees from compensating intercollegiate athletes or prospective intercollegiate athletes for the use of their names, images, or likenesses; prohibiting a postsecondary educational institution from preventing or unduly restricting intercollegiate athletes from obtaining specified representation; requiring athlete agents and attorneys to meet specified requirements; providing that specified aid for intercollegiate athletes is not compensation; prohibiting the revocation or reduction of certain aid as a result of intercollegiate athletes earning certain compensation or obtaining specified representation; providing approval requirements for certain contracts for compensation for intercollegiate athletes who are minors; providing contract requirements; prohibiting intercollegiate athletes from entering into contracts for specified compensation that conflict with terms of her or his team contract; providing intercollegiate athlete contract disclosure requirements; prohibiting an intercollegiate athlete contract from extending beyond a specified timeframe; requiring each postsecondary institution to conduct a financial literacy and life skills workshop for intercollegiate athletes; requiring the Board of Governors and the State Board of Education to adopt regulations and rules, respectively; amending s. 468.453, F.S.; providing requirements for certain athlete agents; providing an effective date.

House Amendment 1 (370715) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Intercollegiate Athlete Bill of Rights."*

Section 2. Section 1006.74, Florida Statutes, is created to read:

1006.74 *Intercollegiate athlete compensation and rights.*—

The Legislature finds that intercollegiate athletics provide intercollegiate athletes with significant educational opportunities. However, participation in intercollegiate athletics should not infringe upon an intercollegiate athlete’s ability to earn compensation for her or his name, image, likeness, or persona. An intercollegiate athlete must have an equal opportunity to control and profit from the commercial use of her or his name, image, likeness, and persona and be protected from unauthorized appropriation and commercial exploitation of her or his right to publicity, including her or his name, image, likeness, and persona. Moreover, an intercollegiate athlete’s inability to participate in intercollegiate athletics due to an injury should not impair her or his future health or academic success.

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

(a) “Athletic program” means an intercollegiate athletic program at a postsecondary educational institution.

(b) “Disability insurance” means insurance covering disability compensation benefits for an intercollegiate athlete participating in an athletic program.

(c) “Health insurance” means primary health insurance covering injuries resulting from the intercollegiate athlete’s participation in an athletic program that provides for all medically necessary treatment and care until the intercollegiate athlete is restored to her or his condition before the injury.

(d) “Injury” means an injury sustained by an intercollegiate athlete while participating in an athletic program’s activities.

(e) “Insurance” means health insurance and disability insurance.

(f) “Intercollegiate athlete” means a student who participates in an athletic program. The term includes a former intercollegiate athlete who suffered an injury.

(g) “Partial disability” means the intercollegiate athlete’s incapacity because of the injury to earn full-time wages.

(h) “Physician” means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a podiatric physician licensed under chapter 461, or an optometrist licensed under chapter 463.

(i) “Postsecondary educational institution” means a state university, a Florida College System institution, or a private college or university receiving aid under chapter 1009.

(j) “Total disability” means an intercollegiate athlete’s inability to earn wages because of an injury.

(2) **INTERCOLLEGIATE ATHLETES’ COMPENSATION AND RIGHTS AND POSTSECONDARY EDUCATIONAL INSTITUTIONS RESPONSIBILITIES.**—Effective July 1, 2021:

(a) An intercollegiate athlete at a postsecondary educational institution may earn compensation for her or his name, image, likeness, or persona. Such compensation must be commensurate with the market value of the services provided. To preserve the integrity, quality, character, and amateur nature of intercollegiate athletics and to maintain a clear separation between amateur intercollegiate athletics and professional sports, such compensation may not be provided in exchange for athletic performance or attendance at a particular institution.

(b) A postsecondary educational institution may not adopt or maintain a contract, rule, regulation, standard, or other requirement that prevents or unduly restricts an intercollegiate athlete from earning compensation for the use of her or his name, image, likeness, or persona. Earning such compensation may not affect the intercollegiate athlete’s grant-in-aid or athletic eligibility.

(c) A postsecondary educational institution, an entity whose purpose includes supporting or benefitting the institution or its athletic programs, or an officer, director, or employee of such institution or entity may not compensate or cause compensation to be directed to a current or

prospective intercollegiate athlete for her or his name, image, likeness, or persona.

(d) A postsecondary educational institution may not prevent or unduly restrict an intercollegiate athlete from obtaining professional representation by an athlete agent or attorney engaged for the purpose of securing compensation for her or his name, image, likeness, or persona. Pursuant to s. 468.453(8), an athlete agent representing an intercollegiate athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be licensed under part IX of chapter 468. An attorney representing an intercollegiate athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be a member in good standing of The Florida Bar.

(e) Grant-in-aid, including cost of attendance, awarded to an intercollegiate athlete by a postsecondary educational institution is not compensation for the purposes of this subsection, and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation or obtaining professional representation under this subsection.

(f) An intercollegiate athlete under the age of 18 years must have any contract for compensation for her or his name, image, likeness, or persona approved under ss. 743.08 and 743.09.

(g) An intercollegiate athlete’s contract for compensation for her or his name, image, likeness, or persona may not violate this subsection.

(h) An intercollegiate athlete may not enter into a contract for compensation for her or his name, image, likeness, or persona if a term of the contract materially conflicts with a term of the intercollegiate athlete’s team contract. A postsecondary educational institution asserting a conflict under this paragraph must disclose each relevant contract term that conflicts with the team contract to the intercollegiate athlete or her or his representative.

(i) An intercollegiate athlete who enters into a contract for compensation for her or his name, image, likeness, or persona shall disclose the contract to the postsecondary educational institution at which she or he is enrolled, in a manner designated by the institution.

(j) The duration of a contract for representation of an intercollegiate athlete or compensation of an intercollegiate athlete’s name, image, likeness, or persona may not extend beyond her or his participation in an athletic program at a postsecondary educational institution.

(3) **POSTSECONDARY EDUCATIONAL INSTITUTION HEALTH AND DISABILITY INSURANCE REQUIREMENTS.**—Each postsecondary educational institution shall:

(a)1. Maintain for each intercollegiate athlete health insurance and disability insurance that meets the requirements of subparagraphs 3. and 4., respectively, by:

a. Verifying that the intercollegiate athlete is provided the benefits required by this section by her or his own insurance or insurance provided by an immediate family member;

b. Providing insurance covering the intercollegiate athlete;

c. Participating in an insurance program, which provides at least the benefits required by this section, offered by an intercollegiate athletics sanctioning body or intercollegiate athletics association of which the postsecondary educational institution is a member; or

d. Any combination of sub-subparagraphs a.-c.

2. If the intercollegiate athlete’s insurance under sub-subparagraph 1.a. lapses or does not provide the required medical benefits, the postsecondary educational institution must provide coverage under sub-subparagraph 1.b. or sub-subparagraph 1.c., or a combination thereof, beginning with the first dollar of a claim. If coverage is secured under sub-subparagraph 1.a., any deductible, copay, or coinsurance amounts must be paid by the postsecondary educational institution or an intercollegiate athletics association, conference, or organization of which the postsecondary educational institution is a member. If coverage is secured under sub-subparagraph 1.b. or sub-subparagraph 1.c., or a combination thereof, the entire premium and any deductible, copay, or coinsurance amounts must be paid by the postsecondary educational institution or an intercollegiate athletics association, conference, or

organization of which the postsecondary educational institution is a member.

3. Health insurance under subparagraph 1. must include dental benefits for dental conditions related to the injury, medically necessary emergency and nonemergency medical transportation, professional and nonprofessional attendant care, prosthetics, orthotics, durable medical equipment, and medically necessary physical rehabilitation and vocational rehabilitation benefits.

4. Disability insurance under subparagraph 1. must provide at least \$400 per month for the first 12 months of total disability and \$2,700 per month for each month of total disability beyond the first 12 months of total disability; at least \$270 per month for the first 12 months of partial disability and \$1,800 per month for each month of partial disability beyond the first 12 months of partial disability; and a death benefit of at least \$25,000.

(b) Provide an intercollegiate athlete who was receiving athletic related grant-in-aid and is in good standing, an equivalent grant-in-aid for:

1. Up to one academic year or until the intercollegiate athlete completes her or his primary undergraduate degree, whichever is shorter, if the intercollegiate athlete has exhausted athletic eligibility.

2. Up to five academic years or until the intercollegiate athlete completes her or his primary undergraduate degree, whichever is shorter, if the intercollegiate athlete suffered an injury, and an independent physician with a specialty appropriate to each applicable injury determines that she or he is medically ineligible to participate in intercollegiate athletics.

(c) Conduct a financial literacy and life skills workshop for a minimum of 5 hours at the beginning of the intercollegiate athlete's first and third academic years. The workshop shall, at a minimum, include information concerning financial aid, debt management, and a recommended budget for full and partial grant-in-aid intercollegiate athletes based on the current academic year's cost of attendance. The workshop shall also include information on time management skills necessary for success as an intercollegiate athlete and available academic resources. The workshop may not include any marketing, advertising, referral, or solicitation by providers of financial products or services.

(4) LIMITATIONS.—

(a) This section does not require the medical treatment of a pre-existing medical condition except to the extent that the preexisting medical condition is aggravated by the injury or treatment of the pre-existing medical condition is medically necessary to the treatment of the injury.

(b) State funds may not be used to comply with the requirements of this section.

(c) An injury must be reported by the earlier of the 30th day after occurrence of the injury, the 30th day after the intercollegiate athlete knew or should have known that an injury existed, or 2 years after the intercollegiate athlete separates from the postsecondary educational institution.

(d) An intercollegiate athlete's claim for benefits related to an injury is barred after 2 years after the report of injury or 2 years after provision of compensable medical treatment, whichever is later.

(e) For a former intercollegiate athlete receiving disability compensation benefits under this section who is earning wages while receiving such benefits or is determined by a functional capacity expert to be capable of earning wages, beginning 12 months after the date of the injury, the benefit shall be reduced by an amount equal to one half of the former intercollegiate athlete's after tax earnings in excess of the base amount. The base amount shall be \$1,000 for the first 12 months the reduction provided by this paragraph is applied and shall increase by 2.5 percent annually thereafter. If the former intercollegiate athlete is determined by a functional capacity expert to have a wage earning capacity, but is not earning wages, the disability compensation benefit shall be reduced by one-half for any period more than 12 months after the date of the injury that the former intercollegiate athlete is not earning

wages, unless the former intercollegiate athlete documents her or his employment search, which must include at least four employment applications submitted monthly.

(5) REGULATIONS AND RULES.—The Board of Governors and the State Board of Education shall adopt regulations and rules, respectively, to implement this section.

Section 3. Subsections (8) and (9) are added to section 468.453, Florida Statutes, to read:

468.453 Licensure required; qualifications; license nontransferable; service of process; temporary license; license or application from another state.—

(8) Notwithstanding subsection (3), a person must hold a valid license as an athlete agent to act as an athlete agent representing an intercollegiate athlete for purposes of contracts authorized under s. 1006.74.

(9) Notwithstanding athletic conference or collegiate athletic association rules, bylaws, regulations, and policies to the contrary, an athlete agent may represent an intercollegiate athlete in securing compensation for use of her or his name, image, likeness, and persona under s. 1006.74. An athlete agent is not subject to discipline under s. 468.456(1)(k) for representing an intercollegiate athlete under s. 1006.74.

Section 4. This act shall take effect July 1, 2020.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to intercollegiate athlete compensation and rights; providing a short title; creating s. 1006.74, F.S.; providing legislative findings; providing definitions; authorizing certain intercollegiate athletes to earn compensation for their names, images, likenesses, and personas beginning on a date certain; providing requirements for such compensation; prohibiting postsecondary educational institutions from adopting or maintaining rules, regulations, standards, or other requirements that prevents or unduly restricts intercollegiate athletes from earning specified compensation; providing that certain compensation does not affect certain intercollegiate athlete eligibilities; prohibiting a postsecondary educational institution, certain entities, and specified individuals from compensating or causing compensation to be directed to intercollegiate athletes or prospective intercollegiate athletes for their names, images, likenesses, or personas; prohibiting a postsecondary educational institution from preventing or unduly restricting intercollegiate athletes from obtaining specified representation; requiring athlete agents and attorneys to meet specified requirements; providing that specified aid for intercollegiate athletes is not considered compensation; prohibiting the revocation or reduction of certain aid as a result of intercollegiate athletes earning certain compensation or obtaining specified representation; providing approval requirements for certain contracts for compensation for intercollegiate athletes who are minors; providing contract requirements; prohibiting intercollegiate athletes from entering into contracts for specified compensation that materially conflict with terms of her or his team contract; providing intercollegiate athlete contract disclosure requirements; requiring postsecondary educational institutions to maintain certain insurance for intercollegiate athletes; providing requirements for such insurance; requiring postsecondary educational institutions to provide specified grant-in-aid to intercollegiate athletes under certain circumstances and provide a specified workshop; providing requirements for such grant-in-aid and workshop; providing applicability; prohibiting the use of state funds for specified purposes; providing requirements for reporting certain injuries and claims for benefits related to certain injuries; providing requirements for certain disability compensation benefits; requiring the Board of Governors and the State Board of Education to adopt regulations and rules, respectively; amending s. 468.453, F.S.; providing requirements for certain athlete agents; providing an exemption from specified disciplinary actions; providing an effective date.

On motion by Senator Mayfield, the Senate refused to concur in **House Amendment 1 (370715)** to **CS for CS for SB 646** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 664, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 664—A bill to be entitled An act relating to the verification of employment eligibility; amending s. 287.058, F.S.; requiring written agreements for the procurement of specified contractual services to include a statement regarding the requirement that a contractor or subcontractor register with and use E-Verify; creating s. 287.137, F.S.; defining terms; requiring public employers and certain contractors and subcontractors to register with and use E-Verify by a specified date; prohibiting public employers, contractors, and subcontractors from entering into a contract unless each party to the contract registers with and uses E-Verify; amending s. 288.061, F.S.; prohibiting the approval of certain economic development incentive applications after a specified date; requiring an awardee to repay certain moneys within a specified timeframe under certain circumstances; creating s. 448.093, F.S.; defining terms; requiring employers to register with and use an electronic employment verification system to verify the employment eligibility of new employees by a certain date; authorizing employers to use an alternative system that meets specified criteria to confirm an employee's identity, subject to certain requirements; authorizing the Department of Economic Opportunity to conduct random audits of employment files of certain employers; requiring the department to take certain action against a noncompliant employer; requiring the appropriate licensing agency to suspend a noncompliant employer's license until certain conditions are met; requiring permanent revocation of licenses under specified circumstances; authorizing the imposition of fines for violations of the act; prohibiting an employer from knowingly employing an unauthorized alien; providing civil immunity for an employer registered with and using an electronic employment verification system; providing specified immunity and nonliability for an employer who complies in good faith with the requirements of the act; creating a rebuttable presumption for certain employers that the employer did not knowingly employ an unauthorized alien; authorizing certain persons with knowledge of a violation to file a complaint with the department, subject to certain limitations; providing a penalty for persons who knowingly file false or frivolous complaints; prescribing procedures for the disposition of such complaints; requiring the department to notify the Federal Government of the identity of an unauthorized alien; requiring employers to provide copies of certain documentation, upon request, to specified persons and governmental entities for certain purposes; prohibiting specified persons and entities from making a determination as to whether a person is an unauthorized alien; requiring the department to define by rule electronic employment verification systems substantially equivalent to the E-Verify system; providing requirements for such rules; authorizing the department to adopt additional rules in administering the act; providing for construction; providing appropriations and authorizing positions; providing for severability; providing an effective date.

House Amendment 1 (577843) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (6) of section 288.061, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section to read:

288.061 Economic development incentive application process.—

(6) *Beginning July 1, 2020, the executive director may not approve an economic development incentive application unless the application includes proof to the department that the applicant business is registered with and uses the E-Verify system, as defined in s. 448.095, to verify the work authorization status of all newly hired employees. If the department determines that an awardee is not complying with this subsection, the department must notify the awardee by certified mail of the department's determination of noncompliance and the awardee's right to appeal the determination. Upon a final determination of noncompliance, the awardee must repay all moneys received as an economic development incentive to the department within 30 days after the final determination.*

Section 2. Section 448.095, Florida Statutes, is created to read:

448.095 *Employment eligibility.*—

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

(a) “Agency” means any agency, department, board, or commission of this state or a county or municipality in this state that issues a license to operate a business in this state.

(b) “Contractor” means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

(c) “Department” means the Department of Economic Opportunity.

(d) “Employee” means a person filling an authorized and established position who performs labor or services for a public or private employer in exchange for salary, wages, or other remuneration.

(e) “E-Verify system” means an Internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

(f) “Legal alien” means a person who is or was lawfully present or permanently residing legally in the United States and allowed to work at the time of employment and remains so throughout the duration of that employment.

(g) “License” means a franchise, a permit, a certificate, an approval, a registration, a charter, or any similar form of authorization required by state law and issued by an agency for the purpose of operating a business in this state. The term includes, but is not limited to:

1. An article of incorporation.
2. A certificate of partnership, a partnership registration, or an article of organization.
3. A grant of authority issued pursuant to state or federal law.
4. A transaction privilege tax license.

(h) “Private employer” means a person or entity that transacts business in this state, has a license issued by an agency, and employs persons to perform labor or services in this state in exchange for salary, wages, or other remuneration. The term does not include:

1. A public employer;
2. The occupant or owner of a private residence who hires:
 - a. Casual labor, as defined in s. 443.036, to be performed entirely within the private residence; or
 - b. A licensed independent contractor, as defined in federal laws or regulations, to perform a specified portion of labor or services; or

3. An employee leasing company licensed under part XI of chapter 468 that enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company. In the absence of a written agreement or understanding, the employee leasing company is responsible for compliance with this section. Such employee leasing company shall, at all times, remain an employer as otherwise defined in federal laws or regulations.

(i) “Public employer” means an entity within state, regional, county, local, or municipal government, whether executive, judicial, or legislative, or any public school, community college, or state university that employs persons who perform labor or services for that employer in exchange for salary, wages, or other remuneration or that enters or attempts to enter into a contract with a contractor.

(j) “Subcontractor” means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

(k) “Unauthorized alien” means a person who is not authorized under federal law to be employed in the United States, as described in 8

U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

(2) PUBLIC EMPLOYERS, CONTRACTORS, AND SUBCONTRACTORS.—

(a) Beginning January 1, 2021, every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.

(b)1. If a contractor enters into a contract with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.

2. The contractor shall maintain a copy of such affidavit for the duration of the contract.

(c)1. A public employer, contractor, or subcontractor who has a good faith belief that a person or entity with which it is contracting has knowingly violated s. 448.09(1) shall terminate the contract with the person or entity.

2. A public employer that has a good faith belief that a subcontractor knowingly violated this subsection, but the contractor otherwise complied with this subsection, shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.

3. A contract terminated under subparagraph 1. or subparagraph 2. is not a breach of contract and may not be considered as such.

(d) A public employer, contractor, or subcontractor may file an action with a circuit or county court to challenge a termination under paragraph (c) no later than 20 calendar days after the date on which the contract was terminated.

(e) If a public employer terminates a contract with a contractor under paragraph (c), the contractor may not be awarded a public contract for at least 1 year after the date on which the contract was terminated.

(f) A contractor is liable for any additional costs incurred by a public employer as a result of the termination of a contract.

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or
2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9).

The private employer must retain a copy of the documentation provided under this subparagraph for at least 3 years after the person's initial date of employment.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(d) For purposes of this subsection, compliance with paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of s. 448.09(1).

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.

A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

(f) If a private employer does not comply with paragraph (b), the department shall require the private employer to provide an affidavit to the department stating that the private employer will comply with paragraph (b), the private employer has terminated the employment of all unauthorized aliens in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state. If the private employer does not provide the required affidavit within 30 days after the department's request, the appropriate licensing agency shall suspend all applicable licenses held by the private employer until the private employer provides the department with the required affidavit. For purposes of this paragraph, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer at the private employer's primary place of business.

(g) For any private employer found to have violated paragraph (f) three times within any 36 month period, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer at the private employer's primary place of business.

(4) CONSTRUCTION.—This section shall be enforced without regard to race, color, or national origin and shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations.

Section 3. This act shall take effect July 1, 2020.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to the verification of employment eligibility; amending s. 288.061, F.S.; prohibiting the approval of certain economic development incentive applications after a specified date; requiring an awardee to repay certain moneys within a specified timeframe under certain circumstances; creating s. 448.095, F.S.; providing definitions; requiring public employers, contractors, and subcontractors to register with and use the E-Verify system; prohibiting such entities from entering into a contract unless each party to the contract registers with and uses the E-Verify system; requiring a subcontractor to provide a contractor with a certain affidavit; requiring a contractor to maintain a copy of such affidavit; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract; authorizing a challenge to such termination; providing certain liability for contractors if a contract is terminated; requiring private employers to verify the employment eligibility of newly hired employees

beginning on a specified date; providing an exception; providing acceptable methods for verifying employment eligibility; requiring a private employer to maintain certain documentation for a specified time period; providing specified immunity and nonliability for private employers; creating a rebuttable presumption for private employers; requiring private employers to provide copies of certain documentation, upon request, to specified persons and entities for certain purposes; prohibiting specified persons and entities from making a determination as to whether a person is an unauthorized alien; requiring a specified affidavit from certain private employers; providing for the suspension or permanent revocation of certain licenses under certain circumstances; providing construction; providing an effective date.

On motion by Senator Lee, the Senate concurred in **House Amendment 1 (577843)**.

CS for CS for CS for SB 664 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—23

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

Nays—17

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

Vote after roll call:

Yea to Nay—Montford

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 680, with 2 amendments, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 680—A bill to be entitled An act relating to shark fins; amending s. 379.2426, F.S.; prohibiting the import, export, and sale of shark fins in this state; providing exceptions; providing for expiration of the exceptions; requiring the Fish and Wildlife Conservation Commission to evaluate the potential economic impacts to the commercial shark fishing industry in this state; requiring the commission to identify actions to lessen or offset impacts to the industry; requiring the commission to review the potential impact on shark populations; requiring a report to the Legislature by a specified date; providing an effective date.

House Amendment 1 (653561) (with title amendment)—Between lines 16 and 17, insert:

Section 1. *This act may be cited as the “Kristin Jacobs Ocean Conservation Act.”*

And the title is amended as follows:

Remove line 2 and insert: An act relating to shark fins; providing a short title; amending s. 379.2426,

House Amendment 2 (086459) (with title amendment)—Remove lines 42-94 and insert:

(4) *The prohibitions under subsection (3) do not apply to any of the following:*

(a) *The sale of shark fins by any commercial fisherman who harvested sharks from a vessel holding a valid federal shark fishing permit on January 1, 2020.*

(b) *The export and sale of shark fins by any wholesale dealer holding a valid federal Atlantic shark dealer permit on January 1, 2020.*

(c) *The export and sale of domestically sourced shark fins by any shark fin processor that obtains fins from a wholesale dealer holding a valid federal Atlantic shark dealer permit on January 1, 2020.*

(5)(~~9~~) A person who violates this section is subject to the following penalties:

(a) For a first violation, a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the commission shall assess an administrative fine of \$4,500 and suspend all of the person’s license privileges under this chapter for 180 days.

(b) For a second violation, a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the commission shall assess an administrative fine of \$9,500 and suspend all of the person’s license privileges under this chapter for 365 days.

(c) For a third and any subsequent violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the commission shall assess an administrative fine of \$9,500 and permanently revoke all of the person’s license privileges under this chapter.

While his or her license privileges are under suspension or revocation pursuant to this subsection, a person may not participate in the taking or harvesting, or attempt the taking or harvesting, of saltwater products from any vessel within the waters of the state; be aboard any vessel on which a commercial quantity of saltwater products is possessed through an activity requiring a license pursuant to this chapter; or engage in any other activity requiring a license, permit, or certificate issued pursuant to this chapter.

Section 2. (1) *The Fish and Wildlife Conservation Commission shall evaluate the potential economic impact to the commercial shark fishing industry associated with the prohibition of the import, export, and sale of shark fins in Florida. Based on any identified negative economic impacts to the commercial shark fishing industry, the commission shall identify actions to lessen or offset impacts on the industry to the extent practicable. The commission also shall review the potential impact on shark populations associated with the prohibition of the import, export, and sale of shark fins in Florida. The commission may review and include any other information it believes is relevant to the management of shark fisheries. The commission shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2021.*

(2) *After receipt of the report submitted pursuant to subsection (1), the Legislature may, based upon the findings of the report, impose a ban on the domestic production of shark fins.*

And the title is amended as follows:

Remove lines 4-13 and insert: shark fins in this state; providing exceptions; requiring the Fish and Wildlife Conservation Commission to evaluate the potential economic impacts to the commercial shark fishing industry in this state; requiring the commission to identify actions to lessen or offset impacts to the industry; requiring the commission to review the potential impact on shark populations; requiring a report to the Legislature by a specified date; authorizing the Legislature to impose a ban on the domestic production of shark fins based upon the findings of the report; providing an effective date.

On motion by Senator Hutson, the Senate concurred in **House Amendment 1 (653561)** and **House Amendment 2 (086459)**.

CS for CS for CS for SB 680 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was 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

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 838, with 2 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 838—A bill to be entitled An act relating to business organizations; amending s. 607.0120, F.S.; making technical changes; amending s. 607.0123, F.S.; specifying that certain documents accepted by the Department of State for filing are effective on the date the documents are accepted by the department; making technical changes; amending ss. 607.0125, 607.0127, 607.01401, 607.0141, 607.0501, and 607.0601, F.S.; making technical changes; amending s. 607.0602, F.S.; revising the authority of a board of directors to reclassify certain unissued shares; amending ss. 607.0620, 607.0623, 607.0630, 607.0704, 607.0705, 607.0707, 607.0720, 607.0721, 607.0732, and 607.0750, F.S.; making technical changes; amending s. 607.0808, F.S.; revising the required contents of a meeting notice relating to the removal of a director by shareholders; amending s. 607.0832, F.S.; making a technical change; amending s. 607.0850, F.S.; revising the definition of the term "expenses"; amending ss. 607.0855 and 607.0858, F.S.; making technical changes; amending s. 607.0901, F.S.; revising definitions; amending ss. 607.1002 and 607.1003, F.S.; making technical changes; amending s. 607.1102, F.S.; authorizing a domestic corporation to acquire one or more classes or series of shares under certain circumstances; amending ss. 607.1103, 607.11035, 607.11045, 607.1106, and 607.11920, F.S.; making technical changes; amending s. 607.11921, F.S.; revising an exception for the procedure to approve a plan of domestication; making a technical change; amending ss. 607.11923 and 607.11924, F.S.; making technical changes; amending s. 607.11932, F.S.; revising an exception for the procedure to approve a plan of conversion; making a technical change; amending ss. 607.11933, 607.11935, 607.1202, 607.1301, 607.1302, 607.1303, 607.1320, 607.1333, 607.1340, 607.1403, 607.1406, 607.1422, 607.1430, 607.1431, 607.1432, 607.14401, 607.1501, 607.1502, 607.1503, 607.1504, 607.1505, 607.1507, 607.1509, 607.15091, 607.15101, 607.1520, 607.1602, 607.1604, and 607.1622, F.S.; making technical changes; creating s. 607.1703, F.S.; authorizing the department to direct certain interrogatories to certain corporations and to officers or directors of certain corporations; providing requirements for answering the interrogatories; providing requirements for the department relating to interrogatories; authorizing the department to bring certain actions; authorizing the department to file a lis pendens against certain property and to certify certain findings to the Department of Legal Affairs; amending ss. 607.1907, 607.504, and 605.0116, F.S.; making technical changes; amending s. 605.0207, F.S.; specifying that certain documents accepted by the department for filing are effective on the date the records are accepted by the department; making a technical change; amending ss. 605.0215, 605.0702, 605.0716, 605.1104, and 617.0501, F.S.; making technical changes; amending s. 617.0825, F.S.; authorizing a board of directors to appoint persons to serve on certain committees; requiring that a majority of the persons on such committees be directors; providing exceptions; making technical changes; providing responsibilities and duties for non-director committee members; authorizing a corporation to create or authorize the

creation of advisory committees; specifying an advisory committee is not a committee of the board of directors; providing prohibitions and authorizations for advisory committees; providing applicability; providing an effective date.

House Amendment 1 (556959) (with directory and title amendments)—Between lines 1305 and 1306, insert:

(2) Notwithstanding subsection (1), the availability of appraisal rights under paragraphs (1)(a), (b), (c), (d), ~~and~~ (e), and (g) shall be limited in accordance with the following provisions:

(a) Appraisal rights shall not be available for the holders of shares of any class or series of shares which is:

1. A covered security under s. 18(b)(1)(A) or (B) of the Securities Act of 1933;

2. Not a covered security, but ~~traded in an organized market and~~ has at least 2,000 shareholders and the outstanding shares of such class or series have a market value of at least \$20 million, exclusive of the value of outstanding shares held by the corporation's subsidiaries, by the corporation's senior executives, by the corporation's directors, and by the corporation's beneficial shareholders and voting trust beneficial owners owning more than 10 percent of the outstanding shares; or

3. Issued by an open end management investment company registered with the Securities and Exchange Commission under the Investment Company Act of 1940 and which may be redeemed at the option of the holder at net asset value.

(b) The applicability of paragraph (a) shall be determined as of:

1. The record date fixed to determine the shareholders entitled to receive notice of the meeting of shareholders to act upon the corporate action requiring appraisal rights, or, in the case of an offer made pursuant to s. 607.11035, the date of such offer; or

2. If there will be no meeting of shareholders and no offer is made pursuant to s. 607.11035, the close of business on the day before the consummation of the corporate action or the effective date of the amendment of the articles, as applicable.

(c) Paragraph (a) is not applicable and appraisal rights shall be available pursuant to subsection (1) for the holders of any class or series of shares where the corporate action is an interested transaction.

And the directory clause is amended as follows:

Remove lines 1200-1201 and insert:

Section 42. Subsections (1) and (2) of section 607.1302, Florida Statutes, are amended to read:

And the title is amended as follows:

Remove lines 35-36 and insert: amending ss. 607.11933, 607.11935, 607.1202, and 607.1301; making technical changes; amending s. 607.1302, F.S.; revising shareholder rights to appraisal for certain amendments to the articles of incorporation; revising shareholder rights to appraisal for certain shares that are not covered securities; amending ss. 607.1303, 607.1320, 607.1333, 607.1340,

House Amendment 2 (145281) (with title amendment)—Between lines 1956 and 1957, insert:

Section 77. Paragraph (c) is added to subsection (2) of section 617.0721, Florida Statutes, to read:

617.0721 Voting by members.—

(2) A member who is entitled to vote may vote in person or, unless the articles of incorporation or the bylaws otherwise provide, may vote by proxy executed in writing by the member or by his or her duly authorized attorney in fact. Notwithstanding any provision to the contrary in the articles of incorporation or bylaws, any copy, facsimile transmission, or other reliable reproduction of the original proxy may be substituted or used in lieu of the original proxy for any purpose for which the original proxy could be used if the copy, facsimile transmis-

sion, or other reproduction is a complete reproduction of the entire proxy. An appointment of a proxy is not valid after 11 months following the date of its execution unless otherwise provided in the proxy.

(c) Policyholders of a mutual insurance company or mutual insurance holding company shall have the right to vote any membership interest granted by the insurer's bylaws, at any special or annual meeting of the members, either in person or by proxy that has been properly transmitted to the insurer. For purposes of this paragraph, "properly transmitted" means substantial compliance with any reasonable procedure established by the insurer for the proper transmission of proxies. Such procedure may include transmission by mail, electronically, or by any other means reasonably calculated to ensure that the transmission was submitted by the member or by his or her attorney in fact.

And the title is amended as follows:

Remove line 58 and insert: F.S.; making technical changes; amending s. 617.0721, F.S.; providing that policyholders of certain insurance companies and insurance holding companies have the right to vote certain membership interest by proxy; defining the term "properly transmitted"; amending s. 617.0825,

On motion by Senator Simmons, the Senate refused to concur in House Amendment 1 (556959) and House Amendment 2 (145281) to CS for SB 838 and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 78, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 78—A bill to be entitled An act relating to transportation-related facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 2014-228, L.O.F.; revising the name of an honorary designation; providing an honorary designation of certain transportation facilities specified; directing the Department of Transportation to erect suitable markers and to examine the feasibility to rename the facilities specified; requiring a report by a date certain; providing an honorary designation of a facility in a specified county; directing the Department of Highway Safety and Motor Vehicles to erect suitable markers; amending chapter 2019-169, L.O.F.; correcting the location of an honorary designation; providing an effective date.

House Amendment 1 (546285)—Remove line 106 and insert:

(26) That portion of S.R. 514 between I-95 and Babcock Street S.E. in Brevard County is designated as "Deputy Chief Lynne Nungesser Memorial Highway."

(27) The Department of Transportation is directed to erect

On motion by Senator Broxson, the Senate concurred in House Amendment 1 (546285).

CS for CS for SB 78 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Brandes	Gruters
Albritton	Braynon	Harrell
Baxley	Broxson	Hooper
Bean	Cruz	Hutson
Benacquisto	Diaz	Lee
Berman	Farmer	Mayfield
Book	Flores	Montford
Bracy	Gainer	Passidomo
Bradley	Gibson	Perry

Pizzo	Rouson	Stewart
Powell	Simmons	Taddeo
Rader	Simpson	Thurston
Rodriguez	Stargel	Wright

Nays—None

Vote after roll call:

Yea—Torres

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed SB 362, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 362—A bill to be entitled An act relating to Florida tourism marketing; amending s. 288.1226, F.S.; revising the scheduled repeal of the Florida Tourism Industry Marketing Corporation direct-support organization; amending s. 288.923, F.S.; abrogating the scheduled repeal of the Division of Tourism Marketing of Enterprise Florida, Inc.; providing an effective date.

House Amendment 1 (657321) (with title amendment)—Remove lines 16-24 and insert:

(14) REPEAL.—This section is repealed October 1, 2023 ~~July 1, 2020~~, unless reviewed and saved from repeal by the Legislature.

Section 2. Subsection (6) of section 288.923, Florida Statutes, is amended to read:

288.923 Division of Tourism Marketing; definitions; responsibilities.—

(6) This section is repealed October 1, 2023 ~~July 1, 2020~~, unless reviewed and saved from repeal by the Legislature.

And the title is amended as follows:

Remove line 6 and insert: F.S.; revising the scheduled repeal of the Division

On motion by Senator Hooper, the Senate concurred in House Amendment 1 (657321).

SB 362 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Torres

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed SB 400, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 400—A bill to be entitled An act relating to elder abuse fatality review teams; creating s. 415.1103, F.S.; authorizing the establishment of elder abuse fatality review teams in each judicial circuit, to be housed, for administrative purposes only, in the Department of Elderly Affairs; providing conditions for review team membership, establishment, and organization; specifying requirements for a review team's operations and meeting schedules; requiring that the administrative costs of operating a review team be paid by team members or the entities they represent; authorizing elder abuse fatality review teams in existence on a certain date to continue to exist; requiring such existing teams to comply with specified requirements; specifying review team duties; requiring each review team to annually submit to the department by a certain date a summary report containing specified information; requiring the department to annually prepare a summary report based on the review teams' information and submit such report to the Governor, the Legislature, and the Department of Children and Families; providing immunity from monetary liability for review team members under certain conditions; providing an effective date.

House Amendment 1 (641173) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 415.1103, Florida Statutes, is created to read:

415.1103 *Elder abuse fatality review teams.*—

(1)(a) *A state attorney, or his or her designee, may initiate an elder abuse fatality review team in his or her judicial circuit to review deaths of elderly persons caused by, or related to, abuse or neglect.*

(b) *An elder abuse fatality review team may include, but is not limited to, representatives from any of the following entities or persons located in the review team's judicial circuit:*

1. *Law enforcement agencies.*
2. *The state attorney.*
3. *The medical examiner.*
4. *A county court judge.*
5. *Adult protective services.*
6. *The area agency on aging.*
7. *The State Long-Term Care Ombudsman Program.*
8. *The Agency for Health Care Administration.*
9. *The Office of the Attorney General.*
10. *The Office of the State Courts Administrator.*
11. *The clerk of the court.*
12. *A victim services program.*
13. *An elder law attorney.*
14. *Emergency services personnel.*
15. *A certified domestic violence center.*
16. *An advocacy organization for victims of sexual violence.*
17. *A funeral home director.*
18. *A forensic pathologist.*
19. *A geriatrician.*

20. *A geriatric nurse.*

21. *A geriatric psychiatrist or other individual licensed to offer behavioral health services.*

22. *A hospital discharge planner.*

23. *A public guardian.*

24. *Any other persons who have knowledge regarding fatal incidents of elder abuse, domestic violence, or sexual violence, including knowledge of research, policy, law, and other matters connected with such incidents involving elders, or who are recommended for inclusion by the review team.*

(c) *Participation in a review team is voluntary. Members of a review team shall serve without compensation and may not be reimbursed for per diem or travel expenses. Members shall serve for terms of 2 years, to be staggered as determined by the co-chairs.*

(d) *The state attorney may call the first organizational meeting of the team. At the initial meeting, members of a review team shall choose two members to serve as co-chairs. Chairs may be reelected by a majority vote of a review team for not more than two consecutive terms. At the initial meeting, members of a review team shall establish a schedule for future meetings. Each review team shall meet at least once each fiscal year.*

(e) *Each review team shall determine its local operations, including, but not limited to, the process for case selection. The state attorney shall refer cases to be reviewed by each team. Reviews must be limited to closed cases in which an elderly person's death was caused by, or related to, abuse or neglect. All identifying information concerning the elderly person must be redacted by the state attorney in documents received for review. As used in this paragraph, the term "closed case" means a case that does not involve information considered active as defined in s. 119.011(3)(d).*

(f) *Administrative costs of operating the review team must be borne by the team members or entities they represent.*

(2) *An elder abuse fatality review team in existence on July 1, 2020, may continue to exist and must comply with the requirements of this section.*

(3) *An elder abuse fatality review team shall do all of the following:*

(a) *Review deaths of elderly persons in its judicial circuit which are found to have been caused by, or related to, abuse or neglect.*

(b) *Take into consideration the events leading up to a fatal incident, available community resources, current law and policies, and the actions taken by systems or individuals related to the fatal incident.*

(c) *Identify potential gaps, deficiencies, or problems in the delivery of services to elderly persons by public and private agencies which may be related to deaths reviewed by the team.*

(d) *Whenever possible, develop communitywide approaches to address the causes of, and contributing factors to, deaths reviewed by the team.*

(e) *Develop recommendations and potential changes in law, rules, and policies to support the care of elderly persons and to prevent elder abuse deaths.*

(4)(a) *A review team may share with other review teams in this state any relevant information that pertains to the review of the death of an elderly person.*

(b) *A review team member may not contact, interview, or obtain information by request directly from a member of the deceased elder's family as part of the review unless a team member is authorized to do so in the course of his or her employment duties. A member of the deceased elder's family may voluntarily provide information or any record to a review team but must be informed that such information or any record is subject to public disclosure unless a public records exemption applies.*

(5)(a) Annually by September 1, each elder abuse fatality review team shall submit a summary report to the Department of Elderly Affairs which includes, but is not limited to:

- 1. Descriptive statistics regarding cases reviewed by the team, including demographic information on victims and the causes and nature of their deaths;
2. Current policies, procedures, rules, or statutes the review team has identified as contributing to the incidence of elder abuse and elder deaths, and recommendations for system improvements and needed resources, training, or information dissemination to address such identified issues; and
3. Any other recommendations to prevent deaths from elder abuse or neglect, based on an analysis of the data and information presented in the report.

(b) Annually by November 1, the Department of Elderly Affairs shall prepare a summary report of the review team information submitted under paragraph (a). The department shall submit its summary report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Children and Families.

(6) There is no monetary liability on the part of, and a cause of action for damages may not arise against, any member of an elder abuse fatality review team due to the performance of his or her duties as a review team member in regard to any discussions by, or deliberations or recommendations of, the team or the member unless such member acted in bad faith, with wanton and willful disregard of human rights, safety, or property.

Section 2. This act shall take effect July 1, 2020.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to elder abuse fatality review teams; creating s. 415.1103, F.S.; authorizing a state attorney, or his or her designee, to initiate an elder abuse fatality review team in his or her judicial circuit; providing conditions for review team membership, establishment, and organization; specifying requirements for a review team's operations and meeting schedules; defining the term "closed case"; requiring that the administrative costs of operating a review team be paid by team members or the entities they represent; authorizing elder abuse fatality review teams in existence on a certain date to continue to exist; requiring such existing teams to comply with specified requirements; specifying review team duties; requiring each review team to annually submit to the department a summary report containing specified information by a certain date; requiring the department to annually prepare a summary report based on the review teams' information and submit such report to the Governor, the Legislature, and the Department of Children and Families; providing immunity from monetary liability for review team members under certain conditions; providing an effective date.

On motion by Senator Gibson, the Senate concurred in House Amendment 1 (641173).

SB 400 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Torres

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 410, with 2 amendments, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 410—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; prohibiting counties from adopting, after a specified date, a comprehensive plan, a land development regulation, or another form of restriction unless certain conditions are met; prohibiting counties from limiting a municipality from deciding land uses, density, and intensity allowed on certain lands; providing retroactive applicability; amending s. 163.3168, F.S.; requiring the Department of Economic Opportunity to give a preference to certain counties and municipalities when selecting applications for funding for specified technical assistance; amending s. 163.3177, F.S.; requiring local governments to include a property rights element in their comprehensive plans; providing a statement of rights that a local government may use; requiring a local government to adopt a property rights element by a specified date; prohibiting a local government's property rights element from conflicting with the statutorily provided statement of rights; amending s. 163.3237, F.S.; providing that certain property owners are not required to consent to development agreement changes under certain circumstances; amending s. 337.25, F.S.; requiring the Department of Transportation to afford a right of first refusal to certain individuals under specified circumstances; providing requirements and procedures for the right of first refusal; amending s. 337.401, F.S.; specifying timeframes for processing a permit application for a utility's use of a right-of-way; amending s. 380.06, F.S.; authorizing certain developments of regional impact agreements to be amended under certain circumstances; providing retroactive applicability; providing an effective date.

House Amendment 1 (856967) (with title amendment)—Remove lines 70-73 and insert: county with a population in excess of 750,000 as of January 1, 2020, which has in place as of that date charter provisions governing land use or development, which provisions apply to all jurisdictions within the county.

Section 2. Subsection (4) is added to section 171.042, Florida Statutes, to read:

171.042 Prerequisites to annexation.—

(4) Except as otherwise provided in s. 171.205, a municipality may not annex an area within another municipal jurisdiction without the other municipality's consent.

And the title is amended as follows:

Remove line 9 and insert: lands; providing retroactive applicability; amending s. 171.042, F.S.; prohibiting a municipality from annexing specified areas under certain circumstances; amending

House Amendment 2 (373229) (with title amendment)—Remove lines 224-228 and insert: permit application required under this subsection by a county or municipality having jurisdiction and control of the right-of-way of any public road must be processed and acted upon in accordance with the timeframes provided in subparagraphs (7)(d)7., 8., and 9.

Section 7. The Legislature finds and declares that this act fulfills an important state interest.

And the title is amended as follows:

Remove line 31 and insert: utility's use of a right-of-way; providing a declaration of important state interest; amending s. 380.06,

On motion by Senator Perry, the Senate concurred in **House Amendment 1 (856967)** and **House Amendment 2 (373229)**.

CS for CS for SB 410 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—23

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

Nays—16

Berman	Gibson	Rouson
Book	Montford	Taddeo
Bracy	Pizzo	Thurston
Braynon	Powell	Torres
Cruz	Rader	
Flores	Rodriguez	

Vote after roll call:

Yea to Nay—Farmer

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 698, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 698—A bill to be entitled An act relating to reproductive health; amending s. 456.072, F.S.; providing grounds for disciplinary action; amending s. 456.074, F.S.; requiring the department to immediately suspend the license of certain health care practitioners under certain circumstances; creating s. 456.51, F.S.; defining the term "pelvic examination"; prohibiting certain students from performing a pelvic examination on a patient without first obtaining the written consent of the patient or the patient's legal representative; providing exceptions; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action; creating s. 784.086, F.S.; defining terms; establishing the criminal offense of reproductive battery; providing criminal penalties; providing an exception; tolling the period of limitations; providing that a recipient's consent to an anonymous donor is not a defense to the crime of reproductive battery; providing an effective date.

House Amendment 1 (167817) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (pp) is added to subsection (1) of section 456.072, Florida Statutes, to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(pp) *Intentionally implanting a patient or causing a patient to be implanted with a human embryo without the recipient's consent to the use of that human embryo, or inseminating a patient or causing a patient to be inseminated with the human reproductive material, as defined in s. 784.086, of a donor without the recipient's consent to the use of human reproductive material from that donor.*

Section 2. Subsection (1) of section 456.074, Florida Statutes, is amended to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(1) The department shall issue an emergency order suspending the license of any person licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, chapter 464, chapter 465, chapter 466, or chapter 484 who pleads guilty to, is convicted or found guilty of, or who enters a plea of nolo contendere to, regardless of adjudication, to:

(a) A felony under chapter 409, chapter 817, or chapter 893 or under 21 U.S.C. ss. 801-970 or under 42 U.S.C. ss. 1395-1396; ~~or~~

(b) A misdemeanor or felony under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518 or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program; or

(c) *A felony under s. 784.086, relating to a reproductive battery.*

Section 3. Section 456.51, Florida Statutes, is created to read:

456.51 *Consent for pelvic examinations.*—

(1) *As used in this section, the term "pelvic examination" means the series of tasks that comprise an examination of the vagina, cervix, uterus, fallopian tubes, ovaries, rectum, or external pelvic tissue or organs using any combination of modalities, which may include, but need not be limited to, the health care provider's gloved hand or instrumentation.*

(2) *A health care practitioner, a medical student, or any other student receiving training as a health care practitioner may not perform a pelvic examination on a patient without the written consent of the patient or the patient's legal representative executed specific to, and expressly identifying, the pelvic examination, unless:*

(a) *A court orders performance of the pelvic examination for the collection of evidence; or*

(b) *The pelvic examination is immediately necessary to avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the patient.*

Section 4. Paragraph (ww) is added to subsection (1) of section 458.331, Florida Statutes, to read:

458.331 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(ww) *Implanting a patient or causing a patient to be implanted with a human embryo created with the human reproductive material, as defined in s. 784.086, of the licensee, or inseminating a patient or causing a patient to be inseminated with the human reproductive material of the licensee.*

Section 5. Paragraph (yy) is added to subsection (1) of section 459.015, Florida Statutes, to read:

459.015 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(yy) *Implanting a patient or causing a patient to be implanted with a human embryo created with the human reproductive material, as defined in s. 784.086, of the licensee, or inseminating a patient or causing a patient to be inseminated with the human reproductive material of the licensee.*

Section 6. Effective October 1, 2020, section 784.086, Florida Statutes, is created to read:

784.086 *Reproductive battery.*—

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

(a) "Donor" means a person who donates reproductive material, regardless of whether for personal use or compensation.

(b) "Health care practitioner" has the same meaning as provided in s. 456.001.

(c) "Recipient" means a person who receives reproductive material from a donor.

(d) "Reproductive material" means any human "egg" or "sperm" as those terms are defined in s. 742.13, or a human zygote.

(e) "Zygote" means a fertilized ovum.

(2) A health care practitioner may not intentionally transfer into the body of a recipient human reproductive material or implant a human embryo of a donor, knowing the recipient has not consented to the use of the human reproductive material or human embryo from that donor.

(a) A health care practitioner who violates this section commits reproductive battery, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A health care practitioner who violates this section and who is the donor of the reproductive material commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Notwithstanding any other provision of law, the period of limitation for a violation under this section does not begin to run until the date on which the violation is discovered and reported to law enforcement or any other governmental agency.

(4) It is not a defense to the crime of reproductive battery that the recipient consented to an anonymous donor.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2020.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to reproductive health; amending s. 456.072, F.S.; providing grounds for disciplinary action; amending s. 456.074, F.S.; requiring the department to immediately suspend the license of certain health care practitioners under certain circumstances; creating s. 456.51, F.S.; defining the term "pelvic examination"; prohibiting health care practitioners and certain students from performing a pelvic examination on a patient without first obtaining the written consent of the patient or the patient's legal representative; providing exceptions; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action; creating s. 784.086, F.S.; defining terms; establishing the criminal offense of reproductive battery; providing criminal penalties; providing an exception; tolling the period of limitations; providing that a recipient's consent to an anonymous donor is not a defense to the crime of reproductive battery; providing effective dates.

On motion by Senator Book, the Senate concurred in **House Amendment 1 (167817)**.

CS for CS for SB 698 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Stargel	Taddeo	Torres
Stewart	Thurston	Wright

Nays—None

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 810, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 810—A bill to be entitled An act relating to tobacco and nicotine products; amending s. 210.15, F.S.; revising the age limits for permits relating to cigarettes; amending s. 386.212, F.S.; revising age and time restrictions relating to the prohibition of smoking and vaping near school property; revising civil penalties; amending s. 569.002, F.S.; defining the term "liquid nicotine product"; revising the definition of the term "tobacco products"; defining the terms "vapor-generating electronic device" and "nicotine product"; deleting the term "any person under the age of 18"; amending s. 569.003, F.S.; specifying that fees for a retail tobacco products dealer permit only apply to retailers dealing in certain tobacco products; revising the age limits for retail tobacco products dealer permits; amending s. 569.007, F.S.; revising prohibitions on the sale of tobacco products from vending machines; providing requirements for the delivery of vapor-generating electronic devices and liquid nicotine products; conforming provisions to federal law; prohibiting a person from selling, delivering, bartering, furnishing, or giving flavored liquid nicotine products to any other person; defining the term "flavored liquid nicotine product"; providing applicability; amending s. 569.101, F.S.; requiring that the age of persons purchasing tobacco products be verified under certain circumstances; amending s. 569.11, F.S.; revising civil penalties; conforming provisions to federal law; conforming provisions to changes made by the act; repealing s. 877.112, F.S., relating to nicotine products and nicotine dispensing devices; amending s. 210.095, F.S.; conforming provisions to federal law; making technical changes; amending ss. 569.0075, 569.008, 569.12, 569.14, and 569.19, F.S.; conforming provisions to federal law; conforming provisions to changes made by the act; providing an effective date.

House Amendment 1 (930591) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1), paragraphs (a) and (c) of subsection (2), paragraph (a) of subsection (3), paragraph (a) of subsection (4), paragraphs (a) and (b) of subsection (5), and paragraphs (a), (b), (e), and (g) of subsection (8) of section 210.095, Florida Statutes, 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.~~

~~(a)(b)~~ "Consumer" means a person in this state who comes into possession of any tobacco product subject to the tax imposed by this chapter and who, at the time of possession, is not a distributor intending to sell or distribute the tobacco product, a retailer, or a wholesaler.

~~(b)(c)~~ "Delivery sale" means any sale of tobacco products to a consumer in this state for which:

1. The consumer submits the order for the sale by telephonic or other voice transmission, mail, delivery service, or the Internet or other online service; or

2. The tobacco products are delivered by use of mail or a delivery service.

~~(c)(d)~~ "Delivery service" means any person engaged in the commercial delivery of letters, packages, or other containers.

(d)(e) “Legal minimum purchase age” means the minimum age at which an individual may legally purchase tobacco products in this state.

(e)(f) “Mail” or “mailing” means the shipment of tobacco products through the United States Postal Service.

(f)(g) “Retailer” means any person who is not a licensed distributor but who is in possession of tobacco products subject to tax under this chapter for the purposes of selling the tobacco products to consumers.

(g)(h) “Shipping container” means a container in which tobacco products are shipped in connection with a delivery sale.

(h)(i) “Shipping document” means a bill of lading, airbill, United States Postal Service form, or any other document used to verify the undertaking by a delivery service to deliver letters, packages, or other containers.

(i)(j) “Tobacco products” means all cigarettes, smoking tobacco, snuff, fine-cut chewing tobacco, cut and granulated tobacco, cavendish, and plug or twist tobacco.

(2)

(a) A sale of tobacco products constituting a delivery sale pursuant to paragraph (1)(b) ~~(1)(e)~~ is a delivery sale regardless of whether the person accepting the order for the delivery sale is located inside or outside this state.

(c) A person may not make a delivery sale of tobacco products to any individual who is not *21 years of age or older* ~~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 *21 years of age or older* ~~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 *21 years of age or older* ~~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 21 years of age or older* ~~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 *30* ~~27~~ years of age.

2. Proof that the individual is either the addressee or the *individual who is 21 years of age or older* ~~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.

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 *21 years of age or older* ~~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 *21 years of age or older* ~~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 *21 years of age or older* ~~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 *21 years of age or older* ~~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 2. Paragraph (b) of subsection (1) of section 210.15, Florida Statutes, is amended to read:

210.15 Permits.—

(1)

(b) Permits shall be issued only to persons of good moral character, who are not less than *21* ~~18~~ years of age. Permits to corporations shall be issued only to corporations whose officers are of good moral character and not less than *21* ~~18~~ years of age. There shall be no exemptions from the permit fees herein provided to any persons, association of persons, or corporation, any law to the contrary notwithstanding.

Section 3. Subsections (1) and (3) of section 386.212, Florida Statutes, are amended to read:

386.212 Smoking and vaping prohibited near school property; penalty.—

(1) It is unlawful for any person under *21* ~~18~~ years of age to smoke tobacco or vape 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.

(3) Any person issued a citation pursuant to this section shall be deemed to be charged with a civil infraction punishable by a maximum civil penalty not to exceed \$25, or 50 hours of community service and, for persons under 18 years of age or, where available, successful completion of a school-approved anti-tobacco or anti-vaping “alternative to suspension” program.

Section 4. Subsections (3) through (6) of section 569.002, Florida Statutes, are renumbered as subsections (4) through (7), respectively, present subsections (6) and (7) are amended, a new subsection (3) is added to that section, to read:

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

(3) “Liquid nicotine product” means a tobacco product in liquid form composed of nicotine and other chemicals or substances which is sold or offered for sale for use with a vapor-generating electronic device.

(7)(6) “Tobacco products” includes:

(a) Loose tobacco leaves, and products made from tobacco leaves, in whole or in part, and cigarette wrappers, which can be used for smoking, sniffing, or chewing; and

(b) Any nicotine product or vapor-generating electronic device.

1. For the purposes of this paragraph, the term:

a. “Vapor-generating electronic device” means any product that employs an electronic, chemical, or mechanical means capable of producing vapor or aerosol from a nicotine product or any other substance, 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 substance form intended to be used with or within an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, a vape pen, an electronic hookah, or other similar device or product. The term includes any component, part, or accessory of the device and also includes any substance intended to be aerosolized or vaporized during the use of the device, whether or not the substance contains nicotine.

b. “Nicotine product” means any product that contains nicotine, including liquid nicotine, which is intended for human consumption, whether inhaled, chewed, absorbed, dissolved, or ingested by any means. The term includes vapor-generating electronic devices.

2. The terms “vapor-generating electronic device” and “nicotine product” do not include:

a. Tobacco products described in paragraph (a);

b. Products 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

c. Foods that contain incidental amounts of nicotine including, but not limited to, tomatoes, potatoes, eggplants, and cauliflower.

(8)(7) “Any person under the age of 21 ~~18~~” does not include any person under the age of 21 ~~18~~ who:

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

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

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

(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 5. Paragraphs (b) and (c) of subsection (1) and paragraph (a) of subsection (2) of section 569.003, Florida Statutes, are amended to read:

569.003 Retail tobacco products dealer permits; application; qualifications; fees; renewal; duplicates.—

(1)

(b) Application for a permit must be made on a form furnished by the division and must set forth the name under which the applicant transacts or intends to transact business, the address of the location of the applicant’s place of business within the state, and any other information the division requires. If the applicant has or intends to have more than one place of business dealing in tobacco products within this state, a separate application must be made for each place of business. If the applicant is a firm or an association, the application must set forth the names and addresses of the persons constituting the firm or association; if the applicant is a corporation, the application must set forth the names and addresses of the principal officers of the corporation. The application must also set forth any other information prescribed by the division for the purpose of identifying the applicant firm, association, or corporation. The application must be signed and verified by oath or affirmation by the owner, if a sole proprietor, or, if the owner is a firm, association, or partnership, by the members or partners thereof, or, if the owner is a corporation, by an executive officer of the corporation or by any person authorized by the corporation to sign the application, together with the written evidence of this authority. The application must be accompanied by the annual permit fee prescribed by the division. *However, if an applicant indicates on the application that the applicant is only going to deal, at retail, in liquid nicotine products, nicotine products, or vapor-generating electronic devices, or a combination thereof, the division may not assess the annual permit fee and shall issue the applicant a limited retail tobacco products dealer permit upon the division’s approval of the application. Such applicant may not deal, at retail, in tobacco products described in s. 569.002(7)(a) in this state. Any applicant that pays the annual permit fee for a retail tobacco products dealer permit may deal, at retail, in all tobacco products.*

(c) Permits shall be issued annually, upon payment of the annual permit fee prescribed by the division. The division shall fix the fee in an amount sufficient to meet the costs incurred by it in carrying out its permitting, enforcement, and administrative responsibilities under this chapter, but the fee may not exceed \$50. The proceeds of the fee shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund. *However, the division may not fix or assess a fee for a limited retail tobacco products dealer permit.*

(2)(a) Permits may be issued only to persons who are 21 ~~18~~ years of age or older or to corporations the officers of which are 21 ~~18~~ years of age or older.

Section 6. Subsections (3), (4), and (5) of section 569.007, Florida Statutes, are renumbered as subsections (2), (3), and (4), respectively, subsections (1) and (2) are amended, and a new subsection (5) is added to that section, to read:

569.007 Sale or delivery of tobacco products; restrictions.—

(1)(a) In order to prevent persons under 21 ~~18~~ years of age from purchasing or receiving tobacco products, the sale or delivery of tobacco products is prohibited, except:

1.~~(a)~~ When under the direct control or line of sight of the dealer or the dealer’s agent or employee; or

2.~~(b)~~ Sales from a vending machine are prohibited under subparagraph 1. ~~the provisions of paragraph (1)(a) and are only permissible from a machine that is located in an establishment that prohibits persons under 21 years of age on the licensed premises at all times.~~

(b) Sales of vapor-generating electronic devices and liquid nicotine products, other than as authorized under subparagraph (a)1., are permissible only if a dealer implements an age verification procedure that:

1. Before accepting an order for delivery, verifies that the purchaser is at least 21 years of age using a commercially available database, or an aggregate of databases, which is regularly used for the purpose of age and identity verification; and

2. Employs a second-step age verification to secure delivery for every order by requiring the signature of the purchaser upon delivery and verifying that the credit card or debit card used for the purchase has been

issued in the purchaser's name and that the delivery address is associated with the purchaser's credit card or debit card 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 18 years of age on the licensed premises.

(5)(a) A person may not sell, deliver, barter, furnish, or give, directly or indirectly, flavored liquid nicotine products to any other person. For the purposes of this subsection, the term "flavored liquid nicotine product" means a liquid nicotine product containing a natural or artificial constituent or additive that causes the liquid or its vapor to have a distinguishable taste or aroma other than tobacco or menthol, including, but not limited to, fruit, chocolate, vanilla, honey, candy, cocoa, a dessert, an alcoholic beverage, an herb or a spice, or any combination thereof.

(b) This subsection does not apply to the sale, shipment, or transport of any product that receives a marketing order issued by the United States Food and Drug Administration under 21 U.S.C. s. 387j.

Section 7. Section 569.101, Florida Statutes, is amended to read:

569.101 Selling, delivering, bartering, furnishing, or giving tobacco products to persons under 21 ~~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 21 ~~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 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.

(4) A person must verify by means of identification specified in paragraph (3)(c) that a person purchasing a tobacco product is not under 21 years of age. Such verification is not required for any person over the age of 29.

Section 8. 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 21 ~~18~~ years of age prohibited; penalties; jurisdiction; disposition of fines.—

(1) It is unlawful for any person under 21 ~~18~~ years of age to knowingly possess any tobacco product. Any person under 21 ~~18~~ years of age who violates 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, if the person is under 18 years of age, the person must attend a school-approved anti-vaping or anti-tobacco program, if locally available; or

(b) For a second or subsequent violation within 12 weeks after the first violation, a \$25 fine.

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

(2) 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 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 21 ~~18~~ years of age who violates 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, if the person is under 18 years of age, the person must attend a school-approved anti-vaping or anti-tobacco program, if available; or

(b) For a second or subsequent violation within 12 weeks after the first violation, a \$25 fine.

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

(3) Any 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, if the person is under 18 years of age, must attend a school-approved anti-vaping or 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 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 (1)(a) or paragraph (2)(a), or, if the person is under 18 years of age, attend a school-approved anti-vaping or anti-tobacco program, if locally available, the court may 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 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 (1)(b) or paragraph (2)(b), the court may 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 9. Section 877.112, Florida Statutes, is repealed.

Section 10. 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 age of 21 ~~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 11. Subsection (1), paragraphs (b) and (c) of subsection (2), and subsection (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 21 ~~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:

(b) Methods of recognizing and handling customers under 21 ~~18~~ years of age.

(c) Procedures for proper examination of identification cards in order to verify that customers are not under 21 ~~18~~ years of age.

(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 21 ~~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 12. Paragraph (b) of subsection (2), subsection (3), and paragraph (g) of subsection (4) 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 age of 21 ~~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 age of 21 ~~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.

(4) A citation issued to any person violating the provisions of s. 569.11 shall be in a form prescribed by the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation and shall contain:

(g) The procedure for the person to follow in order to contest the citation, perform the required community service, attend the required *anti-vaping* or anti-tobacco program, or to pay the civil penalty.

Section 13. 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 21 ~~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 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.~~

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

~~(3)(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 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.

~~(4)(5) The division, through its agents and inspectors, shall enforce this section.~~

~~(5)(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 14. 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 age 21 ~~18~~, and the results of administrative hearings on the above and related issues.

(4) The number of persons under age 21 ~~18~~ cited for violations of s. 569.11 and sanctions imposed as a result of citation.

Section 15. This act shall take effect January 1, 2021.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to the use of tobacco products and nicotine products; amending s. 210.095, F.S.; deleting the definition of the term "adult"; amending s. 210.15, F.S.; requiring permits to be issued to persons or corporations whose officers are not less than 21 years of age; amending s. 386.212, F.S.; providing that it is unlawful for persons

under 21 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 during specified hours; providing penalties; amending s. 569.002, F.S.; revising and providing definitions; amending s. 569.003, F.S.; specifying that fees for a retail tobacco products dealer permit only apply to retailers dealing in certain tobacco products; prohibiting certain applicants from dealing, at retail, in certain tobacco products under certain circumstances; revising the age limits for retail tobacco products dealer permits; amending s. 569.007, F.S.; revising prohibitions on the sale of tobacco products from vending machines; providing requirements for the delivery of vapor-generating electronic devices and liquid nicotine products; conforming provisions to federal law; prohibiting a person from selling, delivering, bartering, furnishing, or giving flavored liquid nicotine products to any other person; defining the term "flavored liquid nicotine product"; providing applicability; amending s. 569.101, F.S.; requiring that the age of persons purchasing tobacco products be verified under certain circumstances; amending s. 569.11, F.S.; revising civil penalties; conforming provisions to federal law; repealing s. 877.112, F.S., relating to nicotine products and nicotine dispensing devices; amending ss. 569.0075, 569.008, 569.12, 569.14, and 569.19, F.S.; conforming provisions to federal law; conforming provisions to changes made by the act; providing an effective date.

On motion by Senator Simmons, the Senate concurred in **House Amendment 1(930591)**.

CS for CS for CS for SB 810 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Albritton	Farmer	Powell
Baxley	Flores	Rader
Benacquisto	Harrell	Rouson
Berman	Hooper	Simmons
Bradley	Hutson	Simpson
Braynon	Mayfield	Stargel
Broxson	Montford	Taddeo
Cruz	Passidomo	Torres
Diaz	Perry	Wright

Nays—9

Bean	Brandes	Gruters
Book	Gainer	Pizzo
Bracy	Gibson	Stewart

Vote after roll call:

Yea—Mr. President

MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 8:30 p.m.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 538, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 538—A bill to be entitled An act relating to emergency management; creating s. 252.381, F.S.; providing that certain informational meetings or calls coordinated by a federal, state, or local emergency management agency related to any federal, state, or local response to a declared disaster are not considered public meetings if certain conditions are met; providing for construction; creating s. 252.351, F.S.; defining the term "office"; requiring the State Watch Office within the Division of Emergency Management to create a list of

reportable incidents; requiring a political subdivision to report incidents contained on the list to the office; authorizing the office to establish guidelines a political subdivision must follow to report an incident; requiring the office to annually provide the list of reportable incidents to each political subdivision; providing an effective date.

House Amendment 1 (093237) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 252.351, Florida Statutes, is created to read:

252.351 Mandatory reporting of certain incidents by political subdivisions.

(1) For purposes of this section, the term "office" means the State Watch Office established within the division pursuant to s. 14.2016.

(2) The division shall create and maintain a list of reportable incidents. The list shall include, but is not limited to, the following events:

(a) Major fires, including wildfires, commercial or multi-unit residential fires, or industrial fires.

(b) Search and rescue operations, including structure collapses or urban search and rescue responses.

(c) Bomb threats or threats to inflict harm on a large number of people or significant infrastructure, suspicious devices, or device detonations.

(d) Natural hazards and severe weather, including earthquakes, landslides, or ground subsidence or sinkholes.

(e) Public health and population protective actions, including public health hazards, evacuation orders, or emergency shelter openings.

(f) Animal or agricultural events, including suspected or confirmed animal diseases, suspected or confirmed agricultural diseases, crop failures, or food supply contamination.

(g) Environmental concerns, including an incident of reportable pollution release as required in s. 403.077(2).

(h) Nuclear power plant events, including events in process or that have occurred which indicate a potential degradation of the level of safety of the plant or which indicate a security threat to facility protection.

(i) Major transportation events, including aircraft or airport incidents, passenger or commercial railroad incidents, major road or bridge closures, or marine incidents involving a blocked navigable channel of a major waterway.

(j) Major utility or infrastructure events, including dam failures or overtopping, drinking water facility breaches, or major utility outages or disruptions involving transmission lines or substations.

(k) Military events, when information regarding such activities are provided to a political subdivision.

(3) As soon as practicable following its initial response to an incident, a political subdivision shall provide notification to the office that an incident specified on the list of reportable incidents has occurred within its geographical boundaries. The division may establish guidelines specifying the method and format a political subdivision must use when reporting an incident.

(4) Beginning December 1, 2020, and by December 1 every year thereafter, the division must provide the list of reportable incidents to each political subdivision.

Section 2. This act shall take effect July 1, 2020.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to emergency reporting; creating s. 252.351, F.S.; defining the term "office"; requiring the Division of Emergency Management to create a list of reportable incidents; requiring such list to include certain events; requiring a political subdivision to report in-

cidents contained on the list to the State Watch Office; authorizing the Division of Emergency Management to establish guidelines a political subdivision must follow to report an incident; requiring the Division of Emergency Management to annually provide the list of reportable incidents to each political subdivision; providing an effective date.

On motion by Senator Diaz, the Senate concurred in **House Amendment 1 (093237)**.

CS for CS for SB 538 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Cruz	Perry	Wright
Diaz	Pizzo	

Nays—None

Vote after roll call:

Yea—Mr. President

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed SB 886, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 886—A bill to be entitled An act relating to errors in deeds; creating s. 689.041, F.S.; defining terms; providing that a deed containing a scrivener's error conveys title as if there had been no such error if certain requirements are met; providing a form for a curative notice; requiring the clerks of the circuit court to accept and record curative notices; providing for the operation of a curative notice; providing construction; providing an effective date.

House Amendment 1 (220329)—Remove lines 66-139 and insert: *Curative Notice, Per Sec. 689.041, F.S.*

Scrivener's Error in Legal Description

The undersigned does hereby swear and affirm:

1. *The deed which transferred title from ... (Insert Name)... to ... (Insert Name)... on ... (Date)... and recorded on ... (Record Date)... in O.R. Book ..., Page ..., and/or Instrument No. ..., of the official records of ... (Name of County)..., Florida, (hereinafter referred to as "first erroneous deed") contained the following erroneous legal description:*

... (Insert Erroneous Legal Description)...

2. *The deed transferring title from ... (Insert Name)... to ... (Insert Name)... and recorded on ... (Record Date)... in O.R. Book ..., Page ..., and/or Instrument No. ..., of the official records of ... (Name of County)..., Florida, contains the same erroneous legal description described in the first erroneous deed.*

... (Insert and repeat paragraph 2. as necessary to include each subsequent erroneous deed in the chain of title containing the same erroneous legal description)...

3. *I have examined the official records of the county in which the intended real property is located and have determined that the deed dated ... (Date)..., and recorded on ... (Record Date)... in O.R. Book ..., Page ... and/or Instrument No. ..., official records of ... (Name of County)..., Florida, establishes that record title to the intended real property was held by the grantor of the first erroneous deed at the time the first erroneous deed was executed.*

4. *I have examined or have had someone else examine the official records of ... (Name of County)..., Florida, and certify that:*

a. *Record title to the intended real property was held by the grantor of the first erroneous deed, ... (Insert Name)..., at the time that deed was executed.*

b. *The grantor of the first erroneous deed and the grantors of any subsequent erroneous deeds listed above did not hold record title to any property other than the intended real property in either the same subdivision, condominium or cooperative or the same section, township and range, if described in this manner, at any time within the 5 years before the date that the erroneous deed was executed.*

c. *The intended real property is not described by a metes and bounds legal description.*

5. *This notice is made to establish that the real property described as ... (insert legal description of the intended real property)... (hereinafter referred to as the "intended real property") was the real property that was intended to be conveyed in the first erroneous deed and all subsequent erroneous deeds.*

... (Signature)...

... (Printed Name)...

Sworn to (or affirmed) and subscribed before me this ... day of ..., ... (year)..., by ... (name of person making statement)...

... (Signature of Notary Public - State of Florida)...

... (Print, Type, or Stamp Commissioned Name of Notary Public)...

Personally Known ... OR Produced Identification ...

Type of Identification Produced

(4) *The clerk of the circuit court where the intended real property is located shall accept and*

On motion by Senator Powell, the Senate concurred in **House Amendment 1 (220329)**.

SB 886 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Cruz	Perry	Wright
Diaz	Pizzo	

Nays—None

Vote after roll call:

Yea—Mr. President

By direction of the President, there being no objection, the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

On motion by Senator Stargel, the Senate resumed consideration of—

CS for HB 7097—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; authorizing the use of tourist development taxes for certain water quality improvement projects and parks or trails; increasing population thresholds for counties to use tourist development taxes for certain purposes; revising authorized uses of tourist development taxes for specified counties; providing that existing contracts or debt service shall not be impaired; amending s. 192.001, F.S.; revising the definition of the term “inventory” for property tax purposes; revising the definition of the term “tangible personal property” to specify the conditions under which certain construction work constructed or installed by certain electric utilities is deemed substantially completed; providing applicability; providing for retroactive operation; creating s. 193.1557, F.S.; extending the time period within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; amending s. 194.011, F.S.; authorizing certain associations to represent, prosecute, or defend specified association members in front of the value adjustment board proceedings and subsequent proceedings; providing applicability; amending s. 194.035, F.S.; specifying the circumstances under which a special magistrate’s appraisal may not be submitted as evidence to a value adjustment board; amending s. 194.181, F.S.; providing and revising the parties considered as the defendants in tax suits; requiring certain notice to be provided to unit owners in a specified way; providing unit owners options for defending a tax suit; imposing certain actions for unit owners who fail to respond to a specified notice; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; removing the requirement for the Department of Revenue to review tangible personal property rolls of each county; revising required computations regarding classifications of property; specifying that properties with more than nine units are commercial property for certain assessment roll purposes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; providing applicability; amending s. 196.197, F.S.; providing criteria to be used in determining the value of tax exemptions for charitable use of certain hospitals; defining terms; providing application requirements for tax exemptions for certain properties; amending s. 196.198, F.S.; exempting land, buildings, and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit of the exemption; requiring the property owner to make certain disclosures to the educational institution; amending s. 200.065, F.S.; providing alternative methods of notice related to the truth in millage process for counties for which a declared state of emergency exists; extending deadlines for notice during a declared state of emergency; revising publication and hearing requirements; providing for automatic extensions of certain deadlines in the event of a declared state of emergency; amending s. 200.069, F.S.; specifying information which property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services after a certain date; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending ss. 206.05 and 206.90, F.S.; revising the maximum bond amount for licensed terminal suppliers; amending s. 206.8741, F.S.; reducing the penalty imposed for failure to conform to notice requirements related to dyed diesel fuel; amending s. 206.9826, F.S.; increasing the refund available to certain air carriers on the purchase of aviation fuel; amending s. 212.0305, F.S.; revising uses and distribution of the charter county convention development tax for specified counties; providing restrictions on the use of funds; providing that no existing contract or debt service shall be affected; amending s. 212.0306, F.S.; providing a name for the local option food and beverage tax in a certain county; revising approved uses of the proceeds of the tax; prohibiting interlocal agreements and contracts with certain convention and visitors bureaus from being renewed or extended; providing that no existing contract shall be affected; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.05, F.S.; extending the period in which a

dealer and nonresident purchaser must provide the state with documentation that a boat or aircraft purchased without the imposition of Florida sales tax will not be used in the state; amending s. 212.055, F.S.; providing an expiration date for the charter county and regional transportation system surtax for a certain county; requiring a resolution to levy the surtax after a certain date; requiring any new levy of the charter county and regional transportation system surtax to expire after 20 years; requiring the resolution to include a statement containing certain information; requiring the resolution to approve a school capital outlay surtax to include specified information; requiring revenues shared with charter schools to be expended by the charter schools in a certain manner; requiring revenues and expenditures to be accounted for in specified charter school financial reports; providing applicability; amending s. 212.134, F.S.; requiring specified entities that must file a return under section 6050W of the Internal Revenue Code to provide copies to the department; specifying procedures for submitting the information; providing penalties; creating s. 212.181, F.S.; providing procedures for jurisdictions to notify the department regarding changes to their business boundaries for certain purposes; providing guidelines for correction of misallocated funds; providing procedures for correcting misallocated funds; providing deadlines for notifying the department of changes to business boundaries; providing rulemaking authority; amending ss. 212.20, 212.205, 218.64, and 288.0001, F.S.; conforming provisions to changes made by the act; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing definitions; amending s. 213.21, F.S.; tolling the period for filing a claim for refund for certain transactions during certain audit periods; amending s. 220.1105, F.S.; revising the definition of the term “final tax liability” for certain purposes; providing for retroactive application; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; creating s. 220.197, F.S.; defining the term “NAICS” for purposes of a certain tax credit; providing a credit against the corporate income tax in a specified amount and taxable year for certain taxpayers in car rental or leasing industries; providing for retroactive operation; repealing s. 288.11625, F.S., relating to the Sports Development Program; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 413.4021, F.S.; increasing the percent of revenues collected from the tax collection enforcement diversion program for specified purposes; amending s. 443.163, F.S.; providing that corrections to electronically filed reemployment tax reports must also be filed electronically; revising penalties; removing the requirement for certain parties to file electronically; removing the requirement that requests for waivers from statutory requirements be in writing; amending s. 626.932, F.S.; revising downward the surplus lines tax rate; revising the operation of the surplus lines tax for policies covering risks outside the state; amending s. 718.111, F.S.; providing that a condominium association may take certain actions relating to a challenge to ad valorem taxes in its own name or on behalf of unit owners; providing applicability; providing sales tax exemptions for certain clothing, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; creating ss. 211.0252, 212.1833, 561.1212, and 624.51056, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; amending s. 220.02, F.S.; revising legislative intent; amending ss. 220.13 and 220.186, F.S.; conforming cross-references to changes made by the act; creating s. 220.1876, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; providing requirements for applying a credit when the taxpayer requests an extension; creating s. 402.62, F.S.; creating the Children’s Promise Tax Credit; providing definitions; providing requirements for designation as an eligible charitable organization; specifying certain organizations that may not be designated as an eligible charitable organization; providing responsibilities of eligible charitable organizations that receive contributions under the tax credit; providing responsibilities of the department related to the tax credit; providing guidelines for the application of, limitations to, and transfers of the tax credit; providing for the preservation of the tax credit under certain circumstances; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the De-

partment of Business and Professional Regulation, and the Department of Children and Families to develop a cooperative agreement to administer the tax credit; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to adopt rules; authorizing the Department of Revenue and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to share certain information as needed to administer the tax credit; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; requiring the Florida Institute for Child Welfare to analyze the use of funding provided by the tax credit and submit a report to the Governor and Legislature by a specified date; amending s. 212.07, F.S.; authorizing dealers, subject to certain conditions, to advertise or hold out to the public that they will pay sales tax on behalf of the purchaser; amending s. 212.15, F.S.; conforming a provision to changes made by the act; providing appropriations; providing a directive to the Division of Law Revision; authorizing the Department of Revenue to adopt emergency rules for certain purposes; providing effective dates.

—which was previously considered this day.

Pursuant to Rule 4.19, **CS for HB 7097** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

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

HB 641—A bill to be entitled An act relating to articulated acceleration mechanisms in education; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; providing an effective date.

—was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF AMENDMENT

On motion by Senator Simmons, the Senate reconsidered the vote by which **Substitute Amendment 2 (183008)**, as amended by **Amendment 2A (679870)**, was adopted this day. **Amendment 2A (679870)** was withdrawn.

The question recurred on **Substitute Amendment 2 (183008)** which was adopted.

Pursuant to Rule 4.19, **HB 641** was placed on the calendar of Bills on Third Reading.

MOTIONS

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.

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 Friday, March 13, 2020.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 12, 2020: **CS for HB 7097**, **CS for SB 302**, **CS for SB 774**, **CS for SB 916**, **CS for SB 1500**.

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/HB 59** and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Willhite, Daniels, Davis, Sabatini—

CS for CS for HB 59—A bill to be entitled An act relating to automated pharmacy systems; amending s. 465.0235, F.S.; authorizing a community pharmacy to use an automated pharmacy system under certain circumstances; providing that certain medicinal drugs stored in an automated pharmacy system for outpatient dispensing are part of the inventory of the pharmacy providing services through such system; requiring community pharmacies to adopt certain policies and procedures; authorizing, rather than requiring, the Board of Pharmacy to adopt specified rules; deleting an obsolete date; providing an effective date.

—was referred to the Committees on Health Policy; Innovation, Industry, and Technology; and Rules.

RETURNING MESSAGES — FINAL ACTION

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed **SB 374**.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed **CS/SB 426**.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed **CS/SB 952**.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed **CS/CS/SB 1060** by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed SB 1292 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1398.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1508.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1606.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed SB 2506.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7018.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 755426 and passed CS/HB 43, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 719906 and passed CS/HB 81, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 686766 and passed CS/HB 327, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 910716 and passed CS/CS/HB 573, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 419896 and passed CS/CS/HB 731, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 812222 and passed CS/CS/HB 1091, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 881186 and passed CS/CS/HB 1095, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 624566 and passed HB 1189, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 380064 and passed CS/HB 1193, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 484636 and passed CS/CS/HB 1213, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 632478 and passed CS/HB 7011, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 169888 and passed CS/HB 7039, as amended.

Jeff Takacs, Clerk

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 130920 and passed HB 7049, as amended.

Jeff Takacs, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 11 was corrected and approved.

ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 8:01 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, March 13 or upon call of the President.