



# Journal of the Senate

Number 20—Regular Session

Friday, March 13, 2020

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## CALL TO ORDER

The Senate was called to order by President Galvano at 11:00 a.m. A quorum present—36:

Mr. President	Diaz	Pizzo
Albritton	Farmer	Rader
Baxley	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

## PRAYER

The following prayer was offered by Pastor Richelle Williams, Jesus People Ministries Church International, Miami Gardens:

To the creator of heaven and earth, hallowed be thy name. With humble hearts, we thank you for today and all the insight, Lord, that you will bring. Thank you for the body of legislators that assemble together to make laws for the betterment of our state and, ultimately, our nation—men and women that devote their time away from their families for the greater good of our society—men, like Senator Oscar Braynon, who served for over a decade, through his time as a young man to these last days of session. Bless him and those who have gone before him and those who will come after him.

God, we thank you for granting us wisdom today within our state as we close out a term, yet deal with unanswered questions on our fiscal responsibilities as well as school safety and gun violence. God, we thank you for bringing resolve even though today we face treacherous things—women’s rights and their choices.

O Father, while we’re convicted with our own commissions, thank you for giving us wisdom. Father, you are the God of a second chance, of a third chance, of a tenth chance. Your love remains the same yesterday, today, and forever. As amendments are amended and policies rewritten, let us remember your compassion. Let us remember the choices we make today will determine the lives we embrace tomorrow.

We honor you today for the ability to protect our state and the laws that govern our borders; that as people come and go through our county lines, that safety and protection be with us. Thank you, Father, for this legislative body. As we close our prayer today and begin this day, Father, we continue to pray that you dispatch your angels to encamp around about us and cover us from sickness, hurt, harm, any virus, or disease. We pray your banner of healing will aid and abide the weary hearts and bodies that may be consumed with fear. We speak faith into every terrain in our atmosphere, knowing that within the State of Florida, fear is not a resident here, for in God we trust. It’s in the name of your son we do pray, and we say, “Amen.” To God be the glory.

## PLEDGE

Senate Pages, Kingsley Hollon-Coleman of Safety Harbor and Carolena Johnson of Winter Springs, 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. Michael Forsthofel of Tallahassee, sponsored by Senator Montford, as the doctor of the day. Dr. Forsthofel specializes in internal medicine.

## ADOPTION OF RESOLUTIONS

At the request of Senator Gruters—

By Senator Gruters—

**SR 1934**—A resolution declaring the Florida State University Seminoles basketball team, by virtue of tremendous skill on the court and the heart and spirit shown by the players and coaches this basketball season, the 2020 National College Athletic Association basketball champions by default upon cancellation of the NCAA tournament due to concerns raised by the spread of the novel coronavirus COVID-19.

WHEREAS, the Florida State University Seminoles basketball team, under the leadership of Coach Leonard Hamilton, was crowned the regular season Atlantic Coast Conference (ACC) champion after a season of superlatives, thus earning the No. 1 seed in the ACC postseason tournament, and

WHEREAS, upon cancellation of the ACC postseason tournament due to concerns raised by the spread of the novel coronavirus COVID-19, the Seminoles were officially proclaimed the conference champions and were awarded the ACC championship trophy, and

WHEREAS, the Seminoles, ranked No. 4 in the national college basketball standings, ended the regular season with a 26-5 record and were favored to challenge the top seeds in the national tournament and take home the national title, and

WHEREAS, the NCAA basketball championship tournament, known to fans, players, and pundits as March Madness, has also been canceled due to concerns raised by the spread of the novel coronavirus COVID-19, NOW, THEREFORE,

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

That the Florida State University Seminoles basketball team, by virtue of tremendous skill on the court and the heart and spirit shown by the players and coaches this basketball season, is declared the 2020 National College Athletic Association basketball champions by default

upon cancellation of the NCAA tournament due to concerns raised by the spread of the novel coronavirus COVID-19.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Coach Leonard Hamilton and Florida State University President John Thrasher as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

**REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS**

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

March 13, 2020

Dear President Galvano:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Jacksonville Aviation Authority Appointee: Barnett, Michelle	09/30/2023
Barbers' Board Appointees: Mayer, Russell Shane Stewart, Edwin A., Jr.	10/31/2022 10/31/2022
Florida Building Commission Appointee: Fischer, Charles W., Jr.	01/30/2023
Florida Citrus Commission Appointees: Hancock, Jonathan Ned Johnson, Steve Allen Martinez, Carlos H. Meador, Paul Jackson, Jr. Poulton, William Scott Schirard, John Patrick	05/31/2022 05/31/2021 05/31/2021 05/31/2022 05/31/2021 05/31/2022
Board of Trustees of Broward College Appointee: Caldwell, Matthew	05/31/2022
Board of Trustees of Daytona State College Appointees: Dye, Randall W. Freckleton, Lloyd J. Holness, Betty Jean Howard, Randall B. Lloyd, Robert W. Lubi, Garry R.	05/31/2023 05/31/2023 05/31/2023 05/31/2022 05/31/2023 05/31/2022
Board of Trustees of Florida SouthWestern State College Appointees: Ciccarello, David Martin, Jonathan Nix, Danny Gene, Jr.	05/31/2021 05/31/2022 05/31/2022
Board of Trustees of Florida State College at Jacksonville Appointees: Brown, Jennifer DiBella, Laura Hawkins, David Hunt McGehee, Thomas R., Jr. Odom, Roderick "Rod" D. Young, Orrin Wayne	05/31/2022 05/31/2023 05/31/2023 05/31/2023 05/31/2022 05/31/2021
Board of Trustees of Miami-Dade College Appointees: Abraham, Anay Marie Bileca, Michael Felipe, Marcell Washington, T. Nicole	05/31/2023 05/31/2021 05/31/2022 05/31/2023

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Trustees of St. Johns River State College Appointees: Conrad, Jan Garrison, Samuel P.	05/31/2022 05/31/2022
Board of Trustees of St. Petersburg College Appointees: Gibbons, Deveron M. Kidwell, Thomas	05/31/2022 05/31/2023
Board of Trustees of Seminole State College Appointee: Cortes, Robert	05/31/2023
Board of Trustees of Tallahassee Community College Appointees: Grant, William Eric Lamb, Eugene, Jr. Moore, Karen B.	05/31/2021 05/31/2022 05/31/2022
Board of Trustees of Valencia College Appointees: Davis, John F. Lopez-Cid, Daisy Sasso, Michael Adam Swanson, Mai	05/31/2022 05/31/2020 05/31/2021 05/31/2023
Construction Industry Licensing Board Appointee: Famada, Mario	10/31/2022
Board of Trustees for the Florida School for the Deaf and the Blind Appointees: Kramer, Matthew Siguler, Pamela M.	02/07/2023 11/14/2022
Board of Dentistry Appointee: Hill, Karyn	10/31/2021
Florida Development Finance Corporation Appointees: Bradshaw, James Nelson Louis-Charles, Ayanna	05/02/2023 05/02/2022
Florida Elections Commission Appointee: Hayes, John Martin	12/31/2020
Commission on Ethics Appointees: Gilzean, Glenton, Jr. Grant, John A., Jr. Meggs, William N.	06/30/2020 06/30/2021 06/30/2021
Central Florida Expressway Authority Appointee: Madara, Jay	06/20/2022
Board of Governors of the State University System Appointee: Lydecker, Charles Harvey	01/06/2027
Higher Educational Facilities Financing Authority Appointees: Berardinelli, Joseph C. Czerniec, Timothy H. Wagner, Tracy A.	01/17/2022 01/17/2021 01/17/2024
Florida Housing Finance Corporation Appointees: Benson, Ryan Einhorn, Sandra V. Gulliford, William Irving	11/13/2022 11/13/2022 11/13/2022
Investment Advisory Council Appointee: Goetz, John P.	12/12/2022
Governor's Mansion Commission Appointees: Payne, Danielle Holm Stoch, Linda	09/30/2022 09/30/2020
Board of Medicine Appointees: Ackerman, Scot N. Cairns, Kevin Diamond, David A. Gupta, Shailesh Vila, Hector, Jr. Zachariah, Zachariah P.	10/31/2022 10/31/2022 10/31/2021 10/31/2020 10/31/2022 10/31/2022

*Office and Appointment*

Board of Optometry  
 Appointees: Burns-LeGros, Denise 10/31/2023  
 Griffin, John Edmund 10/31/2022

Board of Pilot Commissioners  
 Appointee: Russo, Edward 10/31/2022

Tampa Port Authority  
 Appointees: Allman, Patrick H., III 02/06/2022  
 Conner, William Theodore 11/25/2021  
 Harrod, Chadwick William 11/14/2022  
 Mai, Hung T. 11/15/2023

Jacksonville Port Authority  
 Appointees: Bean, Daniel K. 09/30/2023  
 Clarkson, John Palmer 09/30/2021  
 Fleming, Edward J., Jr. 09/30/2023

Board of Professional Surveyors and Mappers  
 Appointees: Fountain, Keith R. 10/31/2021  
 Hall, Iarelis Diaz 10/31/2023  
 Zoltek, Michael John 10/31/2022

Jacksonville Transportation Authority  
 Appointees: Buckland, Deborah H. 05/31/2023  
 Driver, G. Ray, Jr. 05/31/2023  
 Jolly, Arezou C. 05/31/2022

The following executive appointments were referred to the Senate Appropriations Subcommittee on Agriculture, Environment, and General Government, the Senate Committee on Environment and Natural Resources, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

Executive Director of Northwest Florida Water Management District  
 Appointee: Cyphers, Brett J. Pleasure of the Board

Executive Director of St. Johns River Water Management District  
 Appointee: Shortelle, Ann B. Pleasure of the Board

Executive Director of South Florida Water Management District  
 Appointee: Bartlett, Andrew "Drew" Pleasure of the Board

Executive Director of Southwest Florida Water Management District  
 Appointee: Armstrong, Brian J. Pleasure of the Board

Executive Director of Suwannee River Water Management District  
 Appointee: Thomas, Hugh L. Pleasure of the Board

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

Capital Collateral Regional Counsel - Middle Region  
 Appointee: Pinkard, Eric 09/30/2021

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

*Office and Appointment*

Board of Governors of the State University System  
 Appointees: Lamb, Brian D. 01/06/2026  
 Scott, Steven M. 01/06/2026  
 Silagy, Eric E. 01/06/2026  
 Stermon, Kent 01/06/2026

Board of Trustees, Florida A & M University  
 Appointee: Harper, Kristin R. 01/06/2021

Board of Trustees, Florida Atlantic University  
 Appointee: Morris, Elycia 01/06/2025

Board of Trustees, University of Central Florida  
 Appointees: McAlpin, Caryl C. 01/06/2025  
 Mills, Harold F. 01/06/2021  
 Okaty, Michael A. 01/06/2025

Board of Trustees, Florida State University  
 Appointees: Sasser, Bobby L. 01/06/2025  
 Thiel, John William 01/06/2025

Board of Trustees, Florida Gulf Coast University  
 Appointees: Coone, Ashley 01/06/2021  
 Morton, Edward Allen 01/06/2025  
 Semrod, Jaye 01/06/2025

Board of Trustees, Florida International University  
 Appointee: Lowell, Natasha 01/06/2025

Board of Trustees, New College of Florida  
 Appointees: Christaldi, Ronald A. 01/06/2025  
 Ruiz, Mary 01/06/2021

Board of Trustees, Florida Polytechnic University  
 Appointee: Sasser, W. Earl, Jr. 07/15/2024

Board of Trustees, University of Florida  
 Appointees: Brandon, David Lee 01/06/2025  
 Zucker, Anita G. 01/06/2025

Board of Trustees, University of North Florida  
 Appointees: Davis, Jill Smith 01/06/2025  
 Patel, Nikul 01/06/2025

Board of Trustees, University of South Florida  
 Appointees: Callahan, Sandra W. 01/06/2025  
 Griffin, Michael E. 01/06/2025

Board of Trustees, University of West Florida  
 Appointees: Scott, Alonzie, III 01/06/2023  
 Singer, Jill Anne 01/06/2025  
 White, Stephanie S. 01/06/2025

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

*Office and Appointment*

Fish and Wildlife Conservation Commission  
 Appointees: Barreto, Rodney L. 01/05/2024  
 Hudson, Steven W. 08/01/2022

Governing Board of the Northwest Florida Water Management District  
 Appointee: Roberts, George A. 03/01/2022

Office and Appointment

For Term  
Ending

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

Respectfully submitted,  
Dennis Baxley, Chair

Governing Board of the South Florida Water Management District  
Appointee: Bergeron, Ronald M. 03/01/2022

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

Governing Board of the Southwest Florida Water Management District  
Appointees: Bispham, Paul J. 03/01/2021  
Germann, Roger W., Jr. 03/01/2022  
Rice, Kelly S. 03/01/2023  
Schleicher, Joel A. 03/01/2023  
Weightman, Seth 03/01/2023

The vote was:  
Yeas—39

Governing Board of the Suwannee River Water Management District  
Appointees: Keith, Charles G. 03/01/2022  
Schwab, Richard 03/01/2023

Mr. President	Diaz	Pizzo
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

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

Office and Appointment

For Term  
Ending

Investment Advisory Council  
Appointees: Canida, Maria Teresa 12/12/2022  
Jones, J. Robert, Jr. 02/01/2023  
Olmstead, Vinny 02/01/2023

Nays—None

The following executive appointment was referred to the Senate Committee on Infrastructure and Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment

For Term  
Ending

Florida Transportation Commission  
Appointee: Burke, Richard 09/30/2023

The Honorable Bill Galvano  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
March 13, 2020

Dear President Galvano:

The following executive appointment was referred to the Senate Committee on Environment and Natural Resources and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment

For Term  
Ending

Adjutant General of Florida National Guard  
Appointee: Eifert, James O. Pleasure of Governor

Governing Board of the St. Johns River Water Management District  
Appointee: Howse, Ronald S. 03/01/2023

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

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

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2020 Regular Session; and

(2) Senate action on said appointment be taken prior to the adjournment of the 2020 Regular Session; and

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

Respectfully submitted,  
Dennis Baxley, Chair

On motion by Senator Baxley, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committees to the office and for the term indicated in accordance with the recommendations of the committees.

The vote was:

Yeas—24

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

Nays—15

Berman	Gibson	Rodriguez
Book	Montford	Rouson
Bracy	Pizzo	Taddeo
Braynon	Powell	Thurston
Cruz	Rader	Torres

The Honorable Bill Galvano  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
March 13, 2020

Dear President Galvano:

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

*Office and Appointment*

*For Term  
Ending*

State Board of Education  
Appointee: Petty, Ryan B. 12/31/2022

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

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

(2) Senate action on said appointment be taken prior to the adjournment of the 2020 Regular Session; and

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

Respectfully submitted,  
Dennis Baxley, Chair

On motion by Senator Baxley, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committees to the office and for the term indicated in accordance with the recommendations of the committees.

The vote was:

Yeas—23

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

Nays—16

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

The Honorable Bill Galvano  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
March 13, 2020

Dear President Galvano:

The following executive appointment was referred to the Senate Appropriations Subcommittee on Health and Human Services, the Senate Committee on Health Policy, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

State Surgeon General  
Appointee: Rivkees, Scott A. Pleasure of Governor

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

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

(2) Senate action on said appointment be taken prior to the adjournment of the 2020 Regular Session; and

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

Respectfully submitted,  
Dennis Baxley, Chair

On motion by Senator Baxley, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committees to the office and for the term indicated in accordance with the recommendations of the committees.

The vote was:

Yeas—31

Mr. President	Baxley	Benacquisto
Albritton	Bean	Book

Bracy	Gruters	Pizzo
Bradley	Harrell	Rouson
Brandes	Hooper	Simmons
Braynon	Hutson	Simpson
Broxson	Lee	Stargel
Diaz	Mayfield	Stewart
Flores	Montford	Wright
Gainer	Passidomo	
Gibson	Perry	

Nays—9

Berman	Powell	Taddeo
Cruz	Rader	Thurston
Farmer	Rodriguez	Torres

**RECESS**

The President declared the Senate in recess at 12:01 p.m. to reconvene at 2:00 p.m. or upon his call.

**AFTERNOON SESSION**

The Senate was called to order by the President at 2:00 p.m. A quorum present—35:

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

**BILLS ON THIRD READING**

**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.

—was read the third time by title.

On motion by Senator Diaz, **CS for HB 7067** was passed and certified to the House. The vote on passage was:

Yeas—21

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

Nays—14

Berman	Pizzo	Stewart
Book	Powell	Taddeo
Braynon	Rader	Thurston
Gibson	Rodriguez	Torres
Montford	Rouson	

Vote after roll call:

Yea—Flores  
Nay—Cruz, Farmer

**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 read the third time by title.

Senator Broxson moved the following amendments which failed to receive the required two-thirds vote:

**Amendment 1 (439782)**—Delete lines 34-39 and insert:

*(b) The automated pharmacy system is located indoors and in a location approved by the board by rule. If the automated pharmacy system is not located inside a licensed pharmacy, the automated pharmacy system must be located in a healthcare facility, medical office, large employer workplace, or places where essential goods and commodities are sold, provided such location is affiliated with a pharmacy under common ownership.*

**Amendment 2 (742400)**—Delete line 85 and insert:  
*restock, or use the system. The automated pharmacy system may be stocked or restocked only by a licensed pharmacist, a registered pharmacy technician, or a registered pharmacy intern.*

On motion by Senator Hutson, **CS for CS for HB 59**, was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Cruz	Passidomo
Albritton	Diaz	Perry
Bean	Farmer	Pizzo
Benacquisto	Flores	Powell
Berman	Gibson	Rader
Book	Gruters	Simmons
Bradley	Hooper	Simpson
Brandes	Hutson	Stargel
Braynon	Lee	Thurston

Nays—12

Baxley	Mayfield	Stewart
Broxson	Montford	Taddeo
Gainer	Rodriguez	Torres
Harrell	Rouson	Wright

Consideration of **CS for HB 7097** and **HB 641** was deferred.

**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.

—was read the third time by title.

On motion by Senator Rader, **CS for HB 89** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Farmer	Gainer
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Consideration of **HB 7081** was deferred.

**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.

—as amended March 12, was read the third time by title.

On motion by Senator Baxley, **HB 833**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Benacquisto	Brandes
Albritton	Berman	Braynon
Baxley	Book	Broxson
Bean	Bradley	Cruz

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

Nays—None

**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.

—as amended March 12, was read the third time by title.

On motion by Senator Gruters, **CS for CS for HB 867**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**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; re-

vising 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 third time by title.

On motion by Senator Book, CS for HB 1275 was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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.

—was read the third time by title.

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

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

Amendment 1 (158898) (with title amendment)—Between lines 118 and 119 insert:

Section 5. Paragraph (e) of subsection (3) and subsection (7) of section 581.217, Florida Statutes, are amended to read:

581.217 State hemp program.—

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

(e) “Hemp extract” means a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which that is derived from or contains hemp and which that does not contain other controlled substances. The term does not include synthetic CBD or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in the state if the product:

1.(a) Has a certificate of analysis prepared by an independent testing laboratory that states:

a.1. The hemp extract is the product of a batch tested by the independent testing laboratory;

b.2. The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent on a dry-weight basis pursuant to the testing of a random sample of the batch; and

c.3. The batch does not contain contaminants unsafe for human consumption.

2.(b) Is distributed or sold in a container packaging that includes:

a.1. A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;

b.2. The batch number;

c.3. The Internet address of a website where batch information may be obtained;

d.4. The expiration date; and

e.5. The number of milligrams of each marketed cannabinoid per serving hemp extract; and

6. A statement that the product contains a total delta-9 tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.

(b) Hemp extract distributed or sold in violation of this section shall be considered adulterated or misbranded pursuant to chapter 500, chapter 502, or chapter 580.

(c) Products that are intended for inhalation and contain hemp extract may not be sold in this state to a person who is under 21 years of age.

And the title is amended as follows:

Delete line 23 and insert: department; amending s. 581.217, F.S.; redefining the term “hemp extract”; providing that hemp extract that does not meet certain requirements will be considered adulterated or misbranded; prohibiting the sale of certain hemp extract products to individuals under a specified age; amending s. 590.02, F.S.; directing the

On motion by Senator Albritton, CS for CS for HB 921, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Stargel  
Stewart

Taddeo  
Thurston

Torres  
Wright

Nays—None

The Senate resumed consideration of—

**CS for CS for HB 133**—A bill to be entitled An act relating to towing and immobilizing vehicles and vessels; amending ss. 125.0103 and 166.043, F.S.; authorizing local governments to enact rates to tow or immobilize vessels on private property and to remove and store vessels under specified circumstances; creating ss. 125.01047 and 166.04465, F.S.; prohibiting counties or municipalities from enacting certain ordinances or rules that impose fees or charges on authorized wrecker operators or towing businesses; defining the term “towing business”; providing exceptions; amending s. 323.002, F.S.; prohibiting counties or municipalities from adopting or maintaining in effect certain ordinances or rules that impose charges, costs, expenses, fines, fees, or penalties on registered owners, other legally authorized persons in control or the lienholder of a vehicle or vessel under certain conditions; providing an exception; prohibiting counties or municipalities from enacting certain ordinances or rules that require authorized wrecker operators to accept a specified form of payment; providing exceptions; providing applicability; amending s. 713.78, F.S.; authorizing certain persons to place liens on vehicles or vessels to recover specified fees or charges; revising the timeframe within which the notice of sale must be sent to certain entities; amending s. 715.07, F.S.; revising a requirement regarding notices and signs concerning the towing or removal of vehicles or vessels; prohibiting counties or municipalities from enacting certain ordinances or rules that require towing businesses to accept a specified form of payment; providing an effective date.

—which was considered March 11 and reconsidered this day.

Senator Farmer moved the following amendment which failed to receive the required two-thirds vote:

**Amendment 1 (572656) (with title amendment)**—Delete lines 153-207 and insert:

(5) *Notwithstanding any provision of law to the contrary, a county may not enact any ordinance or regulation that prohibits private parking facilities from issuing an invoice or a charge, in lieu of towing, to users of the parking facilities for violating posted rules and rates established by the parking facility as a condition to such use.*

Section 3. Paragraphs (b) and (c) of subsection (1) of section 166.043, Florida Statutes, are amended to read:

166.043 Ordinances and rules imposing price controls; findings required; procedures.—

(1)

(b) ~~The provisions of~~ This section ~~shall~~ not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles *or vessels* from or immobilization of vehicles *or vessels* on private property, or rates for removal and storage of wrecked or disabled vehicles *or vessels* from an accident scene or the removal and storage of vehicles *or vessels* in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle *or vessel*.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles *or vessels* from or immobilization of vehicles *or vessels* on private property, removal and storage of wrecked or disabled vehicles *or vessels* from an accident scene or for the removal and storage of vehicles *or vessels*, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle *or vessel*. However, if a municipality chooses to enact an ordinance establishing the maximum *rates fees* for the towing

or immobilization of vehicles *or vessels* as described in paragraph (b), the county's ordinance established under s. 125.0103 shall not apply within such municipality.

Section 4. Section 166.04465, Florida Statutes, is created to read:

166.04465 *Rules and ordinances relating to towing services.—*

(1) *A municipality may not enact an ordinance or rule that would impose a fee or charge on an authorized wrecker operator, as defined in s. 323.002(1), or on a towing business for towing, impounding, or storing a vehicle or vessel. As used in this section, the term “towing business” means a business that provides towing services for monetary gain.*

(2) *The prohibition set forth in subsection (1) does not affect a municipality's authority to:*

(a) *Levy a reasonable business tax under s. 205.0315, s. 205.043, or s. 205.0535.*

(b) *Impose and collect a reasonable administrative fee or charge on the registered owner or other legally authorized person in control of a vehicle or vessel, not to exceed 25 percent of the maximum towing rate, to cover the cost of enforcement, including parking enforcement, by the municipality when the vehicle or vessel is towed from public property. An authorized wrecker operator or towing business may impose and collect the administrative fee or charge on behalf of the municipality and shall remit such fee or charge to the municipality only after it is collected.*

(3) *Notwithstanding any provision of law to the contrary, a municipality may not enact any ordinance or regulation that prohibits private parking facilities from issuing an invoice or a charge, in lieu of towing, to users of the parking facilities for violating posted rules and rates established by the parking facility as a condition to such use.*

And the title is amended as follows:

Delete line 12 and insert: providing exceptions; prohibiting counties or municipalities from enacting ordinances or regulations that prohibit private parking facilities from issuing invoices or charges for certain purposes; amending s. 323.002, F.S.;

Senator Hooper moved the following amendments which were adopted by two-thirds vote:

**Amendment 2 (319936) (with title amendment)**—Delete lines 232-240.

And the title is amended as follows:

Delete lines 19-22 and insert: providing

**Amendment 3 (112030) (with title amendment)**—Delete lines 499-507 and insert:  
vessels are towed from private property.

And the title is amended as follows:

Delete lines 30-32.

On motion by Senator Hooper, **CS for CS for HB 133**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—5

Gainer	Powell	Rouson
Pizzo	Rodriguez	

**CS for CS for HB 977**—A bill to be entitled An act relating to motor vehicle dealers; providing legislative findings; amending s. 324.021, F.S.; revising the definition of the term “rental company” to exclude certain motor vehicle dealers, for the purpose of determining minimum insurance coverage requirements; providing that specified motor vehicle dealers and their affiliates are immune to causes of action and not vicariously or directly liable for harm to persons or property under certain circumstances; providing that specified motor vehicle dealers and their affiliates are not adjudged liable in civil proceedings or guilty in criminal proceedings under certain circumstances; providing exceptions; providing an effective date.

—was read the third time by title.

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

Senators Lee and Brandes offered the following amendment which was moved by Senator Brandes and adopted by two-thirds vote:

**Amendment 1 (717452) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *The Legislature finds that, absent negligence or criminal conduct by a motor vehicle dealer, or its leasing or rental affiliates, subjecting motor vehicle dealers and their leasing and rental affiliates to vicarious liability under the dangerous instrumentality doctrine when a temporary replacement vehicle is provided to a consumer is both unfair and economically disadvantageous in that it causes dealers and their affiliates to suffer higher insurance costs, which are then passed on to consumers. Additionally, application of the vicarious liability doctrine in such cases often serves to relieve the actual tortfeasor from liability.*

Section 2. Paragraph (c) of subsection (9) of section 324.021, Florida Statutes, is amended to read:

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

(9) OWNER; OWNER/LESSOR.—

(c) *Application.*—

1. The limits on liability in subparagraphs (b)2. and 3. do not apply to an owner of motor vehicles that are used for commercial activity in the owner’s ordinary course of business, other than a rental company that rents or leases motor vehicles. For purposes of this paragraph, the term “rental company” includes only an entity that is engaged in the business of renting or leasing motor vehicles to the general public and that rents or leases a majority of its motor vehicles to persons with no direct or indirect affiliation with the rental company. ~~The term also includes a motor vehicle dealer that provides temporary replacement vehicles to its customers for up to 10 days.~~ The term “rental company” also includes:

a. A related rental or leasing company that is a subsidiary of the same parent company as that of the renting or leasing company that rented or leased the vehicle.

b. The holder of a motor vehicle title or an equity interest in a motor vehicle title if the title or equity interest is held pursuant to or to facilitate an asset-backed securitization of a fleet of motor vehicles used solely in the business of renting or leasing motor vehicles to the general public and under the dominion and control of a rental company, as described in this subparagraph, in the operation of such rental company’s business.

2. Furthermore, with respect to commercial motor vehicles as defined in s. 627.732, the limits on liability in subparagraphs (b)2. and 3. do not apply if, at the time of the incident, the commercial motor vehicle

is being used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is required pursuant to such act to carry placards warning others of the hazardous cargo, unless at the time of lease or rental either:

a. The lessee indicates in writing that the vehicle will not be used to transport materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

b. The lessee or other operator of the commercial motor vehicle has in effect insurance with limits of at least \$5,000,000 combined property damage and bodily injury liability.

3.a. *A motor vehicle dealer, or a motor vehicle dealer’s leasing or rental affiliate, that provides a temporary replacement vehicle at no charge or at a reasonable daily charge to a service customer whose vehicle is being held for repair, service, or adjustment by the motor vehicle dealer is immune from any cause of action and is not liable, vicariously or directly, under general law solely by reason of being the owner of the temporary replacement vehicle for harm to persons or property that arises out of the use, or operation, of the temporary replacement vehicle by any person during the period the temporary replacement vehicle has been entrusted to the motor vehicle dealer’s service customer if there is no negligence or criminal wrongdoing on the part of the motor vehicle owner, or its leasing or rental affiliate.*

b. *For purposes of this section, and notwithstanding any other provision of general law, a motor vehicle dealer, or a motor vehicle dealer’s leasing or rental affiliate, that gives possession, control, or use of a temporary replacement vehicle to a motor vehicle dealer’s service customer may not be adjudged liable in a civil proceeding absent negligence or criminal wrongdoing on the part of the motor vehicle dealer, or the motor vehicle dealer’s leasing or rental affiliate, if the motor vehicle dealer or the motor vehicle dealer’s leasing or rental affiliate executes a written rental or use agreement and obtains from the person receiving the temporary replacement vehicle a copy of the person’s driver license and insurance information reflecting at least the minimum motor vehicle insurance coverage required in the state. Any subsequent determination that the driver license or insurance information provided to the motor vehicle dealer, or the motor vehicle dealer’s leasing or rental affiliate, was in any way false, fraudulent, misleading, nonexistent, canceled, not in effect, or invalid does not alter or diminish the protections provided by this section, unless the motor vehicle dealer, or the motor vehicle dealer’s leasing or rental affiliate, had actual knowledge thereof at the time possession of the temporary replacement vehicle was provided.*

c. *For purposes of this subparagraph, the term “service customer” does not include an agent or a principal of a motor vehicle dealer or a motor vehicle dealer’s leasing or rental affiliate, and does not include an employee of a motor vehicle dealer or a motor vehicle dealer’s leasing or rental affiliate unless the employee was provided a temporary replacement vehicle:*

(I) *While the employee’s personal vehicle was being held for repair, service, or adjustment by the motor vehicle dealer;*

(II) *In the same manner as other customers who are provided a temporary replacement vehicle while the customer’s vehicle is being held for repair, service, or adjustment; and*

(III) *The employee was not acting within the course and scope of their employment.*

Section 3. 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 motor vehicle dealers; providing legislative findings; amending s. 324.021, F.S.; revising the definition of the term “rental company” to exclude certain motor vehicle dealers, for the purpose of determining minimum insurance coverage requirements; providing that specified motor vehicle dealers and their affiliates are immune to causes of action and not vicariously or directly liable for harm to persons or property under certain circumstances; providing that specified motor vehicle dealers and their affiliates are not adjudged

liable in civil proceedings under certain circumstances; providing applicability; providing an effective date.

On motion by Senator Brandes, **CS for CS for HB 977**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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Consideration of **HB 737** and **SB 7052** was deferred.

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**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.

—as amended March 12, was read the third time by title.

On motion by Senator Simmons, **HB 641**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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

### SPECIAL ORDER CALENDAR

**CS for CS for CS for SB 230**—A bill to be entitled An act relating to the Department of Health; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children's Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring

the department to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising term limits for Tier 3 cancer center designations within the Florida Consortium of National Cancer Institute Centers Program; amending s. 401.35, F.S.; revising provisions related to the department's rules governing minimum standards for ground ambulances and emergency medical services vehicles; deleting the requirement that the department base rules governing medical supplies and equipment required in ambulances and emergency medical services vehicles on a certain association's standards; deleting the requirement that the department base rules governing ambulance or emergency medical services vehicle design and construction on a certain agency's standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term "useful beam"; amending s. 404.22, F.S.; providing limitations on the maintenance, operation, and modification of certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.072, F.S.; revising grounds for certain disciplinary actions to conform to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; providing legislative intent; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; providing a tolling provision; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; reviving, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; reviving, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; reviving and reenacting s. 466.00672, F.S., relating to the revocation of such license; amending s. 466.007, F.S.; revising requirements for dental hygienist licensure; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term "adverse incident"; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term "athletic trainer"; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain athletic trainer licensees to maintain certification in good standing without lapse as a condition of license renewal; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s.

480.033, F.S.; revising the definition of the term “apprentice”; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms “doctoral-level psychological education” and “doctoral degree in psychology”; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s. 490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s. 491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; reenacting s. 459.021(6), F.S., relating to registration of osteopathic resident physicians, interns, and fellows, to incorporate the amendment made to s. 459.0055, F.S., in a reference thereto; providing for retroactive applicability of specified provisions; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 230**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 713** was withdrawn from the Committee on Appropriations.

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

**CS for CS for CS for HB 713**—A bill to be entitled An act relating to the Department of Health; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children’s Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising provisions relating to time limitations on a cancer center’s participation in the Tier 3 designation under the Florida Consortium of National Cancer Institute Centers Program; s. 381.986; providing a definition; revising a provision requiring certain information to be entered into the medical marijuana use registry; revising a provision relating to the informed consent form to include the negative health effects of marijuana use on certain persons; providing daily dose amount limits for edibles and marijuana in a form for smoking; prohibiting physicians from certifying a certain potency of tetrahydrocannabinol in marijuana for certain patients; providing an exception; authorizing the Department of Health to possess and test marijuana samples from medical marijuana treatment centers; authorizing medical marijuana treatment centers to contract with certain medical marijuana testing laboratories; prohibiting the department from renewing a medical marijuana treatment center’s license under certain circumstances; providing limits on the potency of tetrahydrocannabinol in marijuana and edibles dispensed by a medical marijuana treatment center; prohibiting a medical marijuana treatment center from dispensing a medical marijuana product containing tetrahydrocannabinol; providing applicability; authorizing the department and certain employees to acquire, possess, test, transport, and dispose of marijuana; amending s. 381.988, F.S.; prohibiting a certified medical marijuana testing laboratory from having an economic interest in or financial relationship with a medical marijuana treatment center; providing construction; amending s. 401.35, F.S.; revising provisions relating to the applicability of rules to certain licensees; deleting a requirement that the department base rules governing medical supplies

and equipment required in ambulances and emergency medical services vehicles on a certain association’s standards; deleting a requirement that the department base rules governing ambulance or vehicle design and construction on a certain agency’s standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term “useful beam”; amending s. 404.22, F.S.; providing requirements for the maintenance, operation, and modification of certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.0635, F.S.; providing an exception to a prohibition on the examination or licensure of certain applicants who are listed on a specified federal list; amending s. 456.072, F.S.; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing’s responsibility to study and issue an annual report on the implementation of nursing education programs; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; reviving, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; reviving, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; reviving and reenacting s. 466.00672, F.S., relating to the revocation of such a license; providing for retroactive application; amending s. 466.007, F.S.; revising requirements for examinations of dental hygienists; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term “adverse incident”; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term “athletic trainer”; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain licensees to maintain certification in good standing without lapse as a condition of renewal of their athletic trainer licenses; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s. 480.033, F.S.; revising the definition of the term “apprentice”; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms “doctoral-

level psychological education” and “doctoral degree in psychology”; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s. 490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s. 491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending s. 514.0115, F.S.; providing that certain surf pools are exempt from supervision for certain provisions under certain circumstances; providing construction; defining the term “surf pool”; amending s. 408.809, F.S.; providing that battery on a specified victim is a disqualifying offense for employment in certain health care facilities; amending s. 456.0135, F.S.; providing that battery on a specified victim is a disqualifying offense for licensure as a health care practitioner; amending s. 553.77, F.S.; conforming a cross-reference; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 230** and read the second time by title.

Senator Harrell moved the following amendment:

**Amendment 1 (624474) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (b) of subsection (2) of section 39.303, Florida Statutes, are amended to read:

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

(2)(a) The Statewide Medical Director for Child Protection must be a physician licensed under chapter 458 or chapter 459 who is a board-certified pediatrician with a subspecialty certification in child abuse from the American Board of Pediatrics. *The Statewide Medical Director for Child Protection shall report directly to the Deputy Secretary for Children’s Medical Services.*

(b) Each Child Protection Team medical director must be a physician licensed under chapter 458 or chapter 459 who is a board-certified physician in pediatrics or family medicine and, within 2 years after the date of employment as a Child Protection Team medical director, obtains a subspecialty certification in child abuse from the American Board of Pediatrics or within 2 years meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Each Child Protection Team medical director employed on July 1, 2015, must, by July 1, 2019, either obtain a subspecialty certification in child abuse from the American Board of Pediatrics or meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Child Protection Team medical directors shall be responsible for oversight of the teams in the circuits. *Each Child Protection Team medical director shall report directly to the Statewide Medical Director for Child Protection.*

Section 2. Section 381.0042, Florida Statutes, is amended to read:

381.0042 Patient care for persons with HIV infection.—The department may establish *human immunodeficiency virus acquired immune deficiency syndrome* patient care networks in each region of the state where the ~~number~~ *number* of cases of ~~acquired immune deficiency syndrome and other~~ *acquired immune deficiency syndrome and other* human immunodeficiency virus ~~transmission infections~~ justifies the establishment of cost-effective regional patient care networks. Such networks shall be delineated by rule of the department which shall take into account natural trade areas and centers of medical excellence that specialize in the treatment of *human*

*immunodeficiency virus acquired immune deficiency syndrome*, as well as available federal, state, and other funds. Each patient care network shall include representation of persons with human immunodeficiency virus infection; health care providers; business interests; the department, including, but not limited to, county health departments; and local units of government. Each network shall plan for the care and treatment of persons with *human immunodeficiency virus acquired immune deficiency syndrome and acquired immune deficiency syndrome related complex* in a cost-effective, dignified manner *that which* emphasizes outpatient and home care. Once ~~per each year, beginning April 1989,~~ each network shall make its recommendations concerning the needs for patient care to the department.

Section 3. Subsection (3) of section 381.4018, Florida Statutes, is amended to read:

381.4018 Physician workforce assessment and development.—

(3) GENERAL FUNCTIONS.—The department shall maximize the use of existing programs under the jurisdiction of the department and other state agencies and coordinate governmental and nongovernmental stakeholders and resources in order to develop a state strategic plan and assess the implementation of such strategic plan. In developing the state strategic plan, the department shall:

(a) Monitor, evaluate, and report on the supply and distribution of physicians licensed under chapter 458 or chapter 459. The department shall maintain a database to serve as a statewide source of data concerning the physician workforce.

(b) Develop a model and quantify, on an ongoing basis, the adequacy of the state’s current and future physician workforce as reliable data becomes available. Such model must take into account demographics, physician practice status, place of education and training, generational changes, population growth, economic indicators, and issues concerning the “pipeline” into medical education.

(c) Develop and recommend strategies to determine whether the number of qualified medical school applicants who might become competent, practicing physicians in this state will be sufficient to meet the capacity of the state’s medical schools. If appropriate, the department shall, working with representatives of appropriate governmental and nongovernmental entities, develop strategies and recommendations and identify best practice programs that introduce health care as a profession and strengthen skills needed for medical school admission for elementary, middle, and high school students, and improve premedical education at the precollege and college level in order to increase this state’s potential pool of medical students.

(d) Develop strategies to ensure that the number of graduates from the state’s public and private allopathic and osteopathic medical schools is adequate to meet physician workforce needs, based on the analysis of the physician workforce data, so as to provide a high-quality medical education to students in a manner that recognizes the uniqueness of each new and existing medical school in this state.

(e) Pursue strategies and policies to create, expand, and maintain graduate medical education positions in the state based on the analysis of the physician workforce data. Such strategies and policies must take into account the effect of federal funding limitations on the expansion and creation of positions in graduate medical education. The department shall develop options to address such federal funding limitations. The department shall consider options to provide direct state funding for graduate medical education positions in a manner that addresses requirements and needs relative to accreditation of graduate medical education programs. The department shall consider funding residency positions as a means of addressing needed physician specialty areas, rural areas having a shortage of physicians, and areas of ongoing critical need, and as a means of addressing the state’s physician workforce needs based on an ongoing analysis of physician workforce data.

(f) Develop strategies to maximize federal and state programs that provide for the use of incentives to attract physicians to this state or retain physicians within the state. Such strategies should explore and maximize federal-state partnerships that provide incentives for physicians to practice in federally designated shortage areas, *in otherwise medically underserved areas, or in rural areas*. Strategies shall also consider the use of state programs, such as the Medical Education Re-

imbursement and Loan Repayment Program pursuant to s. 1009.65, which provide for education loan repayment or loan forgiveness and provide monetary incentives for physicians to relocate to underserved areas of the state.

(g) Coordinate and enhance activities relative to physician workforce needs, undergraduate medical education, graduate medical education, and reentry of retired military and other physicians into the physician workforce provided by the Division of Medical Quality Assurance, area health education center networks established pursuant to s. 381.0402, and other offices and programs within the department as designated by the State Surgeon General.

(h) Work in conjunction with and act as a coordinating body for governmental and nongovernmental stakeholders to address matters relating to the state's physician workforce assessment and development for the purpose of ensuring an adequate supply of well-trained physicians to meet the state's future needs. Such governmental stakeholders shall include, but need not be limited to, the State Surgeon General or his or her designee, the Commissioner of Education or his or her designee, the Secretary of Health Care Administration or his or her designee, and the Chancellor of the State University System or his or her designee, and, at the discretion of the department, other representatives of state and local agencies that are involved in assessing, educating, or training the state's current or future physicians. Other stakeholders shall include, but need not be limited to, organizations representing the state's public and private allopathic and osteopathic medical schools; organizations representing hospitals and other institutions providing health care, particularly those that currently provide or have an interest in providing accredited medical education and graduate medical education to medical students and medical residents; organizations representing allopathic and osteopathic practicing physicians; and, at the discretion of the department, representatives of other organizations or entities involved in assessing, educating, or training the state's current or future physicians.

(i) Serve as a liaison with other states and federal agencies and programs in order to enhance resources available to the state's physician workforce and medical education continuum.

(j) Act as a clearinghouse for collecting and disseminating information concerning the physician workforce and medical education continuum in this state.

*The department may adopt rules to implement this subsection, including rules that establish guidelines to implement the federal Conrad 30 Waiver Program created under s. 214(l) of the Immigration and Nationality Act.*

Section 4. Paragraph (c) of subsection (4) of section 381.915, Florida Statutes, is amended to read:

381.915 Florida Consortium of National Cancer Institute Centers Program.—

(4) Tier designations and corresponding weights within the Florida Consortium of National Cancer Institute Centers Program are as follows:

(c) Tier 3: Florida-based cancer centers seeking designation as either a NCI-designated cancer center or NCI-designated comprehensive cancer center, which shall be weighted at 1.0.

1. A cancer center shall meet the following minimum criteria to be considered eligible for Tier 3 designation in any given fiscal year:

a. Conducting cancer-related basic scientific research and cancer-related population scientific research;

b. Offering and providing the full range of diagnostic and treatment services on site, as determined by the Commission on Cancer of the American College of Surgeons;

c. Hosting or conducting cancer-related interventional clinical trials that are registered with the NCI's Clinical Trials Reporting Program;

d. Offering degree-granting programs or affiliating with universities through degree-granting programs accredited or approved by a nationally recognized agency and offered through the center or through

the center in conjunction with another institution accredited by the Commission on Colleges of the Southern Association of Colleges and Schools;

e. Providing training to clinical trainees, medical trainees accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, and postdoctoral fellows recently awarded a doctorate degree; and

f. Having more than \$5 million in annual direct costs associated with their total NCI peer-reviewed grant funding.

2. The General Appropriations Act or accompanying legislation may limit the number of cancer centers which shall receive Tier 3 designations or provide additional criteria for such designation.

3. A cancer center's participation in Tier 3 *may not extend beyond June 30, 2024* ~~shall be limited to 6 years.~~

4. A cancer center that qualifies as a designated Tier 3 center under the criteria provided in subparagraph 1. by July 1, 2014, is authorized to pursue NCI designation as a cancer center or a comprehensive cancer center *until June 30, 2024* ~~for 6 years after qualification.~~

Section 5. Paragraphs (c) and (d) of subsection (1) of section 401.35, Florida Statutes, are amended to read:

401.35 Rules.—The department shall adopt rules, including definitions of terms, necessary to carry out the purposes of this part.

(1) The rules must provide at least minimum standards governing:

(c) Ground ambulance and vehicle equipment and supplies *that a licensee with a valid vehicle permit under s. 401.26 is required to maintain to provide basic or advanced life support services at least as comprehensive as those published in the most current edition of the American College of Surgeons, Committee on Trauma, list of essential equipment for ambulances, as interpreted by rules of the department.*

(d) Ground ambulance or vehicle design and construction *based on national standards recognized by the department and at least equal to those most currently recommended by the United States General Services Administration as interpreted by department rule* ~~rules of the department.~~

Section 6. Subsection (21) is added to section 404.031, Florida Statutes, to read:

404.031 Definitions.—As used in this chapter, unless the context clearly indicates otherwise, the term:

(21) "Useful beam" means that portion of the radiation emitted from a radiation machine through the aperture of the machine's beam-limiting device which is designed to focus the radiation on the intended target in order to accomplish the machine's purpose when the machine's exposure controls are in a mode to cause the system to produce radiation.

Section 7. Subsections (7) and (8) are added to section 404.22, Florida Statutes, to read:

404.22 Radiation machines and components; inspection.—

(7) Radiation machines that are used to intentionally expose a human being to the useful beam:

(a) Must be maintained and operated according to manufacturer standards or nationally recognized consensus standards accepted by the department;

(b) Must be operated at the lowest exposure that will achieve the intended purpose of the exposure; and

(c) May not be modified in a manner that causes the original parts to operate in a way that differs from the original manufacturer's design specification or the parameters approved for the machine and its components by the United States Food and Drug Administration.

(8) A human being may be exposed to the useful beam of a radiation machine only under the following conditions:

(a) For the purpose of medical or health care, if a licensed health care practitioner operating within the scope of his or her practice has determined that the exposure provides a medical or health benefit greater than the health risks posed by the exposure and the health care practitioner uses the results of the exposure in the medical or health care of the exposed individual; or

(b) For the purpose of providing security for facilities or other venues, if the exposure is determined to provide a life safety benefit to the individual exposed which is greater than the health risk posed by the exposure. Such determination must be made by an individual trained in evaluating and calculating comparative mortality and morbidity risks according to standards set by the department. To be valid, the calculation and method of making the determination must be submitted to and accepted by the department. Limits to annual total exposure for security purposes must be adopted by department rule based on nationally recognized limits or relevant consensus standards.

Section 8. Paragraphs (a) and (b) of subsection (1) of section 456.013, Florida Statutes, are amended to read:

456.013 Department; general licensing provisions.—

(1)(a) Any person desiring to be licensed in a profession within the jurisdiction of the department ~~must shall~~ apply to the department in writing to take the licensure examination. The application ~~must shall~~ be made on a form prepared and furnished by the department. The application form must be available on the ~~Internet World Wide Web~~ and the department may accept electronically submitted applications. The application shall require the social security number and date of birth of the applicant, except as provided in paragraphs (b) and (c). The form shall be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department. If an application is submitted electronically, the department may require supplemental materials, including an original signature of the applicant and verification of credentials, to be submitted in a nonelectronic format. An incomplete application shall expire 1 year after initial filing. In order to further the economic development goals of the state, and notwithstanding any law to the contrary, the department may enter into an agreement with the county tax collector for the purpose of appointing the county tax collector as the department's agent to accept applications for licenses and applications for renewals of licenses. The agreement must specify the time within which the tax collector must forward any applications and accompanying application fees to the department.

(b) If an applicant has not been issued a social security number by the Federal Government at the time of application because the applicant is not a citizen or resident of this country, the department may process the application using a unique personal identification number. If such an applicant is otherwise eligible for licensure, the board, or the department when there is no board, may issue a temporary license to the applicant, which shall expire 30 days after issuance unless a social security number is obtained and submitted in writing to the department. A temporary license issued under this paragraph to an applicant who has accepted a position with an accredited residency, internship, or fellowship program in this state and is applying for registration under s. 458.345 or s. 459.021 shall expire 60 days after issuance unless the applicant obtains a social security number and submits it in writing to the department. Upon receipt of the applicant's social security number, the department shall issue a new license, which shall expire at the end of the current biennium.

Section 9. Paragraph (o) of subsection (3) of section 456.053, Florida Statutes, is amended to read:

456.053 Financial arrangements between referring health care providers and providers of health care services.—

(3) DEFINITIONS.—For the purpose of this section, the word, phrase, or term:

(o) "Referral" means any referral of a patient by a health care provider for health care services, including, without limitation:

1. The forwarding of a patient by a health care provider to another health care provider or to an entity which provides or supplies designated health services or any other health care item or service; or

2. The request or establishment of a plan of care by a health care provider, which includes the provision of designated health services or other health care item or service.

3. The following orders, recommendations, or plans of care shall not constitute a referral by a health care provider:

a. By a radiologist for diagnostic-imaging services.

b. By a physician specializing in the provision of radiation therapy services for such services.

c. By a medical oncologist for drugs and solutions to be prepared and administered intravenously to such oncologist's patient, as well as for the supplies and equipment used in connection therewith to treat such patient for cancer and the complications thereof.

d. By a cardiologist for cardiac catheterization services.

e. By a pathologist for diagnostic clinical laboratory tests and pathological examination services, if furnished by or under the supervision of such pathologist pursuant to a consultation requested by another physician.

f. By a health care provider who is the sole provider or member of a group practice for designated health services or other health care items or services that are prescribed or provided solely for such referring health care provider's or group practice's own patients, and that are provided or performed by or under the direct supervision of such referring health care provider or group practice; provided, however, that effective July 1, 1999, a physician licensed pursuant to chapter 458, chapter 459, chapter 460, or chapter 461 may refer a patient to a sole provider or group practice for diagnostic imaging services, excluding radiation therapy services, for which the sole provider or group practice billed both the technical and the professional fee for or on behalf of the patient, if the referring physician has no investment interest in the practice. The diagnostic imaging service referred to a group practice or sole provider must be a diagnostic imaging service normally provided within the scope of practice to the patients of the group practice or sole provider. The group practice or sole provider may accept no more than 15 percent of their patients receiving diagnostic imaging services from outside referrals, excluding radiation therapy services. *However, the 15 percent limitation of this sub-subparagraph and the requirements of subparagraph (4)(a)2. do not apply to a group practice entity that owns an accountable care organization or an entity operating under an advanced alternative payment model according to federal regulations if such entity provides diagnostic imaging services to more than 30,000 patients per year.*

g. By a health care provider for services provided by an ambulatory surgical center licensed under chapter 395.

h. By a urologist for lithotripsy services.

i. By a dentist for dental services performed by an employee of or health care provider who is an independent contractor with the dentist or group practice of which the dentist is a member.

j. By a physician for infusion therapy services to a patient of that physician or a member of that physician's group practice.

k. By a nephrologist for renal dialysis services and supplies, except laboratory services.

l. By a health care provider whose principal professional practice consists of treating patients in their private residences for services to be rendered in such private residences, except for services rendered by a home health agency licensed under chapter 400. For purposes of this sub-subparagraph, the term "private residences" includes patients' private homes, independent living centers, and assisted living facilities, but does not include skilled nursing facilities.

m. By a health care provider for sleep-related testing.

Section 10. Effective upon this act becoming a law, paragraphs (a), (k), and (t), of subsection (1) and subsection (2) of section 456.072, Florida Statutes, are 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:

(a) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee's profession or specialty designation.

(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.

(t) Failing to identify through written notice, which may include the wearing of a name tag, or orally to a patient the type of license or specialty designation under which the practitioner is practicing. Any advertisement for health care services naming the practitioner must identify the type of license the practitioner holds. This paragraph does not apply to a practitioner while the practitioner is providing services in a facility licensed under chapter 394, chapter 395, chapter 400, or chapter 429. The department shall enforce this paragraph. Each board, or the department where there is no board, is authorized by rule to determine how its practitioners may comply with this disclosure requirement.

(2)(a) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties:

1.(a) Refusal to certify, or to certify with restrictions, an application for a license.

2.(b) Suspension or permanent revocation of a license.

3.(c) Restriction of practice or license, including, but not limited to, restricting the licensee from practicing in certain settings, restricting the licensee to work only under designated conditions or in certain settings, restricting the licensee from performing or providing designated clinical and administrative services, restricting the licensee from practicing more than a designated number of hours, or any other restriction found to be necessary for the protection of the public health, safety, and welfare.

4.(d) Imposition of an administrative fine not to exceed \$10,000 for each count or separate offense. If the violation is for fraud or making a false or fraudulent representation, the board, or the department if there is no board, must impose a fine of \$10,000 per count or offense.

5.(e) Issuance of a reprimand or letter of concern.

6.(f) Placement of the licensee on probation for a period of time and subject to such conditions as the board, or the department when there is no board, may specify. Those conditions may include, but are not limited to, requiring the licensee to undergo treatment, attend continuing education courses, submit to be reexamined, work under the supervision of another licensee, or satisfy any terms which are reasonably tailored to the violations found.

7.(g) Corrective action.

8.(h) Imposition of an administrative fine in accordance with s. 381.0261 for violations regarding patient rights.

9.(i) Refund of fees billed and collected from the patient or a third party on behalf of the patient.

10.(j) Requirement that the practitioner undergo remedial education.

In determining what action is appropriate, the board, or department when there is no board, must first consider what sanctions are necessary to protect the public or to compensate the patient. Only after those sanctions have been imposed may the disciplining authority consider and include in the order requirements designed to rehabilitate the practitioner. All costs associated with compliance with orders issued under this subsection are the obligation of the practitioner.

(b)1. If the department finds that any licensed health care practitioner has violated paragraph (1)(a), the department must issue an emergency order to the practitioner to cease and desist the use of such name, title, words, letter, abbreviations, or insignia. The department shall send the emergency cease and desist order to the practitioner by certified mail and e-mail to the practitioner's physical address and e-mail address of record on file with the department and to any other mailing address or e-mail address through which the department believes the person may be reached.

2. If the practitioner does not cease and desist his or her actions in violation of paragraph (1)(a) immediately upon receipt of the emergency cease and desist order, the department must enter an order imposing any of the following penalties, or a combination thereof, until the practitioner complies with the cease and desist order:

a. A citation and a daily fine.

b. A reprimand or a letter of concern.

c. Suspension of license.

Section 11. Section 456.0721, Florida Statutes, is repealed.

Section 12. 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 13. Subsection (1) of section 458.3145, Florida Statutes, is amended to read:

458.3145 Medical faculty certificate.—

(1) A medical faculty certificate may be issued without examination to an individual who:

(a) Is a graduate of an accredited medical school or its equivalent, or is a graduate of a foreign medical school listed with the World Health Organization;

(b) Holds a valid, current license to practice medicine in another jurisdiction;

(c) Has completed the application form and remitted a nonrefundable application fee not to exceed \$500;

(d) Has completed an approved residency or fellowship of at least 1 year or has received training which has been determined by the board to be equivalent to the 1-year residency requirement;

- (e) Is at least 21 years of age;
- (f) Is of good moral character;
- (g) Has not committed any act in this or any other jurisdiction which would constitute the basis for disciplining a physician under s. 458.331;
- (h) For any applicant who has graduated from medical school after October 1, 1992, has completed, before entering medical school, the equivalent of 2 academic years of preprofessional, postsecondary education, as determined by rule of the board, which must include, at a minimum, courses in such fields as anatomy, biology, and chemistry; and
- (i) Has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at:
  1. The University of Florida;
  2. The University of Miami;
  3. The University of South Florida;
  4. The Florida State University;
  5. The Florida International University;
  6. The University of Central Florida;
  7. The Mayo Clinic College of Medicine and Science in Jacksonville, Florida;
  8. The Florida Atlantic University; ~~or~~
  9. The Johns Hopkins All Children's Hospital in St. Petersburg, Florida;
  10. *Nova Southeastern University; or*
  11. *Lake Erie College of Osteopathic Medicine.*

Section 14. Section 458.3312, Florida Statutes, is amended to read:

458.3312 Specialties.—A physician licensed under this chapter may not hold himself or herself out as a board-certified specialist unless the physician has received formal recognition as a specialist from a specialty board of the American Board of Medical Specialties or other recognizing agency that has been approved by the board. However, a physician may indicate the services offered and may state that his or her practice is limited to one or more types of services when this accurately reflects the scope of practice of the physician. ~~A physician may not hold himself or herself out as a board-certified specialist in dermatology unless the recognizing agency, whether authorized in statute or by rule, is triennially reviewed and reauthorized by the Board of Medicine.~~

Section 15. Subsection (1) of section 459.0055, Florida Statutes, is amended to read:

459.0055 General licensure requirements.—

- (1) Except as otherwise provided herein, any person desiring to be licensed or certified as an osteopathic physician pursuant to this chapter shall:
  - (a) Complete an application form and submit the appropriate fee to the department;
  - (b) Be at least 21 years of age;
  - (c) Be of good moral character;
  - (d) Have completed at least 3 years of preprofessional postsecondary education;
  - (e) Have not previously committed any act that would constitute a violation of this chapter, unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine;

- (f) Not be under investigation in any jurisdiction for an act that would constitute a violation of this chapter. If, upon completion of such investigation, it is determined that the applicant has committed an act that would constitute a violation of this chapter, the applicant is ineligible for licensure unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine;

- (g) Have not had an application for a license to practice osteopathic medicine denied or a license to practice osteopathic medicine revoked, suspended, or otherwise acted against by the licensing authority of any jurisdiction unless the board determines that the grounds on which such action was taken do not adversely affect the applicant's present ability and fitness to practice osteopathic medicine. A licensing authority's acceptance of a physician's relinquishment of license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the osteopathic physician, shall be considered action against the osteopathic physician's license;

- (h) Not have received less than a satisfactory evaluation from an internship, residency, or fellowship training program, unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine. Such evaluation shall be provided by the director of medical education from the medical training facility;

- (i) Have met the criteria set forth in s. 459.0075, s. 459.0077, or s. 459.021, whichever is applicable;

- (j) Submit to the department a set of fingerprints on a form and under procedures specified by the department, along with a payment in an amount equal to the costs incurred by the Department of Health for the criminal background check of the applicant;

- (k) Demonstrate that he or she is a graduate of a medical college recognized and approved by the American Osteopathic Association;

- (l) Demonstrate that she or he has successfully completed an ~~internship or residency~~ ~~a resident internship~~ of not less than 12 months in a ~~program accredited hospital approved~~ ~~for this purpose by the Board of Trustees of the American Osteopathic Association or the Accreditation Council for Graduate Medical Education~~ ~~any other internship program approved by the board upon a showing of good cause by the applicant.~~ This requirement may be waived for an applicant who matriculated in a college of osteopathic medicine during or before 1948; and

- (m) Demonstrate that she or he has obtained a passing score, as established by rule of the board, on all parts of the examination conducted by the National Board of Osteopathic Medical Examiners or other examination approved by the board no more than 5 years before making application in this state or, if holding a valid active license in another state, that the initial licensure in the other state occurred no more than 5 years after the applicant obtained a passing score on the examination conducted by the National Board of Osteopathic Medical Examiners or other substantially similar examination approved by the board.

Section 16. *Section 460.4166, Florida Statutes, is repealed.*

Section 17. Effective upon this act becoming a law, subsections (8) and (10) of section 464.019, Florida Statutes, are amended, and paragraph (f) is added to subsection (11) of that section, to read:

464.019 Approval of nursing education programs.—

- (8) RULEMAKING.—The board does not have rulemaking authority to administer this section, except that the board shall adopt rules that prescribe the format for submitting program applications under subsection (1) and annual reports under subsection (3), and to administer the documentation of the accreditation of nursing education programs under subsection (11). The board may adopt rules relating to the nursing curriculum, including rules relating to the uses and limitations of simulation technology, *and rules relating to the criteria to qualify for an extension of time to meet the accreditation requirements under paragraph (11)(f).* The board may not impose any condition or requirement on an educational institution submitting a program appli-

cation, an approved program, or an accredited program, except as expressly provided in this section.

(10) IMPLEMENTATION STUDY.—The Florida Center for Nursing shall study the administration of this section and submit reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by January 30, through January 30, 2025 2020. The annual reports shall address the previous academic year; provide data on the measures specified in paragraphs (a) and (b), as such data becomes available; and include an evaluation of such data for purposes of determining whether this section is increasing the availability of nursing education programs and the production of quality nurses. The department and each approved program or accredited program shall comply with requests for data from the Florida Center for Nursing.

(a) The Florida Center for Nursing shall evaluate program-specific data for each approved program and accredited program conducted in the state, including, but not limited to:

1. The number of programs and student slots available.
2. The number of student applications submitted, the number of qualified applicants, and the number of students accepted.
3. The number of program graduates.
4. Program retention rates of students tracked from program entry to graduation.
5. Graduate passage rates on the National Council of State Boards of Nursing Licensing Examination.
6. The number of graduates who become employed as practical or professional nurses in the state.

(b) The Florida Center for Nursing shall evaluate the board's implementation of the:

1. Program application approval process, including, but not limited to, the number of program applications submitted under subsection (1),; the number of program applications approved and denied by the board under subsection (2);; the number of denials of program applications reviewed under chapter 120.;; and a description of the outcomes of those reviews.

2. Accountability processes, including, but not limited to, the number of programs on probationary status, the number of approved programs for which the program director is required to appear before the board under subsection (5), the number of approved programs terminated by the board, the number of terminations reviewed under chapter 120, and a description of the outcomes of those reviews.

(c) The Florida Center for Nursing shall complete an annual assessment of compliance by programs with the accreditation requirements of subsection (11), include in the assessment a determination of the accreditation process status for each program, and submit the assessment as part of the reports required by this subsection.

(11) ACCREDITATION REQUIRED.—

(f) *An approved nursing education program may, no sooner than 90 days before the deadline for meeting the accreditation requirements of this subsection, apply to the board for an extension of the accreditation deadline for a period which does not exceed 2 years. An additional extension may not be granted. In order to be eligible for the extension, the approved program must establish that it has a graduate passage rate of 60 percent or higher on the National Council of State Boards of Nursing Licensing Examination for the most recent calendar year and must meet a majority of the board's additional criteria, including, but not limited to, all of the following:*

1. A student retention rate of 60 percent or higher for the most recent calendar year.
2. A graduate work placement rate of 70 percent or higher for the most recent calendar year.

3. *The program has applied for approval or been approved by an institutional or programmatic accreditor recognized by the United States Department of Education.*

4. *The program is in full compliance with subsections (1) and (3) and paragraph (5)(b).*

5. *The program is not currently in its second year of probationary status under subsection (5).*

*The applicable deadline under this paragraph is tolled from the date on which an approved program applies for an extension until the date on which the board issues a decision on the requested extension.*

Section 18. Section 464.202, Florida Statutes, is amended to read:

464.202 Duties and powers of the board.—The board shall maintain, or contract with or approve another entity to maintain, a state registry of certified nursing assistants. The registry must consist of the name of each certified nursing assistant in this state; other identifying information defined by board rule; certification status; the effective date of certification; other information required by state or federal law; information regarding any crime or any abuse, neglect, or exploitation as provided under chapter 435; and any disciplinary action taken against the certified nursing assistant. The registry shall be accessible to the public, the certificateholder, employers, and other state agencies. The board shall adopt by rule testing procedures for use in certifying nursing assistants and shall adopt rules regulating the practice of certified nursing assistants, *including disciplinary procedures and standards of practice*, and specifying the scope of practice authorized and the level of supervision required for the practice of certified nursing assistants. The board may contract with or approve another entity or organization to provide the examination services, including the development and administration of examinations. The board shall require that the contract provider offer certified nursing assistant applications via the Internet, and may require the contract provider to accept certified nursing assistant applications for processing via the Internet. The board shall require the contract provider to provide the preliminary results of the certified nursing examination on the date the test is administered. The provider shall pay all reasonable costs and expenses incurred by the board in evaluating the provider's application and performance during the delivery of services, including examination services and procedures for maintaining the certified nursing assistant registry.

Section 19. Paragraph (c) of subsection (1) of section 464.203, Florida Statutes, is amended to read:

464.203 Certified nursing assistants; certification requirement.—

(1) The board shall issue a certificate to practice as a certified nursing assistant to any person who demonstrates a minimum competency to read and write and successfully passes the required background screening pursuant to s. 400.215. If the person has successfully passed the required background screening pursuant to s. 400.215 or s. 408.809 within 90 days before applying for a certificate to practice and the person's background screening results are not retained in the clearinghouse created under s. 435.12, the board shall waive the requirement that the applicant successfully pass an additional background screening pursuant to s. 400.215. The person must also meet one of the following requirements:

(c) Is currently certified in another state or territory of the United States or in the District of Columbia; is listed on that jurisdiction's ~~state's~~ certified nursing assistant registry; and has not been found to have committed abuse, neglect, or exploitation in that ~~jurisdiction state~~.

Section 20. Paragraph (b) of subsection (1) of section 464.204, Florida Statutes, is amended to read:

464.204 Denial, suspension, or revocation of certification; disciplinary actions.—

(1) The following acts constitute grounds for which the board may impose disciplinary sanctions as specified in subsection (2):

(b) ~~Intentionally~~ Violating any provision of this chapter, chapter 456, or the rules adopted by the board.

Section 21. Subsections (3) and (4) of section 466.006, Florida Statutes, are amended to read:

466.006 Examination of dentists.—

(3) If an applicant is a graduate of a dental college or school not accredited in accordance with paragraph (2)(b) or of a dental college or school not approved by the board, the applicant is not entitled to take the examinations required in this section to practice dentistry until she or he satisfies one of the following:

(a) Completes a program of study, as defined by the board by rule, at an accredited American dental school and demonstrates receipt of a D.D.S. or D.M.D. from said school; or

(b) Submits proof of having successfully completed at least 2 consecutive academic years at a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation. This program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. *For purposes of this paragraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty.*

(4) Notwithstanding any other provision of law in chapter 456 pertaining to the clinical dental licensure examination or national examinations, to be licensed as a dentist in this state, an applicant must successfully complete *both* of the following:

(a) A written examination on the laws and rules of the state regulating the practice of dentistry;

~~(b) A practical or clinical examination, which must shall be the American Dental Licensing Examination produced by the American Board of Dental Examiners, Inc., or its successor entity, if any, that is administered in this state and graded by dentists licensed in this state and employed by the department for just such purpose, provided that the board has attained, and continues to maintain thereafter, representation on the board of directors of the American Board of Dental Examiners, the examination development committee of the American Board of Dental Examiners, and such other committees of the American Board of Dental Examiners as the board deems appropriate by rule to assure that the standards established herein are maintained organizationally. A passing score on the American Dental Licensing Examination administered in this state and graded by dentists who are licensed in this state is valid for 365 days after the date the official examination results are published.~~

~~1.2.a.~~ As an alternative to *such practical or clinical examination the requirements of subparagraph 1*, an applicant may submit scores from an American Dental Licensing Examination previously administered in a jurisdiction other than this state after October 1, 2011, and such examination results shall be recognized as valid for the purpose of licensure in this state. A passing score on the American Dental Licensing Examination administered *out of state out-of-state* shall be the same as the passing score for the American Dental Licensing Examination administered in this state ~~and graded by dentists who are licensed in this state~~. The examination results are valid for 365 days after the date the official examination results are published. The applicant must have completed the examination after October 1, 2011.

~~b.~~ This subparagraph may not be given retroactive application.

~~2.2.~~ If the date of an applicant's passing American Dental Licensing Examination scores from an examination previously administered in a jurisdiction other than this state under *subparagraph 1. subparagraph 2* is older than 365 days, ~~then such scores are shall~~ nevertheless be recognized as valid for the purpose of licensure in this state, but only if the applicant demonstrates that all of the following additional standards have been met:

~~a.(4)~~ The applicant completed the American Dental Licensing Examination after October 1, 2011.

~~(H)~~ This sub-subparagraph may not be given retroactive application;

b. The applicant graduated from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its

successor entity, if any, or any other dental accrediting organization recognized by the United States Department of Education. Provided, however, if the applicant did not graduate from such a dental school, the applicant may submit proof of having successfully completed a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation of at least 2 consecutive academic years at such accredited sponsoring institution. Such program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. *For purposes of this sub-subparagraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty;*

c. The applicant currently possesses a valid and active dental license in good standing, with no restriction, which has never been revoked, suspended, restricted, or otherwise disciplined, from another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;

d. The applicant submits proof that he or she has never been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse. This sub-subparagraph does not apply if the applicant successfully appealed to have his or her name removed from the data banks of these agencies;

~~e.(I)(A) In the 5 years immediately preceding the date of application for licensure in this state, The applicant submits must submit~~ proof of having been consecutively engaged in the full-time practice of dentistry in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico *in the 5 years immediately preceding the date of application for licensure in this state;* or;

~~(B) If the applicant has been licensed in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico for less than 5 years, the applicant submits must submit~~ proof of having been engaged in the full-time practice of dentistry since the date of his or her initial licensure.

(II) As used in this section, "full-time practice" is defined as a minimum of 1,200 hours per year for each and every year in the consecutive 5-year period or, ~~when where~~ applicable, the period since initial licensure, and must include any combination of the following:

(A) Active clinical practice of dentistry providing direct patient care.

(B) Full-time practice as a faculty member employed by a dental or dental hygiene school approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(C) Full-time practice as a student at a postgraduate dental education program approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(III) The board shall develop rules to determine what type of proof of full-time practice is required and to recoup the cost to the board of verifying full-time practice under this section. Such proof must, at a minimum, be:

(A) Admissible as evidence in an administrative proceeding;

(B) Submitted in writing;

(C) Submitted by the applicant under oath with penalties of perjury attached;

(D) Further documented by an affidavit of someone unrelated to the applicant who is familiar with the applicant's practice and testifies with particularity that the applicant has been engaged in full-time practice; and

(E) Specifically found by the board to be both credible and admissible.

(IV) An affidavit of only the applicant is not acceptable proof of full-time practice unless it is further attested to by someone unrelated to the applicant who has personal knowledge of the applicant's practice. If the board deems it necessary to assess credibility or accuracy, the board

may require the applicant or the applicant's witnesses to appear before the board and give oral testimony under oath;

f. The applicant ~~submits~~ ~~must submit~~ documentation that he or she has completed, or will complete ~~before he or she is licensed, prior to licensure~~ in this state, continuing education equivalent to this state's requirements for the last full reporting biennium;

g. The applicant ~~proves~~ ~~must prove~~ that he or she has never been convicted of, or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession in any jurisdiction;

h. The applicant ~~has~~ ~~must~~ successfully passed ~~pass~~ a written examination on the laws and rules of this state regulating the practice of dentistry and ~~must successfully pass~~ the computer-based diagnostic skills examination; and

i. The applicant ~~submits~~ ~~must submit~~ documentation that he or she has successfully completed the *applicable examination administered by the Joint Commission on National Dental Examinations or its successor organization* ~~National Board of Dental Examiners dental examination~~.

Section 22. Notwithstanding the January 1, 2020, repeal of section 466.0067, Florida Statutes, that section is revived, reenacted, and amended to read:

466.0067 Application for health access dental license.—The Legislature finds that there is an important state interest in attracting dentists to practice in underserved health access settings in this state and further, that allowing out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state is substantially related to achieving this important state interest. Therefore, notwithstanding the requirements of s. 466.006, the board shall grant a health access dental license to practice dentistry in this state in health access settings as defined in s. 466.003 to an applicant ~~who that~~:

- (1) Files an appropriate application approved by the board;
- (2) Pays an application license fee for a health access dental license, laws-and-rule exam fee, and an initial licensure fee. The fees specified in this subsection may not differ from an applicant seeking licensure pursuant to s. 466.006;
- (3) Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;
- (4) Submits proof of graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency;
- (5) Submits documentation that she or he has completed, or will obtain ~~before prior to~~ licensure, continuing education equivalent to this state's requirement for dentists licensed under s. 466.006 for the last full reporting biennium before applying for a health access dental license;
- (6) Submits proof of her or his successful completion of parts I and II of the dental examination by the National Board of Dental Examiners and a state or regional clinical dental licensing examination that the board has determined effectively measures the applicant's ability to practice safely;
- (7) Currently holds a valid, active, dental license in good standing which has not been revoked, suspended, restricted, or otherwise disciplined from another of the United States, the District of Columbia, or a United States territory;
- (8) Has never had a license revoked from another of the United States, the District of Columbia, or a United States territory;
- (9) Has never failed the examination specified in s. 466.006, unless the applicant was reexamined pursuant to s. 466.006 and received a license to practice dentistry in this state;

(10) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank;

(11) Submits proof that he or she has been engaged in the active, clinical practice of dentistry providing direct patient care for 5 years immediately preceding the date of application, or in instances when the applicant has graduated from an accredited dental school within the preceding 5 years, submits proof of continuous clinical practice providing direct patient care since graduation; and

(12) Has passed an examination covering the laws and rules of the practice of dentistry in this state as described in s. 466.006(4)(a).

Section 23. Notwithstanding the January 1, 2020, repeal of section 466.00671, Florida Statutes, that section is revived, reenacted, and amended to read:

466.00671 Renewal of the health access dental license.—

(1) A health access dental licensee shall apply for renewal each biennium. At the time of renewal, the licensee shall sign a statement that she or he has complied with all continuing education requirements of an active dentist licensee. The board shall renew a health access dental license for an applicant ~~who that~~:

(a) Submits documentation, as approved by the board, from the employer in the health access setting that the licensee has at all times pertinent remained an employee;

(b) Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

(c) Has paid a renewal fee set by the board. The fee specified herein may not differ from the renewal fee adopted by the board pursuant to s. 466.013. The department may provide payment for these fees through the dentist's salary, benefits, or other department funds;

(d) Has not failed the examination specified in s. 466.006 since initially receiving a health access dental license or since the last renewal; and

(e) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank.

(2) The board may undertake measures to independently verify the health access dental licensee's ongoing employment status in the health access setting.

Section 24. Notwithstanding the January 1, 2020, repeal of section 466.00672, Florida Statutes, that section is revived and reenacted to read:

466.00672 Revocation of health access dental license.—

(1) The board shall revoke a health access dental license upon:

(a) The licensee's termination from employment from a qualifying health access setting;

(b) Final agency action determining that the licensee has violated any provision of s. 466.027 or s. 466.028, other than infractions constituting citation offenses or minor violations; or

(c) Failure of the Florida dental licensure examination.

(2) Failure of an individual licensed pursuant to s. 466.0067 to limit the practice of dentistry to health access settings as defined in s. 466.003 constitutes the unlicensed practice of dentistry.

Section 25. Paragraph (b) of subsection (4) and paragraph (a) of subsection (6) of section 466.007, Florida Statutes, are amended to read:

466.007 Examination of dental hygienists.—

(4) Effective July 1, 2012, to be licensed as a dental hygienist in this state, an applicant must successfully complete the following:

(b) A practical or clinical examination approved by the board. The examination shall be the Dental Hygiene Examination produced by the American Board of Dental Examiners, Inc. (ADEX) or its successor entity, if any, if the board finds that the successor entity's clinical examination meets or exceeds the provisions of this section. The board shall approve the ADEX Dental Hygiene Examination if the board has attained and continues to maintain representation on the ADEX House of Representatives, the ADEX Dental Hygiene Examination Development Committee, and such other ADEX Dental Hygiene committees as the board deems appropriate through rulemaking to ensure that the standards established in this section are maintained organizationally. The ADEX Dental Hygiene Examination or the examination produced by its successor entity is a comprehensive examination in which an applicant must demonstrate skills within the dental hygiene scope of practice on a live patient and any other components that the board deems necessary for the applicant to successfully demonstrate competency for the purpose of licensure. ~~The ADEX Dental Hygiene Examination or the examination by the successor entity administered in this state shall be graded by dentists and dental hygienists licensed in this state who are employed by the department for this purpose.~~

(6)(a) A passing score on the ADEX Dental Hygiene Examination administered out of state ~~shall~~ be considered the same as a passing score for the ADEX Dental Hygiene Examination administered in this state ~~and graded by licensed dentists and dental hygienists.~~

Section 26. Subsections (9) through (15) are added to section 466.017, Florida Statutes, to read:

466.017 Prescription of drugs; anesthesia.—

(9) Any adverse incident that occurs in an office maintained by a dentist must be reported to the department. The required notification to the department must be submitted in writing by certified mail and postmarked within 48 hours after the incident occurs.

(10) A dentist practicing in this state must notify the board in writing by certified mail within 48 hours after any adverse incident that occurs in the dentist's outpatient facility. A complete written report must be filed with the board within 30 days after the incident occurs.

(11) Any certified registered dental hygienist administering local anesthesia must notify the board in writing by registered mail within 48 hours after any adverse incident that was related to or the result of the administration of local anesthesia. A complete written report must be filed with the board within 30 days after the mortality or other adverse incident.

(12) A failure by the dentist or dental hygienist to timely and completely comply with all the reporting requirements in this section is the basis for disciplinary action by the board pursuant to s. 466.028(1).

(13) The department shall review each adverse incident and determine whether it involved conduct by a health care professional subject to disciplinary action, in which case s. 456.073 applies. Disciplinary action, if any, shall be taken by the board under which the health care professional is licensed.

(14) As used in subsections (9)-(13), the term "adverse incident" means any mortality that occurs during or as the result of a dental procedure, or an incident that results in a temporary or permanent physical or mental injury that requires hospitalization or emergency room treatment of a dental patient which occurs during or as a direct result of the use of general anesthesia, deep sedation, moderate sedation, pediatric moderate sedation, oral sedation, minimal sedation (anxiolysis), nitrous oxide, or local anesthesia.

(15) The board may adopt rules to administer this section.

Section 27. Section 466.031, Florida Statutes, is amended to read:

466.031 "Dental laboratories ~~laboratory~~" defined.—

(1) As used in this chapter, the term "dental laboratory" ~~as used in this chapter:~~

(4) includes any person, firm, or corporation that ~~who~~ performs for a fee of any kind, gratuitously, or otherwise, directly or through an agent or an employee, by any means or method, or ~~who in any way~~ supplies or

manufactures artificial substitutes for the natural teeth; ~~or who~~ furnishes, supplies, constructs, or reproduces or repairs any prosthetic denture, bridge, or appliance to be worn in the human mouth; or ~~who~~ in any way ~~represents~~ ~~holds~~ ~~itself~~ ~~out~~ as a dental laboratory.

(2) ~~The term does not include a~~ ~~Excludes any~~ dental laboratory technician who constructs or repairs dental prosthetic appliances in the office of a licensed dentist ~~exclusively for that~~ ~~such~~ ~~dentist~~ ~~only~~ ~~and~~ under her or his supervision and work order.

(2) An employee or independent contractor of a dental laboratory, acting as an agent of that dental laboratory, may engage in onsite consultation with a licensed dentist during a dental procedure.

Section 28. Section 466.036, Florida Statutes, is amended to read:

466.036 Information; periodic inspections; equipment and supplies.—The department may require from the applicant for a registration certificate to operate a dental laboratory any information necessary to carry out the purpose of this chapter, including proof that the applicant has the equipment and supplies necessary to operate as determined by rule of the department, and shall require periodic inspection of all dental laboratories operating in this state ~~at least once each biennial registration period~~. Such inspections ~~must~~ ~~shall~~ include, but need not be limited to, inspection of sanitary conditions, equipment, supplies, and facilities on the premises. The department shall specify dental equipment and supplies that are not ~~allowed~~ ~~permitted~~ in a registered dental laboratory.

Section 29. Subsection (1) of section 468.701, Florida Statutes, is amended to read:

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

(1) "Athletic trainer" means a person licensed under this part who has met the requirements of ~~under~~ this part, including the education requirements ~~established as set forth~~ by the Commission on Accreditation of Athletic Training Education or its successor organization and necessary credentials from the Board of Certification. ~~An individual who is licensed as an athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide, or that he or she is otherwise prohibited by law from providing.~~

Section 30. Section 468.707, Florida Statutes, is amended to read:

468.707 Licensure requirements.—Any person desiring to be licensed as an athletic trainer shall apply to the department on a form approved by the department. An applicant shall also provide records or other evidence, as determined by the board, to prove he or she has met the requirements of this section. The department shall license each applicant who:

(1) Has completed the application form and remitted the required fees.

(2) ~~For a person who applies on or after July 1, 2016,~~ Has submitted to background screening pursuant to s. 456.0135. The board may require a background screening for an applicant whose license has expired or who is undergoing disciplinary action.

(3)(a) Has obtained, at a minimum, a bachelor's ~~baccalaureate or higher~~ degree from a college or university professional athletic training degree program accredited by the Commission on Accreditation of Athletic Training Education or its successor organization recognized and approved by the United States Department of Education or the Commission on Recognition of Postsecondary Accreditation, approved by the board, or recognized by the Board of Certification, and has passed the national examination to be certified by the Board of Certification; or-

(b)(4) Has obtained, at a minimum, a bachelor's degree, has completed the Board of Certification internship requirements, and holds ~~if graduated before 2004, has~~ a current certification from the Board of Certification.

(4)(5) Has current certification in both cardiopulmonary resuscitation and the use of an automated external defibrillator set forth in the continuing education requirements as determined by the board pursuant to s. 468.711.

(5)(6) Has completed any other requirements as determined by the department and approved by the board.

Section 31. Subsection (3) of section 468.711, Florida Statutes, is amended to read:

468.711 Renewal of license; continuing education.—

(3) If initially licensed after January 1, 1998, the licensee must be currently certified by the Board of Certification or its successor agency and maintain that certification in good standing without lapse.

Section 32. Section 468.713, Florida Statutes, is amended to read:

468.713 Responsibilities of athletic trainers.—

(1) An athletic trainer shall practice under the direction of a physician licensed under chapter 458, chapter 459, chapter 460, or otherwise authorized by Florida law to practice medicine. The physician shall communicate his or her direction through oral or written prescriptions or protocols as deemed appropriate by the physician for the provision of services and care by the athletic trainer. An athletic trainer shall provide service or care in the manner dictated by the physician.

(2) An athletic trainer shall work within his or her allowable scope of practice as specified by board rule under s. 468.705. An athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide or that he or she is otherwise prohibited by law from providing.

Section 33. Subsection (2) of section 468.723, Florida Statutes, is amended to read:

468.723 Exemptions.—This part does not prohibit prevent or restrict:

(2) An athletic training student acting under the direct supervision of a licensed athletic trainer. For purposes of this subsection, “direct supervision” means the physical presence of an athletic trainer so that the athletic trainer is immediately available to the athletic training student and able to intervene on behalf of the athletic training student. The supervision must comply with board rule in accordance with the standards set forth by the Commission on Accreditation of Athletic Training Education or its successor.

Section 34. Subsections (1), (3), and (4) of section 468.803, Florida Statutes, are amended to read:

468.803 License, registration, and examination requirements.—

(1) The department shall issue a license to practice orthotics, prosthetics, or pedorthics, or a registration for a resident to practice orthotics or prosthetics, to qualified applicants. Licenses to practice shall be granted independently in orthotics, prosthetics, or pedorthics must be granted independently, but a person may be licensed in more than one such discipline, and a prosthetist-orthotist license may be granted to persons meeting the requirements for licensure both as a prosthetist and as an orthotist license. Registrations to practice shall be granted independently in orthotics or prosthetics must be granted independently, and a person may be registered in both disciplines fields at the same time or jointly in orthotics and prosthetics as a dual registration.

(3) A person seeking to attain the required orthotics or prosthetics experience required for licensure in this state must be approved by the board and registered as a resident by the department. Although a registration may be held in both disciplines practice fields, for independent registrations the board may shall not approve a second registration until at least 1 year after the issuance of the first registration. Notwithstanding subsection (2), a person an applicant who has been approved by the board and registered by the department in one discipline practice field may apply for registration in the second discipline practice field without an additional state or national criminal history check during the period in which the first registration is valid. Each independent registration or dual registration is valid for 2 years after from the date of issuance unless otherwise revoked by the department upon recommendation of the board. The board shall set a registration fee not to exceed \$500 to be paid by the applicant. A registration may be

renewed once by the department upon recommendation of the board for a period no longer than 1 year, as such renewal is defined by the board by rule. The registration renewal fee may shall not exceed one-half the current registration fee. To be considered by the board for approval of registration as a resident, the applicant must have one of the following:

(a) A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs. ~~or, at~~

(b) A minimum of of; a bachelor’s degree from a regionally accredited college or university and a certificate in orthotics or prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board. ~~or~~

(c) A minimum of a bachelor’s degree from a regionally accredited college or university and a dual certificate in both orthotics and prosthetics from programs recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board.

~~(b) A Bachelor of Science or higher-level postgraduate degree in Orthotics and Prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor’s degree from a regionally accredited college or university and a certificate in prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board.~~

(4) The department may develop and administer a state examination for an orthotist or a prosthetist license, or the board may approve the existing examination of a national standards organization. The examination must be predicated on a minimum of a baccalaureate-level education and formalized specialized training in the appropriate field. Each examination must demonstrate a minimum level of competence in basic scientific knowledge, written problem solving, and practical clinical patient management. The board shall require an examination fee not to exceed the actual cost to the board in developing, administering, and approving the examination, which fee must be paid by the applicant. To be considered by the board for examination, the applicant must have:

(a) For an examination in orthotics:

1. A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor’s degree from a regionally accredited college or university and a certificate in orthotics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board; and

2. An approved orthotics internship of 1 year of qualified experience, as determined by the board, or an orthotic residency or dual residency program recognized by the board.

(b) For an examination in prosthetics:

1. A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor’s degree from a regionally accredited college or university and a certificate in prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board; and

2. An approved prosthetics internship of 1 year of qualified experience, as determined by the board, or a prosthetic residency or dual residency program recognized by the board.

Section 35. Subsection (5) of section 480.033, Florida Statutes, is amended to read:

480.033 Definitions.—As used in this act:

(5) “Apprentice” means a person approved by the board to study *colonic irrigation massage* under the instruction of a licensed massage therapist *practicing colonic irrigation*.

Section 36. Subsections (1) and (2) of section 480.041, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

480.041 Massage therapists; qualifications; licensure; endorsement.—

(1) Any person is qualified for licensure as a massage therapist under this act who:

(a) Is at least 18 years of age or has received a high school diploma or high school equivalency diploma;

(b) Has completed a course of study at a board-approved massage school ~~or has completed an apprenticeship program~~ that meets standards adopted by the board; and

(c) Has received a passing grade on a *national* ~~an~~ examination *designated* ~~administered~~ by the board ~~department~~.

(2) Every person desiring to be examined for licensure as a massage therapist ~~must~~ shall apply to the department in writing upon forms prepared and furnished by the department. Such applicants ~~are~~ shall be subject to the provisions of s. 480.046(1). ~~Applicants may take an examination administered by the department only upon meeting the requirements of this section as determined by the board.~~

(8) *A person issued a license as a massage apprentice before July 1, 2020, may continue that apprenticeship and perform massage therapy as authorized under that license until it expires. Upon completion of the apprenticeship, which must occur before July 1, 2023, a massage apprentice may apply to the board for full licensure and be granted a license if all other applicable licensure requirements are met.*

Section 37. *Section 480.042, Florida Statutes, is repealed.*

Section 38. Subsection (3) of section 490.003, Florida Statutes, is amended to read:

490.003 Definitions.—As used in this chapter:

~~(3)(a) Prior to July 1, 1999, “doctoral-level psychological education” and “doctoral degree in psychology” mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology from:~~

~~1.—An educational institution which, at the time the applicant was enrolled and graduated, had institutional accreditation from an agency recognized and approved by the United States Department of Education or was recognized as a member in good standing with the Association of Universities and Colleges of Canada; and~~

~~2.—A psychology program within that educational institution which, at the time the applicant was enrolled and graduated, had programmatic accreditation from an accrediting agency recognized and approved by the United States Department of Education or was comparable to such programs.~~

~~(b) Effective July 1, 1999, “doctoral-level psychological education” and “doctoral degree in psychology” mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology from a psychology program at:~~

~~1.—an educational institution that which, at the time the applicant was enrolled and graduated:~~

~~(a) ; Had institutional accreditation from an agency recognized and approved by the United States Department of Education or was recognized as a member in good standing with the Association of Universities and Colleges of Canada; and~~

~~(b)2. A psychology program within that educational institution which, at the time the applicant was enrolled and graduated, Had programmatic accreditation from the American Psychological Association an agency recognized and approved by the United States Department of Education.~~

Section 39. Paragraph (b) of subsection (1) and paragraph (b) of subsection (2) of section 490.005, Florida Statutes, are amended to read:

490.005 Licensure by examination.—

(1) Any person desiring to be licensed as a psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the board certifies has:

(b) Submitted proof satisfactory to the board that the applicant has *received*:

~~1. Received Doctoral-level psychological education, as defined in s. 490.003(3); or~~

~~2. Received The equivalent of a doctoral-level psychological education, as defined in s. 490.003(3), from a program at a school or university located outside the United States of America and Canada, which was officially recognized by the government of the country in which it is located as an institution or program to train students to practice professional psychology. The applicant has the burden of establishing that this requirement has the requirements of this provision have been met shall be upon the applicant;~~

~~3.—Received and submitted to the board, prior to July 1, 1999, certification of an augmented doctoral-level psychological education from the program director of a doctoral level psychology program accredited by a programmatic agency recognized and approved by the United States Department of Education; or~~

~~4. Received and submitted to the board, prior to August 31, 2001, certification of a doctoral level program that at the time the applicant was enrolled and graduated maintained a standard of education and training comparable to the standard of training of programs accredited by a programmatic agency recognized and approved by the United States Department of Education. Such certification of comparability shall be provided by the program director of a doctoral level psychology program accredited by a programmatic agency recognized and approved by the United States Department of Education.~~

(2) Any person desiring to be licensed as a school psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the department certifies has:

(b) Submitted satisfactory proof to the department that the applicant:

1. Has received a doctorate, specialist, or equivalent degree from a program primarily psychological in nature and has completed 60 semester hours or 90 quarter hours of graduate study, in areas related to school psychology as defined by rule of the department, from a college or university which at the time the applicant was enrolled and graduated was accredited by an accrediting agency recognized and approved by the *Council for Higher Education Accreditation or its successor organization Commission on Recognition of Postsecondary Accreditation* or from an institution that which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada.

2. Has had a minimum of 3 years of experience in school psychology, 2 years of which must be supervised by an individual who is a licensed school psychologist or who has otherwise qualified as a school psychologist supervisor, by education and experience, as set forth by rule of the department. A doctoral internship may be applied toward the supervision requirement.

3. Has passed an examination provided by the department.

Section 40. Subsection (1) of section 490.006, Florida Statutes, is amended to read:

490.006 Licensure by endorsement.—

(1) The department shall license a person as a psychologist or school psychologist who, upon applying to the department and remitting the appropriate fee, demonstrates to the department or, in the case of psychologists, to the board that the applicant:

~~(a) Holds a valid license or certificate in another state to practice psychology or school psychology, as applicable, provided that, when the~~

applicant secured such license or certificate, the requirements were substantially equivalent to or more stringent than those set forth in this chapter at that time; and, if no Florida law existed at that time, then the requirements in the other state must have been substantially equivalent to or more stringent than those set forth in this chapter at the present time;

(a)(b) Is a diplomate in good standing with the American Board of Professional Psychology, Inc.; or

(b)(c) Possesses a doctoral degree in psychology as described in s. 490.003 and has at least 10 20 years of experience as a licensed psychologist in any jurisdiction or territory of the United States within the 25 years preceding the date of application.

Section 41. Subsection (6) of section 491.0045, Florida Statutes, as created by chapters 2016-80 and 2016-241, Laws of Florida, is amended to read:

491.0045 Intern registration; requirements.—

(6) A registration issued on or before March 31, 2017, expires March 31, 2022, and may not be renewed or reissued. Any registration issued after March 31, 2017, expires 60 months after the date it is issued. *The board may make a one-time exception to the requirements of this subsection in emergency or hardship cases, as defined by board rule, if a subsequent intern registration may not be issued unless the candidate has passed the theory and practice examination described in s. 491.005(1)(d), (3)(d), and (4)(d).*

Section 42. Subsections (3) and (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.—

(3) MARRIAGE AND FAMILY THERAPY.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, plus the actual cost of to the department for the purchase of the examination from the Association of Marital and Family Therapy Regulatory Board, or similar national organization, the department shall issue a license as a marriage and family therapist to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

(b) Has a minimum of a master's degree with major emphasis in marriage and family therapy; or a closely related field from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education or from a Florida university program accredited by the Council for Accreditation of Counseling and Related Educational Programs; and graduate courses approved by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling. ~~has completed all of the following requirements:~~

a. ~~Thirty-six semester hours or 48 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate level course credits in each of the following nine areas: dynamics of marriage and family systems; marriage therapy and counseling theory and techniques; family therapy and counseling theory and techniques; individual human development theories throughout the life cycle; personality theory or general counseling theory and techniques; psychopathology; human sexuality theory and counseling techniques; psychosocial theory; and substance abuse theory and counseling techniques. Courses in research, evaluation, appraisal, assessment, or testing theories and procedures; thesis or dissertation work; or practicums, internships, or fieldwork may not be applied toward this requirement.~~

b. ~~A minimum of one graduate level course of 3 semester hours or 4 quarter hours in legal, ethical, and professional standards issues in the practice of marriage and family therapy or a course determined by the board to be equivalent.~~

c. ~~A minimum of one graduate level course of 3 semester hours or 4 quarter hours in diagnosis, appraisal, assessment, and testing for individual or interpersonal disorder or dysfunction; and a minimum of one 3 semester hour or 4 quarter hour graduate level course in behavioral research which focuses on the interpretation and application of research data as it applies to clinical practice. Credit for thesis or dissertation~~

work, practicums, internships, or fieldwork may not be applied toward this requirement.

d. ~~A minimum of one supervised clinical practicum, internship, or field experience in a marriage and family counseling setting, during which the student provided 180 direct client contact hours of marriage and family therapy services under the supervision of an individual who met the requirements for supervision under paragraph (c). This requirement may be met by a supervised practice experience which took place outside the academic arena, but which is certified as equivalent to a graduate level practicum or internship program which required a minimum of 180 direct client contact hours of marriage and family therapy services currently offered within an academic program of a college or university accredited by an accrediting agency approved by the United States Department of Education, or an institution which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada or a training institution accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education. Certification shall be required from an official of such college, university, or training institution.~~

2. If the course title that which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant shall be required to provide additional documentation, including, but not limited to, a syllabus or catalog description published for the course.

The required master's degree must have been received in an institution of higher education that, which at the time the applicant graduated, was fully accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation or; publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada; or an institution of higher education located outside the United States and Canada; which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as professional marriage and family therapists or psychotherapists. *The applicant has the burden of establishing that the requirements of this provision have been met shall be upon the applicant, and the board shall require documentation, such as, but not limited to, an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country.* An applicant with a master's degree from a program that which did not emphasize marriage and family therapy may complete the coursework requirement in a training institution fully accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education.

(c) Has had at least 2 years of clinical experience during which 50 percent of the applicant's clients were receiving marriage and family therapy services, which must be at the post-master's level under the supervision of a licensed marriage and family therapist with at least 5 years of experience, or the equivalent, who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major emphasis in marriage and family therapy or a closely related field which that did not include all of the coursework required by paragraph (b) under sub-paragraphs (b)1.a.-c., credit for the post-master's level clinical experience may shall not commence until the applicant has completed a minimum of 10 of the courses required by paragraph (b) under sub-paragraphs (b)1.a.-c., as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques. Within the 2 3 years of required experience, the applicant shall provide direct individual, group, or family therapy and counseling; to include the following categories of cases including those involving: unmarried dyads, married couples, separating and divorcing couples, and family groups that include including children. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the

premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination provided by the department for this purpose.

(e) Has demonstrated, in a manner designated by board rule of the board, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

(f)

For the purposes of dual licensure, the department shall license as a marriage and family therapist any person who meets the requirements of s. 491.0057. Fees for dual licensure may ~~shall~~ not exceed those stated in this subsection.

(4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, plus the actual per applicant cost of ~~to the department for purchase of the examination from the National Board for Certified Counselors or its successor Professional Examination Service for the National Academy of Certified Clinical Mental Health Counselors or a similar national~~ organization, the department shall issue a license as a mental health counselor to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

(b)1. Has a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs ~~which that~~ consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse. If the master's degree is earned from a program related to the practice of mental health counseling ~~which that~~ is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least 60 semester hours or 80 quarter hours and meet *all of* the following requirements:

a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; *substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling in community settings; and substance abuse.* Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework *addressing diagnostic processes, including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience in legal, ethical, and professional standards issues in the practice of mental health counseling, which includes goals, objectives, and practices of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certifications and licensing, and the role identity and professional obligations of mental health counselors. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.*

c. The equivalent, as determined by the board, of at least ~~700~~ 1,000 hours of university-sponsored supervised clinical practicum, internship, or field experience *that includes at least 280 hours of direct client services*, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the post-master's clinical experience requirement.

2. *Has provided additional documentation if a the course title that which appears on the applicant's transcript does not clearly identify the*

content of the coursework.; ~~The applicant shall be required to provide additional documentation must include, including, but is not limited to, a syllabus or catalog description published for the course.~~

Education and training in mental health counseling must have been received in an institution of higher education ~~that, which~~ at the time the applicant graduated, was: fully accredited by a regional accrediting body recognized by the *Council for Higher Education Accreditation or its successor organization or Commission on Recognition of Postsecondary Accreditation*; publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada; or an institution of higher education located outside the United States and Canada; ~~which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization Commission on Recognition of Postsecondary Accreditation.~~ Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as mental health counselors. *The applicant has the burden of establishing that the requirements of this provision have been met shall be upon the applicant,* and the board shall require documentation, such as, ~~but not limited to,~~ an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. *Beginning July 1, 2025, an applicant must have a master's degree from a program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours to apply for licensure under this paragraph.*

(c) Has had at least 2 years of clinical experience in mental health counseling, which must be at the post-master's level under the supervision of a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the practice of mental health counseling ~~which that~~ did not include all the coursework required under sub-subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, credit for the post-master's level clinical experience may ~~shall~~ not commence until the applicant has completed a minimum of seven of the courses required under sub-subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination provided by the department for this purpose.

(e) Has demonstrated, in a manner designated by board rule of the board, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

Section 43. Paragraph (b) of subsection (1) of section 491.006, Florida Statutes, is amended to read:

491.006 Licensure or certification by endorsement.—

(1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department and remitting the appropriate fee, demonstrates to the board that he or she:

(b)1. Holds an active valid license to practice and has actively practiced the *licensed profession for which licensure is applied* in another state for 3 of the last 5 years immediately preceding licensure;—

2. ~~Meets the education requirements of this chapter for the profession for which licensure is applied.~~

2.3. Has passed a substantially equivalent licensing examination in another state or has passed the licensure examination in this state in the profession for which the applicant seeks licensure; and-

3.4. Holds a license in good standing, is not under investigation for an act that would constitute a violation of this chapter, and has not been found to have committed any act that would constitute a violation of this chapter.

The fees paid by any applicant for certification as a master social worker under this section are nonrefundable.

Section 44. Subsection (3) of section 491.007, Florida Statutes, is amended to read:

491.007 Renewal of license, registration, or certificate.—

~~(3) The board or department shall prescribe by rule a method for the biennial renewal of an intern registration at a fee set by rule, not to exceed \$100.~~

Section 45. Subsection (2) of section 491.009, Florida Statutes, is amended to read:

491.009 Discipline.—

(2) ~~The board or department, or, in the case of certified master social workers, psychologists, the department board, may enter an order denying licensure or imposing any of the penalties authorized in s. 456.072(2) against any applicant for licensure or any licensee who violates is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).~~

Section 46. Subsection (2) of section 491.0046, Florida Statutes, is amended to read:

491.0046 Provisional license; requirements.—

(2) The department shall issue a provisional clinical social worker license, provisional marriage and family therapist license, or provisional mental health counselor license to each applicant who the board certifies has:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$100, as set by board rule; and

(b) Earned a graduate degree in social work, a graduate degree with a major emphasis in marriage and family therapy or a closely related field, or a graduate degree in a major related to the practice of mental health counseling; and

(c) ~~Has~~ Met the following minimum coursework requirements:

1. For clinical social work, a minimum of 15 semester hours or 22 quarter hours of the coursework required by s. 491.005(1)(b)2.b.

2. For marriage and family therapy, 10 of the courses required by s. ~~491.005(3)(b) s. 491.005(3)(b)1.a-e~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques.

3. For mental health counseling, a minimum of seven of the courses required under s. 491.005(4)(b)1.a.-c.

Section 47. Subsection (11) of section 945.42, Florida Statutes, is amended to read:

945.42 Definitions; ss. 945.40-945.49.—As used in ss. 945.40-945.49, the following terms shall have the meanings ascribed to them, unless the context shall clearly indicate otherwise:

(11) “Psychological professional” means a behavioral practitioner who has an approved doctoral degree in psychology as defined in s. ~~490.003(3) s. 490.003(3)(b)~~ and is employed by the department or who is licensed as a psychologist pursuant to chapter 490.

Section 48. For the purpose of incorporating the amendment made by this act to section 459.0055, Florida Statutes, in a reference thereto, subsection (6) of section 459.021, Florida Statutes, is reenacted to read:

459.021 Registration of resident physicians, interns, and fellows; list of hospital employees; penalty.—

(6) Any person desiring registration pursuant to this section shall meet all the requirements of s. 459.0055, except paragraphs (1)(l) and (m).

Section 49. Present subsection (7) of section 514.0115, Florida Statutes, is redesignated as subsection (8), and a new subsection (7) is added to that section, to read:

514.0115 Exemptions from supervision or regulation; variances.—

(7) *Until such time as the department adopts rules for the supervision and regulation of surf pools, a surf pool that is larger than 4 acres is exempt from supervision under this chapter if the surf pool is permitted by a local government pursuant to a special use permit process in which the local government asserts regulatory authority over the construction of the surf pool and, in consultation with the department, establishes through the local government’s special use permitting process the conditions for the surf pool’s operation, water quality, and necessary lifesaving equipment. This subsection does not affect the department’s or a county health department’s right of entry pursuant to s. 514.04 or its authority to seek an injunction pursuant to s. 514.06 to restrain the operation of a surf pool permitted and operated under this subsection if the surf pool presents significant risks to public health. For the purposes of this subsection, the term “surf pool” means a pool that is designed to generate waves dedicated to the activity of surfing on a surfboard or an analogous surfing device commonly used in the ocean and intended for sport, as opposed to the general play intent of wave pools, other large-scale public swimming pools, or other public bathing places.*

Section 50. Subsection (7) of section 553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the commission.—

(7) Building officials shall recognize and enforce variance orders issued by the Department of Health pursuant to s. ~~514.0115(8) s. 514.0115(7)~~, including any conditions attached to the granting of the variance.

Section 51. Present paragraphs (g) through (v) of subsection (4) of section 408.809, Florida Statutes, are redesignated as paragraphs (h) through (w), respectively, and a new paragraph (g) is added to that subsection, to read:

408.809 Background screening; prohibited offenses.—

(4) In addition to the offenses listed in s. 435.04, all persons required to undergo background screening pursuant to this part or authorizing statutes must not have an arrest awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for any of the following offenses or any similar offense of another jurisdiction:

(g) *Section 784.03, relating to battery, if the victim is a vulnerable adult as defined in s. 415.102 or a patient or resident of a facility licensed under chapter 395, chapter 400, or chapter 429.*

If, upon rescreening, a person who is currently employed or contracted with a licensee as of June 30, 2014, and was screened and qualified under ss. 435.03 and 435.04, has a disqualifying offense that was not a disqualifying offense at the time of the last screening, but is a current disqualifying offense and was committed before the last screening, he or she may apply for an exemption from the appropriate licensing agency and, if agreed to by the employer, may continue to perform his or her duties until the licensing agency renders a decision on the application for exemption if the person is eligible to apply for an exemption and the exemption request is received by the agency no later than 30 days after receipt of the rescreening results by the person.

Section 52. Subsection (5) is added to section 456.0135, Florida Statutes, to read:

456.0135 General background screening provisions.—

(5) *In addition to the offenses listed in s. 435.04, all persons required to undergo background screening under this section, other than those licensed under s. 465.022, must not have an arrest awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for an offense under s. 784.03 or any similar offense of another jurisdiction relating to battery, if the victim is a vulnerable adult as defined in s. 415.102 or a patient or resident of a facility licensed under chapter 395, chapter 400, or chapter 429.*

Section 53. *The amendments and reenactments made by this act to sections 466.0067, 466.00671, and 466.00672, Florida Statutes, are remedial in nature, shall take effect upon this act becoming a law, and shall apply retroactively to January 1, 2020. This section shall take effect upon this act becoming a law.*

Section 54. 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 health regulation; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children's Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising term limits for Tier 3 cancer center designations within the Florida Consortium of National Cancer Institute Centers Program; amending s. 401.35, F.S.; revising provisions related to the department's rules governing minimum standards for ground ambulances and emergency medical services vehicles; deleting the requirement that the department base rules governing medical supplies and equipment required in ambulances and emergency medical services vehicles on a certain association's standards; deleting the requirement that the department base rules governing ambulance or emergency medical services vehicle design and construction on a certain agency's standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term "useful beam"; amending s. 404.22, F.S.; providing limitations on the maintenance, operation, and modification of certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.053, F.S.; revising the definition of the term "referral"; amending s. 456.072, F.S.; prohibiting specified acts by health care practitioners relating to specialty designations; revising grounds for certain disciplinary actions to conform to changes made by the act; authorizing the department to enforce compliance with the act; authorizing the department to take specified disciplinary action against health care practitioners in violation of the act; specifying applicable administrative penalties; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered

chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; providing a tolling provision; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; reviving, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; reviving, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; reviving and reenacting s. 466.00672, F.S., relating to the revocation of such license; amending s. 466.007, F.S.; revising requirements for dental hygienist licensure; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term "adverse incident"; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term "athletic trainer"; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain athletic trainer licensees to maintain certification in good standing without lapse as a condition of license renewal; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s. 480.033, F.S.; revising the definition of the term "apprentice"; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms "doctoral-level psychological education" and "doctoral degree in psychology"; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s. 490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s. 491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; reenacting s. 459.021(6), F.S., relating to registration of osteopathic resident physicians, interns, and fellows, to incorporate the amendment made to s. 459.0055, F.S., in a reference thereto; amending s. 514.0115, F.S.; providing that certain surf pools are exempt from

supervision for specified provisions under certain circumstances; providing construction; defining the term “surf pool”; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 408.809, F.S.; providing that battery on a specified victim is a disqualifying offense for employment in certain health care facilities; amending s. 456.0135, F.S.; providing that battery on a specified victim is a disqualifying offense for licensure as a health care practitioner; providing for retroactive applicability of specified provisions; providing effective dates.

Senator Harrell moved the following amendment to **Amendment 1 (624474)** which was adopted:

**Amendment 1A (272342)**—Delete line 388 and insert:  
*diagnostic imaging services and has more than 30,000 patients enrolled per*

Senator Diaz moved the following amendment to **Amendment 1 (624474)** which was adopted:

**Amendment 1B (446828) (with title amendment)**—Between lines 589 and 590 insert:

Section 15. Paragraphs (a) and (b) of subsection (9) of section 458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

(9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on Physician Assistants is created within the department.

(a) The council shall consist of five members appointed as follows:

1. The chairperson of the Board of Medicine shall appoint *one member* ~~three members~~ *who is a physician and member* ~~are physicians and members~~ of the Board of Medicine *who supervises*. ~~One of the physicians must supervise~~ a physician assistant in the physician’s practice.

2. The chairperson of the Board of Osteopathic Medicine shall appoint one member who is a physician and a member of the Board of Osteopathic Medicine *who supervises a physician assistant in the physician’s practice*.

3. The State Surgeon General or his or her designee shall appoint *three* ~~a~~ fully licensed physician *assistants* ~~assistant~~ licensed under this chapter or chapter 459.

(b) ~~Two of the members appointed to the council must be physicians who supervise physician assistants in their practice.~~ Members shall be appointed to terms of 4 years, except that of the initial appointments, two members shall be appointed to terms of 2 years, two members shall be appointed to terms of 3 years, and one member shall be appointed to a term of 4 years, as established by rule of the boards. Council members may not serve more than two consecutive terms. The council shall annually elect a chairperson from among its members.

Section 16. Paragraphs (a) and (b) of subsection (9) of section 459.022, Florida Statutes, are amended to read:

459.022 Physician assistants.—

(9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on Physician Assistants is created within the department.

(a) The council shall consist of five members appointed as follows:

1. The chairperson of the Board of Medicine shall appoint *one member* ~~three members~~ *who is a physician and member* ~~are physicians and members~~ of the Board of Medicine *who supervises*. ~~One of the physicians must supervise~~ a physician assistant in the physician’s practice.

2. The chairperson of the Board of Osteopathic Medicine shall appoint one member who is a physician and a member of the Board of Osteopathic Medicine *who supervises a physician assistant in the physician’s practice*.

3. The State Surgeon General or her or his designee shall appoint *three* ~~a~~ fully licensed physician *assistants* ~~assistant~~ licensed under chapter 458 or this chapter.

(b) ~~Two of the members appointed to the council must be physicians who supervise physician assistants in their practice.~~ Members shall be appointed to terms of 4 years, except that of the initial appointments, two members shall be appointed to terms of 2 years, two members shall be appointed to terms of 3 years, and one member shall be appointed to a term of 4 years, as established by rule of the boards. Council members may not serve more than two consecutive terms. The council shall annually elect a chairperson from among its members.

And the title is amended as follows:

Delete line 2079 and insert: specified basis by the Board of Medicine; amending ss. 458.347 and 459.022, F.S.; revising requirements relating to the Council on Physician Assistants membership; conforming provisions to changes made by the act; amending s.

**Amendment 1 (624474)**, as amended, was adopted.

On motion by Senator Harrell, by two-thirds vote, **CS for CS for CS for HB 713**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SENATOR BRADLEY PRESIDING**

**THE PRESIDENT PRESIDING**

The Senate resumed consideration of—

**CS for HB 491**—A bill to be entitled An act relating to the disposition of surplus funds by candidates; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing that a candidate may give certain surplus funds to the state or a political subdivision to be disbursed in a specified manner; providing an effective date.

—which was previously considered March 11 with pending **Amendment 1 (557896)** by Senator Brandes and pending point of order by Senator Rodriguez.

**POINT OF ORDER DISPOSITION**

The point of order and **Amendment 1 (557896)** were withdrawn.

**SENATOR BRADLEY PRESIDING**

Senator Brandes moved the following amendment which was adopted:

**Amendment 2 (609638) (with title amendment)**—Delete line 37 and insert:

Section 2. Effective upon becoming a law, paragraph (t) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

## 97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

~~(t)1. Whether the applicant has never been convicted of a felony, and if convicted, has had his or her voting rights restored by including the statement “I affirm I have never been convicted of a felony or, if I have been, my rights relating to voting have been restored.” and providing a box for the applicant to check to affirm the statement.~~

~~2. Whether the applicant has been convicted of a felony, and if convicted, has had his or her civil rights restored through executive clemency, by including the statement “If I have been convicted of a felony, I affirm my voting rights have been restored by the Board of Executive Clemency.” and providing a box for the applicant to check to affirm the statement.~~

~~3. Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored pursuant s. 4, Art. VI of the State Constitution, by including the statement “If I have been convicted of a felony, I affirm my voting rights have been restored pursuant to s. 4, Art. VI of the State Constitution upon the completion of all terms of my sentence, including parole or probation.” and providing a box for the applicant to check to affirm the statement.~~

Section 3. Effective upon becoming a law, paragraph (a) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

## 97.053 Acceptance of voter registration applications.—

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.

2. The applicant's address of legal residence, including a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if appropriate. Failure to include a distinguishing apartment, suite, lot, room, or dormitory room or other identifier on a voter registration application does not impact a voter's eligibility to register to vote or cast a ballot, and such an omission may not serve as the basis for a challenge to a voter's eligibility or reason to not count a ballot.

3. The applicant's date of birth.

4. A mark in the checkbox affirming that the applicant is a citizen of the United States.

5.a. The applicant's current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, or

b. If the applicant has not been issued a current and valid Florida driver license or a Florida identification card, the last four digits of the applicant's social security number.

In case an applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.

~~6. A mark in the applicable checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her civil rights restored through executive clemency, or has had his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution.~~

7. A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.

8. The original signature or a digital signature transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.

Section 4. Effective upon becoming a law, paragraphs (d), (e), and (f) of subsection (1) of section 97.0585, Florida Statutes, are amended to read:

97.0585 Public records exemption; information regarding voters and voter registration; confidentiality.—

(1) The following information held by an agency, as defined in s. 119.011, and obtained for the purpose of voter registration is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may be used only for purposes of voter registration:

~~(d) Information related to a voter registration applicant's or voter's prior felony conviction and whether such person has had his or her voting rights restored by the Board of Executive Clemency or pursuant to s. 4, Art. VI of the State Constitution.~~

~~(e) All information concerning preregistered voter registration applicants who are 16 or 17 years of age.~~

~~(e)(f) Paragraph (d) is Paragraphs (d) and (e) are subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 5. Paragraph (b) of subsection (1) of section 101.043, Florida Statutes, is amended to read:

## 101.043 Identification required at polls.—

(1)

(b) If the picture identification does not contain the signature of the elector, an additional identification that provides the elector's signature shall be required. The address appearing on the identification presented by the elector may not be used as the basis to ~~confirm an elector's legal residence or otherwise~~ challenge an elector's legal residence. The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector's signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

Section 6. Effective upon becoming a law, subsection (2) of section 101.5612, Florida Statutes, is amended to read:

## 101.5612 Testing of tabulating equipment.—

(2) On any day not more than ~~25~~ 40 days before ~~prior to~~ the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least ~~30~~ 15 days before ~~prior to~~ the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of

the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

Section 7. Paragraph (a) of subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614 Canvass of returns.—

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in the presence of witnesses and substituted for the damaged ballot. ~~Likewise, A duplicate ballot must also shall be made of a vote-by-mail ballot containing an overvoted race or~~ a marked vote-by-mail ballot in which every race is undervoted, ~~including which shall include~~ all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots. All duplicate ballots shall be clearly labeled “duplicate,” bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct.

Section 8. Subsection (1) of section 101.6103, Florida Statutes, is amended to read:

101.6103 Mail ballot election procedure.—

(1) Except as otherwise provided in subsection (7), the supervisor of elections shall mail all official ballots with a secrecy envelope, a return mailing envelope, and instructions sufficient to describe the voting process to each elector entitled to vote in the election not sooner than the ~~40th~~ 20th day before the election and not later than the 10th day before the date of the election. All such ballots shall be mailed by first-class mail. Ballots shall be addressed to each elector at the address appearing in the registration records and placed in an envelope which is prominently marked “Do Not Forward.”

Section 9. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

And the title is amended as follows:

Delete lines 2-8 and insert: An act relating to elections; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing that a candidate may give certain surplus funds to the state or a political subdivision to be disbursed in a specified manner; amending ss. 97.052 and 97.053, F.S.; revising requirements for the uniform statewide voter registration application and the acceptance of such applications; amending s. 97.0585, F.S.; deleting an exemption from public records requirements for information related to a voter registration applicant’s or voter’s prior felony conviction and his or her restoration of voting rights to conform to changes made by the act; amending s. 101.043, F.S.; deleting a provision that prohibits the use of an address appearing on identification presented by an elector at the polls as a basis to confirm an elector’s legal residence; amending s. 101.5612, F.S.; revising the timeframes for conducting public preelection testing of automatic tabulating equipment; amending s. 101.5614, F.S.; removing the requirement that duplicate ballots be made of vote-by-mail ballots containing overvoted races; amending s. 101.6103, F.S.; revising the timeframe in which the supervisor of elections must mail ballots in elections conducted under the Mail Ballot Election Act; providing effective dates.

On motion by Senator Perry, by two-thirds vote, **CS for HB 491**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Powell
Albritton	Gainer	Rader
Baxley	Gibson	Rodriguez
Bean	Gruters	Rouson
Benacquisto	Harrell	Simmons
Berman	Hooper	Simpson
Book	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—Bradley

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Consideration of **CS for SB 1500** and **SB 7060** was deferred.

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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/CS/SB 1066, with 1 amendment(s), and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

**CS for CS for CS for SB 1066**—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; prohibiting new or increased impact fees from applying to certain applications; providing an exception; providing applicability; providing a calculation on which contributions to mitigate impacts not otherwise funded by impact fees must be based; prohibiting such contributions from being collected before the issuance of building permits; providing that impact fee credits are assignable and transferable under certain conditions; providing an effective date.

**House Amendment 1 (288171) (with title amendment)**—Remove lines 83-101 and insert: market value.

And the title is amended as follows:

Remove lines 4-9 and insert: applying to certain applications; providing

On motion by Senator Gruters, the Senate refused to concur in **House Amendment 1 (288171)** to **CS for CS for CS for SB 1066** and the House was requested to recede. The action of the Senate was certified to the House.

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The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1120, with 2 amendment(s), and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

**CS for CS for SB 1120**—A bill to be entitled An act relating to substance abuse services; amending s. 397.4073, F.S.; specifying that certified recovery residence administrators and certain persons asso-

ciated with certified recovery residences are subject to certain background screenings; requiring, rather than authorizing, the exemption from disqualification from employment for certain substance abuse service provider personnel; revising eligibility for exemption from disqualification from employment for such personnel; amending s. 397.487, F.S.; deleting a provision relating to background screenings for certain persons associated with applicant recovery residences; amending s. 397.4872, F.S.; deleting provisions relating to exemptions from disqualification for certain persons associated with recovery residences; amending s. 397.4873, F.S.; providing criminal penalties for violations relating to recovery residence patient referrals; amending s. 817.505, F.S.; revising provisions relating to payment practices exempt from prohibitions on patient brokering; amending ss. 397.4871 and 435.07, F.S.; conforming provisions to changes made by the act; providing an effective date.

**House Amendment 1 (780023) (with title amendment)**—Remove lines 28-125 and insert:

Section 1. Paragraph (b) of subsection (4) of section 397.4073, Florida Statutes, is amended to read:

397.4073 Background checks of service provider personnel.—

(4) EXEMPTIONS FROM DISQUALIFICATION.—

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

1. Shall ~~may~~ be exempted from disqualification from employment for such offenses pursuant to this paragraph if:

a. At least 5 years, or at least 3 years in the case of an individual seeking certification as a peer specialist under s. 397.417, have elapsed since the applicant requesting an exemption has completed or has been lawfully released from any confinement, supervision, or nonmonetary condition imposed by a court for the applicant's most recent disqualifying offense under this paragraph.

b. The applicant for an exemption has not been arrested for any offense during the 5 years, or 3 years in the case of a peer specialist, before the request for exemption.

2. May be exempted from disqualification from employment for such offenses without a waiting period as provided under s. 435.07(2).

Section 2. Subsection (6) of section 397.487, Florida Statutes, is amended to read:

397.487 Voluntary certification of recovery residences.—

(6) All owners, directors, and chief financial officers of an applicant recovery residence are subject to level 2 background screening as provided under s. 408.809 and chapter 435. A recovery residence is ineligible for certification, and a credentialing entity shall deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 435.07 ~~s. 397.4073 or s. 397.4872~~. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

Section 3. Subsection (5) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—

(5) All applicants are subject to level 2 background screening as provided under chapter 435. An applicant is ineligible, and a credentialing entity shall deny the application, if the applicant has been found guilty of, or has entered a plea of guilty or nolo contendere to,

regardless of adjudication, any offense listed in s. 408.809 or s. 435.04(2) unless the department has issued an exemption under s. 435.07 ~~s. 397.4872~~. In accordance with s. 435.04, the department shall notify the credentialing agency of the applicant's eligibility based on the results of his or her background screening.

Section 4. Subsections (2) and (3) of section 397.4872, Florida Statutes, are amended to read:

397.4872 Exemption from disqualification; publication.—

~~(2) The department may exempt a person from ss. 397.487(6) and 397.4871(5) if it has been at least 3 years since the person has completed or been lawfully released from confinement, supervision, or sanction for the disqualifying offense. An exemption from the disqualifying offenses may not be given under any circumstances for any person who is a~~

~~(a) Sexual predator pursuant to s. 775.21;~~

~~(b) Career offender pursuant to s. 775.261; or~~

~~(c) Sexual offender pursuant to s. 943.0435, unless the requirement to register as a sexual offender has been removed pursuant to s. 943.04354.~~

~~(2)(3) By April 1, 2016, each credentialing entity shall submit a list to the department of all recovery residences and recovery residence administrators certified by the credentialing entity that hold a valid certificate of compliance. Thereafter, The credentialing entity must notify the department within 3 business days after a new recovery residence or recovery residence administrator is certified or a recovery residence or recovery residence administrator's certificate expires or is terminated. The department shall publish on its website a list of all recovery residences that hold a valid certificate of compliance. The department shall also publish on its website a list of all recovery residence administrators who hold a valid certificate of compliance. A recovery residence or recovery residence administrator shall be excluded from the list upon written request to the department by the listed individual or entity.~~

And the title is amended as follows:

Remove lines 3-17 and insert: s. 397.4073, F.S.; requiring, rather than authorizing, an exemption from disqualification from employment for certain substance abuse service provider personnel under certain circumstances; providing that certain persons may be granted such exemption without a waiting period under certain circumstances; amending ss. 397.487 and 397.4871, F.S.; conforming cross-references to changes made by the act; amending s. 397.4872, F.S.; removing the authority of the Department of Children and Families to grant exemptions from disqualification under ch. 397, F.S., under certain circumstances; removing an obsolete provision; amending s. 397.4873, F.S.;

**House Amendment 2 (162269) (with title amendment)**—Remove lines 144-197 and insert:

Section 5. Paragraph (a) of subsection (3) of section 817.505, Florida Statutes, is amended to read:

817.505 Patient brokering prohibited; exceptions; penalties.—

(3) This section shall not apply to the following payment practices:

(a) Any discount, payment, waiver of payment, or payment practice ~~not prohibited expressly authorized by 42 U.S.C. s. 1320a-7b(b) 42 U.S.C. s. 1320a-7b(b)(3) or regulations promulgated adopted thereunder.~~

And the title is amended as follows:

Remove lines 22-23 and insert: brokering;

On motion by Senator Harrell, the Senate concurred in **House Amendment 1 (780023)** and **House Amendment 2 (162269)**.

**CS for CS for SB 1120** 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	Flores	Powell
Albritton	Gainer	Rader
Baxley	Gibson	Rodriguez
Bean	Gruters	Rouson
Benacquisto	Harrell	Simmons
Berman	Hooper	Simpson
Book	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—Bradley

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1582, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 1582—A bill to be entitled An act relating to asbestos trust claims; creating s. 774.301, F.S.; defining terms; requiring a plaintiff who files an asbestos claim to provide certain information to the parties of the action within a specified timeframe; requiring the plaintiff to supplement the information and materials under certain circumstances within a specified timeframe; authorizing the defendant to seek discovery from an asbestos trust; prohibiting the plaintiff from claiming privilege or confidentiality to bar discovery of such materials; providing that asbestos trust claim materials are admissible in evidence under certain circumstances; providing for the adjustment of a judgment under certain circumstances; providing for severability; providing an effective date.

House Amendment 1 (838709) (with title amendment)—Remove lines 43-45 and insert: plaintiff shall:

(a) Investigate all asbestos trusts to determine which claims the plaintiff is eligible to file.

(b) File all asbestos trust claims the plaintiff is eligible to file.

(c) Provide all parties with:

1. All trust claim materials.

2. A sworn statement verifying that an investigation of all asbestos trusts has been conducted, all asbestos trust claims for which the plaintiff is eligible to file have been filed, and all trust claim materials have been provided to the parties.

And the title is amended as follows:

Remove line 4 and insert: who files an asbestos claim to investigate all asbestos trusts, file all asbestos trust claims the plaintiff is eligible to file, and provide certain

Senator Simmons moved the following amendment to House Amendment 1 (838709) which was adopted:

Senate Amendment 1 (845444) (with title amendment) to House Amendment 1 (838709) (with title amendment)—Delete lines 6-16 and insert:

(a) Investigate all asbestos trusts to determine which claims the plaintiff could file that are reasonably expected to be approved for compensation from the trust.

(b) File all asbestos trust claims that would be cost effective to file and for which the plaintiff would reasonably expect to be approved for compensation.

(c) Provide all parties with:

1. All trust claim materials.

2. A sworn statement verifying that an investigation of all asbestos trusts has been conducted, all asbestos trust claims that the plaintiff must file pursuant to paragraph (b) have been filed, and all trust claim materials have been provided to the parties.

And the title is amended as follows:

Delete lines 22-23 and insert: asbestos trusts, file all appropriate asbestos trust claims, and provide certain

On motion by Senator Simmons, the Senate concurred in House Amendment 1 (838709), as amended, and requested the House to concur in the Senate amendment to the House amendment.

CS for SB 1582 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Albritton	Flores	Powell
Baxley	Gainer	Rader
Bean	Gibson	Rodriguez
Benacquisto	Gruters	Rouson
Berman	Harrell	Simmons
Book	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

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1876, with 1 amendment(s), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 1876—A bill to be entitled An act relating to the state hemp program; amending s. 500.03, F.S.; revising the definition of the term "food" to include hemp extract for purposes of the Florida Food Safety Act; amending s. 500.12, F.S.; providing that a person operating a minor food outlet that sells hemp extract is not exempt from certain food permit requirements; amending s. 581.217, F.S.; redefining the term "hemp extract"; directing the Department of Agriculture and Consumer Services, in consultation with the Administration Commission, to submit an amended plan for the state program to the United States Secretary of Agriculture under certain circumstances; providing that hemp extract that does not meet certain requirements will be considered adulterated or misbranded; prohibiting the sale of certain hemp extract products to individuals under a specified age; revising the contents of the department's required monthly report to the United States Secretary of Agriculture; authorizing the department to contract with entities to provide certain collection, testing, and disposal services; requiring samples to be taken within a specified timeframe before the anticipated harvest; providing that the Industrial Hemp Advisory Council is the sole advisory body to provide information, advice, and expertise regarding the program to the department; prohibiting the creation of other advisory bodies for such

purpose; providing terms for advisory council members and the council chair; providing requirements for filling advisory council vacancies; directing the department to submit a report that provides recommendations for program fees to the Legislature by a specified date; providing an effective date.

**House Amendment 1 (800749) (with title amendment)**—Remove lines 82-235 and insert:

Section 3. Subsections (3), (4), (6), (7), (9), (11), (12), and (14) of section 581.217, Florida Statutes, are amended, and subsection (15) is added to that section, to read:

581.217 State hemp program.—

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

(a) ~~“Certifying agency” has the same meaning as in s. 578.011(8).~~

(a)(b) ~~“Contaminants unsafe for human consumption” includes, but is not limited to, any microbe, fungus, yeast, mildew, herbicide, pesticide, fungicide, residual solvent, metal, or other contaminant found in any amount that exceeds any of the accepted limitations as determined by rules adopted by the Department of Health in accordance with s. 381.986, or other limitation pursuant to the laws of this state, whichever amount is less.~~

(b)(c) ~~“Cultivate” means planting, watering, growing, or harvesting hemp.~~

(c)(d) ~~“Hemp” means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.~~

(d)(e) ~~“Hemp extract” means a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which that is derived from or contains hemp and which that does not contain other controlled substances. The term does not include synthetic cannabidiol or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.~~

(e)(f) ~~“Independent testing laboratory” means a laboratory that:~~

1. Does not have a direct or indirect interest in the entity whose product is being tested;

2. Does not have a direct or indirect interest in a facility that cultivates, processes, distributes, dispenses, or sells hemp or hemp extract in the state or in another jurisdiction or cultivates, processes, distributes, dispenses, or sells marijuana, as defined in s. 381.986; and

3. Is accredited by a third-party accrediting body as a competent testing laboratory pursuant to ISO/IEC 17025 of the International Organization for Standardization.

(4) FEDERAL APPROVAL.—The department shall seek approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture in accordance with 7 U.S.C. s. 1639p within 30 days after adopting rules. If the state plan is not approved by the United States Secretary of Agriculture, the Commissioner of Agriculture, in consultation with and with final approval from the Administration Commission, shall develop a recommendation to amend the state plan and submit the recommendation to the Legislature. *If revisions to the state plan can be made without statutory changes, the department, in consultation with and with final approval from the Administration Commission, shall submit an amended plan to the United States Secretary of Agriculture.*

(6) HEMP SEED.—A licensee may ~~only~~ use hemp seeds and cultivars, *including hemp seeds and cultivars approved by certified by a certifying agency or a university conducting an industrial hemp pilot project pursuant to s. 1004.4473. All hemp seeds and cultivars distributed, offered for sale, or sold for cultivation must comply with rules adopted by the department.*

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in the state if the product:

1.(a) Has a certificate of analysis prepared by an independent testing laboratory that states:

a.1- The hemp extract is the product of a batch tested by the independent testing laboratory;

b.2- The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent ~~on a dry-weight basis~~ pursuant to the testing of a random sample of the batch; and

c.3- The batch does not contain contaminants unsafe for human consumption.

2.(b) Is distributed or sold in a ~~container packaging~~ that includes:

a.1- A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract *batch* by an independent testing laboratory;

b.2- The batch number;

c.3- The Internet address of a website where batch information may be obtained;

d.4- The expiration date; and

e.5- The number of milligrams of *each marketed cannabinoid per serving* ~~hemp extract; and~~

6. ~~A statement that the product contains a total delta-9 tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.~~

(b) *Hemp extract distributed or sold in violation of this section is considered adulterated or misbranded pursuant to chapter 500, chapter 502, or chapter 580.*

(c) *Products that are intended for inhalation and contain hemp extract may not be sold in this state to a person who is under 21 years of age.*

(9) DEPARTMENT REPORTING.—The department shall submit monthly to the United States Secretary of Agriculture a report of the locations in the state where hemp is cultivated or has been cultivated within the past 3 calendar years. The report must include the contact information for each licensee *and the total acreage of hemp planted, harvested, and, if applicable, disposed of by each licensee.*

(11) ENFORCEMENT.—

(a) The department shall enforce this section.

(b) Every state attorney, sheriff, police officer, and other appropriate county or municipal officer shall enforce, or assist any agent of the department in enforcing, this section and rules adopted by the department.

(c) The department, or its agent, is authorized to enter any public or private premises during regular business hours in the performance of its duties relating to hemp cultivation.

(d) The department shall conduct random inspections, at least annually, of each licensee to ensure that ~~only certified hemp seeds are being used and that~~ hemp is being cultivated in compliance with this section. *The department may contract with entities to provide sample collection, laboratory testing, and disposal services to implement this section.*

(12) RULES.—~~By August 1, 2019,~~ The department, in consultation with the Department of Health and the Department of Business and Professional Regulation, shall initiate rulemaking to administer the state hemp program. The rules must provide for:

(a) A procedure that uses post-decarboxylation or other similarly reliable methods *and a measure of uncertainty* for testing the delta-9-

tetrahydrocannabinol concentration of cultivated hemp. *The sample must be taken no more than 15 days before the anticipated harvest by a federal, state, local, or tribal law enforcement agency.*

(b) A procedure for the effective disposal of plants, whether growing or not, that are cultivated in violation of this section or department rules, and products derived from those plants.

(14) **INDUSTRIAL HEMP ADVISORY COUNCIL.**—An Industrial Hemp Advisory Council, an advisory council as defined in s. 20.03, is established to provide *information, advice, and expertise* to the department with respect to plans, policies, and procedures applicable to the administration of the state hemp program. *Notwithstanding ss. 377.6015 and 570.232, the Industrial Hemp Advisory Council is the sole advisory body to provide information, advice, and expertise related to the state hemp program to the department, and no other advisory body may be created for such purpose.*

(a) The advisory council is adjunct to the department for administrative purposes.

(b) The advisory council shall be composed of all of the following members:

1. Two members appointed by the Commissioner of Agriculture.
2. Two members appointed by the Governor.
3. Two members appointed by the President of the Senate.
4. Two members appointed by the Speaker of the House of Representatives.
5. The dean for research of the Institute of Food and Agricultural Sciences of the University of Florida or his or her designee.
6. The president of Florida Agricultural and Mechanical University or his or her designee.
7. The executive director of the Department of Law Enforcement or his or her designee.
8. The president of the Florida Sheriffs Association or his or her designee.
9. The president of the Florida Police Chiefs Association or his or her designee.
10. The president of the Florida Farm Bureau Federation or his or her designee.
11. The president of the Florida Fruit and Vegetable Association or his or her designee.

(c) *Each advisory council member shall be appointed to a 4-year term, and any vacancy in the membership of the council must be filled in the same manner as the original appointment for the remainder of the unexpired term. For the purpose of achieving staggered terms, the initial members appointed to the council shall serve the following terms:*

1. *Four years for members appointed by the Governor.*
2. *Three years for members appointed by the President of the Senate or the Speaker of the House of Representatives.*
3. *Three years for members appointed by the Commissioner of Agriculture.*
4. *Two years for all other appointed members.*

(d)(e) The advisory council shall elect by a two-thirds vote of the members one member to serve as chair of the council. *The chair shall serve for a term of 1 year.*

(e)(d) A majority of the members of the advisory council constitutes a quorum.

(f)(e) The advisory council shall meet at least once annually at the call of the chair.

(g)(f) Advisory council members shall serve without compensation and are not entitled to reimbursement for per diem or travel expenses.

(15) **FEES.**—*By December 1, 2020, the department shall*

And the title is amended as follows:

Remove lines 14-15 and insert: *circumstances; removing a requirement that licensees only use certified hemp seeds and cultivars; requiring that hemp seeds and cultivars comply with department rules; revising requirements for the distribution and retail sale of hemp extract; providing that hemp extract that does not meet certain requirements is*

On motion by Senator Montford, the Senate refused to concur in **House Amendment 1 (800749)** to **CS for CS for CS for SB 1876** 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/SB 7012, with 1 amendment(s), and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

**CS for SB 7012**—A bill to be entitled An act relating to mental health and substance abuse; amending s. 14.2019, F.S.; providing additional duties for the Statewide Office for Suicide Prevention; establishing the First Responders Suicide Deterrence Task Force adjunct to the office; specifying the task force's purpose; providing for the composition and the duties of the task force; requiring the task force to submit reports to the Governor and the Legislature on an annual basis; providing for future repeal; amending s. 14.20195, F.S.; providing additional duties for the Suicide Prevention Coordinating Council; revising the composition of the council; amending s. 334.044, F.S.; requiring the Department of Transportation to work with the office in developing a plan relating to evidence-based suicide deterrents in certain locations; amending s. 394.455, F.S.; defining the term "coordinated specialty care program"; revising the definition of the term "mental illness"; amending s. 394.4573, F.S.; revising the requirements for the annual state behavioral health services assessment; revising the essential elements of a coordinated system of care; amending s. 394.463, F.S.; requiring that certain information be provided to the guardian or representative of a minor patient released from involuntary examination; amending s. 394.658, F.S.; revising the application criteria for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program to include support for coordinated specialty care programs; amending s. 394.67, F.S.; defining the term "coordinated specialty care program"; amending s. 397.311, F.S.; redefining the term "medication-assisted treatment opiate addiction" as "medication-assisted treatment for opioid use disorders"; amending s. 397.321, F.S.; deleting a provision requiring the Department of Children and Families to develop a certification process by rule for community substance abuse prevention coalitions; amending s. 397.4012, F.S.; revising applicability for certain licensure exemptions; creating s. 456.0342, F.S.; providing applicability; requiring specified persons to complete certain suicide prevention education courses by a specified date; requiring certain boards to include the hours for such courses in the total hours of continuing education required for the profession; creating s. 786.1516, F.S.; defining the terms "emergency care" and "suicide emergency"; providing that persons providing certain emergency care are not liable for civil damages or penalties under certain circumstances; amending s. 916.106, F.S.; revising the definition of the term "mental illness"; amending ss. 916.13 and 916.15, F.S.; requiring the department to request a defendant's medical information from a jail within a certain timeframe after receiving a commitment order and other required documentation; requiring the jail to provide such information within a certain timeframe; requiring the continued administration of psychotropic medication to a defendant if he or she is receiving such medication at a mental health facility at the time that he or she is discharged and transferred to the jail; providing an exception; requiring the jail and department physicians to collaborate on a defendant's medication changes for certain purposes; specifying that the jail physician has the final authority regarding the administering of medication to an inmate; amending ss. 1002.33 and 1012.583, F.S.; requiring charter schools and public

schools, respectively, to incorporate certain training on suicide prevention in continuing education and inservice training requirements; providing that such schools must require all instructional personnel to participate in the training; requiring such schools to have a specified minimum number of staff members who are certified or deemed competent in the use of suicide screening instruments; requiring such schools to have a policy for such instruments; requiring such schools to report certain compliance to the Department of Education; conforming provisions to changes made by the act; amending ss. 39.407, 394.495, 394.496, 394.674, 394.74, 394.9085, 409.972, 464.012, and 744.2007, F.S.; conforming cross-references; requiring the Office of Program Policy Analysis and Government Accountability to perform a review of certain programs and efforts relating to suicide prevention programs in other states and make certain recommendations; requiring the office to submit a report to the Legislature by a specified date; providing an appropriation; authorizing positions; providing an effective date.

**House Amendment 1 (541211) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (d) of subsection (2) of section 14.2019, Florida Statutes, are amended, paragraphs (e) and (f) are added to that subsection, and subsection (5) is added to that section, to read:

14.2019 Statewide Office for Suicide Prevention.—

(2) The statewide office shall, within available resources:

(a) Develop a network of community-based programs to improve suicide prevention initiatives. The network shall identify and work to eliminate barriers to providing suicide prevention services to individuals who are at risk of suicide. The network shall consist of stakeholders advocating suicide prevention, including, but not limited to, not-for-profit suicide prevention organizations, faith-based suicide prevention organizations, law enforcement agencies, first responders to emergency calls, *veterans*, *servicemembers*, suicide prevention community coalitions, schools and universities, mental health agencies, substance abuse treatment agencies, health care providers, and school personnel.

(d) Coordinate education and training curricula in suicide prevention efforts for law enforcement personnel, first responders to emergency calls, *veterans*, *servicemembers*, health care providers, school employees, and other persons who may have contact with persons at risk of suicide.

(e) Act as a clearinghouse for information and resources related to suicide prevention by:

1. Disseminating and sharing evidence-based best practices relating to suicide prevention.

2. Collecting and analyzing data on trends in suicide and suicide attempts annually by county, age, gender, profession, and other demographics as designated by the statewide office.

(f) Advise the Department of Transportation on the implementation of evidence-based suicide deterrents in the design elements and features of infrastructure projects throughout the state.

(5) The First Responders Suicide Deterrence Task Force, a task force as defined in s. 20.03(8), is created adjunct to the Statewide Office for Suicide Prevention.

(a) The purpose of the task force is to make recommendations on how to reduce the incidence of suicide and attempted suicide among employed or retired first responders in the state.

(b) The task force is composed of a representative of the statewide office and a representative of each of the following first responder organizations, nominated by the organization and appointed by the Secretary of Children and Families:

1. The Florida Professional Firefighters' Association.
2. The Florida Police Benevolent Association.
3. The Florida State Lodge of the Fraternal Order of Police.
4. The Florida Sheriffs Association.

5. The Florida Police Chiefs Association.

6. The Florida Fire Chiefs' Association.

(c) The task force shall elect a chair from among its membership. Except as otherwise provided, the task force shall operate in a manner consistent with s. 20.052.

(d) The task force shall identify or make recommendations on developing training programs and materials that would better enable first responders to cope with personal life stressors and stress related to their profession and foster an organizational culture that:

1. Promotes mutual support and solidarity among active and retired first responders.

2. Trains agency supervisors and managers to identify suicidal risk among active and retired first responders.

3. Improves the use and awareness of existing resources among active and retired first responders.

4. Educates active and retired first responders on suicide awareness and help-seeking.

(e) The task force shall identify state and federal public resources, funding and grants, first responder association resources, and private resources to implement identified training programs and materials.

(f) The task force shall report on its findings and recommendations for training programs and materials to deter suicide among active and retired first responders to the Governor, the President of the Senate, and the Speaker of the House of Representatives by each July 1, beginning in 2021, and through 2023.

(g) This subsection is repealed July 1, 2023.

Section 2. Paragraph (c) of subsection (1) and subsection (2) of section 14.20195, Florida Statutes, are amended, and paragraph (d) is added to subsection (1) of that section, to read:

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.—There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(1) SCOPE OF ACTIVITY.—The Suicide Prevention Coordinating Council is a coordinating council as defined in s. 20.03 and shall:

(c) Make findings and recommendations regarding suicide prevention programs and activities, including, but not limited to, the implementation of evidence-based mental health awareness and assistance training programs and suicide risk identification training in municipalities throughout the state. The council shall prepare an annual report and present it to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, each year. The annual report must describe the status of existing and planned initiatives identified in the statewide plan for suicide prevention and any recommendations arising therefrom.

(d) In conjunction with the Department of Children and Families, advise members of the public on the locations and availability of local behavioral health providers.

(2) MEMBERSHIP.—The Suicide Prevention Coordinating Council shall consist of 31 ~~27~~ voting members and one nonvoting member.

(a) ~~Seventeen~~ ~~Thirteen~~ members shall be appointed by the director of the Statewide Office for Suicide Prevention and shall represent the following organizations:

1. The Florida Association of School Psychologists.
2. The Florida Sheriffs Association.
- ~~3. The Suicide Prevention Action Network USA.~~
- 3.4. The Florida Initiative of Suicide Prevention.
- ~~4.5.~~ The Florida Suicide Prevention Coalition.

- 5.6. The American Foundation of Suicide Prevention.
- 6.7. The Florida School Board Association.
- 7.8. The National Council for Suicide Prevention.
- 8.9. The state chapter of AARP.
- ~~9.10. The Florida Behavioral Health Association The Florida Alcohol and Drug Abuse Association.~~
- ~~11. The Florida Council for Community Mental Health.~~
- ~~10.12.~~ The Florida Counseling Association.
- ~~11.13.~~ NAMI Florida.
- 12. *The Florida Medical Association.*
- 13. *The Florida Osteopathic Medical Association.*
- 14. *The Florida Psychiatric Society.*
- 15. *The Florida Psychological Association.*
- 16. *Veterans Florida.*
- 17. *The Florida Association of Managing Entities.*

(b) The following state officials or their designees shall serve on the coordinating council:

- 1. The Secretary of Elderly Affairs.
- 2. The State Surgeon General.
- 3. The Commissioner of Education.
- 4. The Secretary of Health Care Administration.
- 5. The Secretary of Juvenile Justice.
- 6. The Secretary of Corrections.
- 7. The executive director of the Department of Law Enforcement.
- 8. The executive director of the Department of Veterans' Affairs.
- 9. The Secretary of Children and Families.
- 10. The executive director of the Department of Economic Opportunity.

(c) The Governor shall appoint four additional members to the coordinating council. The appointees must have expertise that is critical to the prevention of suicide or represent an organization that is not already represented on the coordinating council.

(d) For the members appointed by the director of the Statewide Office for Suicide Prevention, seven members shall be appointed to initial terms of 3 years, and seven members shall be appointed to initial terms of 4 years. For the members appointed by the Governor, two members shall be appointed to initial terms of 4 years, and two members shall be appointed to initial terms of 3 years. Thereafter, such members shall be appointed to terms of 4 years. Any vacancy on the coordinating council shall be filled in the same manner as the original appointment, and any member who is appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor. A member is eligible for reappointment.

(e) The director of the Statewide Office for Suicide Prevention ~~is shall be~~ a nonvoting member of the coordinating council and shall act as chair.

(f) Members of the coordinating council shall serve without compensation. Any member of the coordinating council who is a public employee is entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 3. Present paragraph (c) of subsection (10) of section 334.044, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection, to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(10)

(c) *The department shall work with the Statewide Office for Suicide Prevention in developing a plan to consider the implementation of evidence-based suicide deterrents on all new infrastructure projects.*

Section 4. Subsections (10) through (48) of section 394.455, Florida Statutes, are renumbered as subsections (11) through (49), respectively, present subsection (28) of that section is amended, and a new subsection (10) is added to that section, to read:

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

(10) *“Coordinated specialty care program” means an evidence-based program for individuals who are experiencing the early indications of serious mental illness, especially symptoms of a first psychotic episode, and which includes, but is not limited to, intensive case management, individual or group therapy, supported employment, family education and supports, and the provision of appropriate psychotropic medication as needed.*

~~(29)(28)~~ *“Mental illness” means an impairment of the mental or emotional processes that exercise conscious control of one’s actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person’s ability to meet the ordinary demands of living. For the purposes of this part, the term does not include a developmental disability as defined in chapter 393, intoxication, or conditions manifested only by dementia, traumatic brain injury, antisocial behavior, or substance abuse.*

Section 5. Subsections (3) through (24) of section 394.67, Florida Statutes, are renumbered as subsections (4) through (25), respectively, present subsection (3) of that section is amended, and a new subsection (3) is added to that section, to read:

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

(3) *“Coordinated specialty care program” means an evidence-based program for individuals who are experiencing the early indications of serious mental illness, especially symptoms of a first psychotic episode, and which includes, but is not limited to, intensive case management, individual or group therapy, supported employment, family education and supports, and the provision of appropriate psychotropic medication as needed.*

~~(4)(3)~~ *“Crisis services” means short-term evaluation, stabilization, and brief intervention services provided to a person who is experiencing an acute mental or emotional crisis, as defined in subsection (18) (17), or an acute substance abuse crisis, as defined in subsection (19) (18), to prevent further deterioration of the person’s mental health. Crisis services are provided in settings such as a crisis stabilization unit, an inpatient unit, a short-term residential treatment program, a detoxification facility, or an addictions receiving facility; at the site of the crisis by a mobile crisis response team; or at a hospital on an outpatient basis.*

Section 6. Paragraph (b) of subsection (1) of section 394.658, Florida Statutes, is amended to read:

394.658 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program requirements.—

(1) The Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee, in collaboration with the Department of Children and Families, the Department of Corrections, the Department of Juvenile Justice, the Department of Elderly Affairs, and the Office of the State Courts Administrator, shall establish criteria to be used to review submitted applications and to select the county that will be awarded a 1-year planning grant or a 3-year implementation or expansion grant. A planning, implementation, or expansion grant may not be awarded unless the application of the county meets the established criteria.

(b) The application criteria for a 3-year implementation or expansion grant shall require information from a county that demonstrates completion of a well-established collaboration plan that includes public-private partnership models and the application of evidence-based practices. The implementation or expansion grants may support programs and diversion initiatives that include, but need not be limited to:

1. Mental health courts.;
2. Diversion programs.;
3. Alternative prosecution and sentencing programs.;
4. Crisis intervention teams.;
5. Treatment accountability services.;
6. Specialized training for criminal justice, juvenile justice, and treatment services professionals.;
7. Service delivery of collateral services such as housing, transitional housing, and supported employment.;
8. Reentry services to create or expand mental health and substance abuse services and supports for affected persons.
9. *Coordinated specialty care programs.*

Section 7. Section 394.4573, Florida Statutes, is amended to read:

394.4573 Coordinated system of care; annual assessment; essential elements; measures of performance; system improvement grants; reports.—On or before December 1 of each year, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an assessment of the behavioral health services in this state. The assessment shall consider, at a minimum, the extent to which designated receiving systems function as no-wrong-door models, the availability of treatment and recovery services that use recovery-oriented and peer-involved approaches, the availability of less-restrictive services, and the use of evidence-informed practices. *The assessment shall also consider the availability of and access to coordinated specialty care programs and identify any gaps in the availability of and access to such programs in the state.* The department's assessment shall consider, at a minimum, the needs assessments conducted by the managing entities pursuant to s. 394.9082(5). Beginning in 2017, the department shall compile and include in the report all plans submitted by managing entities pursuant to s. 394.9082(8) and the department's evaluation of each plan.

(1) As used in this section:

(a) "Care coordination" means the implementation of deliberate and planned organizational relationships and service procedures that improve the effectiveness and efficiency of the behavioral health system by engaging in purposeful interactions with individuals who are not yet effectively connected with services to ensure service linkage. Examples of care coordination activities include development of referral agreements, shared protocols, and information exchange procedures. The purpose of care coordination is to enhance the delivery of treatment services and recovery supports and to improve outcomes among priority populations.

(b) "Case management" means those direct services provided to a client in order to assess his or her needs, plan or arrange services, coordinate service providers, link the service system to a client, monitor service delivery, and evaluate patient outcomes to ensure the client is receiving the appropriate services.

(c) "Coordinated system of care" means the full array of behavioral and related services in a region or community offered by all service providers, whether participating under contract with the managing entity or by another method of community partnership or mutual agreement.

(d) "No-wrong-door model" means a model for the delivery of acute care services to persons who have mental health or substance use disorders, or both, which optimizes access to care, regardless of the entry point to the behavioral health care system.

(2) The essential elements of a coordinated system of care include:

(a) Community interventions, such as prevention, primary care for behavioral health needs, therapeutic and supportive services, crisis response services, and diversion programs.

(b) A designated receiving system that consists of one or more facilities serving a defined geographic area and responsible for assessment and evaluation, both voluntary and involuntary, and treatment or triage of patients who have a mental health or substance use disorder, or co-occurring disorders.

1. A county or several counties shall plan the designated receiving system using a process that includes the managing entity and is open to participation by individuals with behavioral health needs and their families, service providers, law enforcement agencies, and other parties. The county or counties, in collaboration with the managing entity, shall document the designated receiving system through written memoranda of agreement or other binding arrangements. The county or counties and the managing entity shall complete the plan and implement the designated receiving system by July 1, 2017, and the county or counties and the managing entity shall review and update, as necessary, the designated receiving system at least once every 3 years.

2. To the extent permitted by available resources, the designated receiving system shall function as a no-wrong-door model. The designated receiving system may be organized in any manner which functions as a no-wrong-door model that responds to individual needs and integrates services among various providers. Such models include, but are not limited to:

a. A central receiving system that consists of a designated central receiving facility that serves as a single entry point for persons with mental health or substance use disorders, or co-occurring disorders. The central receiving facility shall be capable of assessment, evaluation, and triage or treatment or stabilization of persons with mental health or substance use disorders, or co-occurring disorders.

b. A coordinated receiving system that consists of multiple entry points that are linked by shared data systems, formal referral agreements, and cooperative arrangements for care coordination and case management. Each entry point shall be a designated receiving facility and shall, within existing resources, provide or arrange for necessary services following an initial assessment and evaluation.

c. A tiered receiving system that consists of multiple entry points, some of which offer only specialized or limited services. Each service provider shall be classified according to its capabilities as either a designated receiving facility or another type of service provider, such as a triage center, a licensed detoxification facility, or an access center. All participating service providers shall, within existing resources, be linked by methods to share data, formal referral agreements, and cooperative arrangements for care coordination and case management.

An accurate inventory of the participating service providers which specifies the capabilities and limitations of each provider and its ability to accept patients under the designated receiving system agreements and the transportation plan developed pursuant to this section shall be maintained and made available at all times to all first responders in the service area.

(c) Transportation in accordance with a plan developed under s. 394.462.

(d) Crisis services, including mobile response teams, crisis stabilization units, addiction receiving facilities, and detoxification facilities.

(e) Case management. Each case manager or person directly supervising a case manager who provides Medicaid-funded targeted case management services shall hold a valid certification from a department-approved credentialing entity as defined in s. 397.311(10) by July 1, 2017, and, thereafter, within 6 months after hire.

(f) Care coordination that involves coordination with other local systems and entities, public and private, which are involved with the individual, such as primary care, child welfare, behavioral health care, and criminal and juvenile justice organizations.

(g) Outpatient services.

- (h) Residential services.
- (i) Hospital inpatient care.
- (j) Aftercare and other postdischarge services.
- (k) Medication-assisted treatment and medication management.
- (l) Recovery support, including, but not limited to, support for competitive employment, educational attainment, independent living skills development, family support and education, wellness management and self-care, and assistance in obtaining housing that meets the individual's needs. Such housing may include mental health residential treatment facilities, limited mental health assisted living facilities, adult family care homes, and supportive housing. Housing provided using state funds must provide a safe and decent environment free from abuse and neglect.
- (m) Care plans shall assign specific responsibility for initial and ongoing evaluation of the supervision and support needs of the individual and the identification of housing that meets such needs. For purposes of this paragraph, the term "supervision" means oversight of and assistance with compliance with the clinical aspects of an individual's care plan.

(n) *Coordinated specialty care programs.*

(3) SYSTEM IMPROVEMENT GRANTS.—Subject to a specific appropriation by the Legislature, the department may award system improvement grants to managing entities based on a detailed plan to enhance services in accordance with the no-wrong-door model as defined in subsection (1) and to address specific needs identified in the assessment prepared by the department pursuant to this section. Such a grant must be awarded through a performance-based contract that links payments to the documented and measurable achievement of system improvements.

Section 8. Subsection (3) of section 394.463, Florida Statutes, is amended to read:

394.463 Involuntary examination.—

(3) NOTICE OF RELEASE.—Notice of the release shall be given to the patient's guardian or representative, to any person who executed a certificate admitting the patient to the receiving facility, and to any court which ordered the patient's evaluation. *If the patient is a minor, information regarding the availability of a local mobile response service, suicide prevention resources, social supports, and local self-help groups must also be provided to the patient's guardian or representative along with the notice of the release.*

Section 9. Paragraph (a) of subsection (26) of section 397.311, Florida Statutes, is amended to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(26) Licensed service components include a comprehensive continuum of accessible and quality substance abuse prevention, intervention, and clinical treatment services, including the following services:

(a) "Clinical treatment" means a professionally directed, deliberate, and planned regimen of services and interventions that are designed to reduce or eliminate the misuse of drugs and alcohol and promote a healthy, drug-free lifestyle. As defined by rule, "clinical treatment services" include, but are not limited to, the following licensable service components:

1. "Addictions receiving facility" is a secure, acute care facility that provides, at a minimum, detoxification and stabilization services; is operated 24 hours per day, 7 days per week; and is designated by the department to serve individuals found to be substance use impaired as described in s. 397.675 who meet the placement criteria for this component.

2. "Day or night treatment" is a service provided in a nonresidential environment, with a structured schedule of treatment and rehabilitative services.

3. "Day or night treatment with community housing" means a program intended for individuals who can benefit from living independently in peer community housing while participating in treatment services for a minimum of 5 hours a day for a minimum of 25 hours per week.

4. "Detoxification" is a service involving subacute care that is provided on an inpatient or an outpatient basis to assist individuals to withdraw from the physiological and psychological effects of substance abuse and who meet the placement criteria for this component.

5. "Intensive inpatient treatment" includes a planned regimen of evaluation, observation, medical monitoring, and clinical protocols delivered through an interdisciplinary team approach provided 24 hours per day, 7 days per week, in a highly structured, live-in environment.

6. "Intensive outpatient treatment" is a service that provides individual or group counseling in a more structured environment, is of higher intensity and duration than outpatient treatment, and is provided to individuals who meet the placement criteria for this component.

7. "Medication-assisted treatment for *opioid use disorders* ~~opioid addiction~~" is a service that uses methadone or other medication as authorized by state and federal law, in combination with medical, rehabilitative, *supportive*, and counseling services in the treatment of individuals who are dependent on opioid drugs.

8. "Outpatient treatment" is a service that provides individual, group, or family counseling by appointment during scheduled operating hours for individuals who meet the placement criteria for this component.

9. "Residential treatment" is a service provided in a structured live-in environment within a nonhospital setting on a 24-hours-per-day, 7-days-per-week basis, and is intended for individuals who meet the placement criteria for this component.

Section 10. Subsection (16) of section 397.321, Florida Statutes, is amended to read:

397.321 Duties of the department.—The department shall:

~~(16) Develop a certification process by rule for community substance abuse prevention coalitions.~~

Section 11. Section 397.4012, Florida Statutes, is amended to read:

397.4012 Exemptions from licensure.—The following are exempt from the licensing provisions of this chapter:

(1) A hospital or hospital-based component licensed under chapter 395.

(2) A nursing home facility as defined in s. 400.021.

(3) A substance abuse education program established pursuant to s. 1003.42.

(4) A facility or institution operated by the Federal Government.

(5) A physician or physician assistant licensed under chapter 458 or chapter 459.

(6) A psychologist licensed under chapter 490.

(7) A social worker, marriage and family therapist, or mental health counselor licensed under chapter 491.

(8) A legally cognizable church or nonprofit religious organization or denomination providing substance abuse services, including prevention services, which are solely religious, spiritual, or ecclesiastical in nature. A church or nonprofit religious organization or denomination providing any of the licensed service components itemized under s. 397.311(26) is not exempt from substance abuse licensure but retains its exemption with respect to all services which are solely religious, spiritual, or ecclesiastical in nature.

(9) Facilities licensed under chapter 393 which, in addition to providing services to persons with developmental disabilities, also provide services to persons developmentally at risk as a consequence of exposure to alcohol or other legal or illegal drugs while in utero.

(10) DUI education and screening services provided pursuant to ss. 316.192, 316.193, 322.095, 322.271, and 322.291. Persons or entities providing treatment services must be licensed under this chapter unless exempted from licensing as provided in this section.

(11) A facility licensed under s. 394.875 as a crisis stabilization unit.

The exemptions from licensure in *subsections (3), (4), (8), (9), and (10) this section* do not apply to any service provider that receives an appropriation, grant, or contract from the state to operate as a service provider as defined in this chapter or to any substance abuse program regulated under ~~pursuant to~~ s. 397.4014. Furthermore, this chapter may not be construed to limit the practice of a physician or physician assistant licensed under chapter 458 or chapter 459, a psychologist licensed under chapter 490, a psychotherapist licensed under chapter 491, or an advanced practice registered nurse licensed under part I of chapter 464, who provides substance abuse treatment, so long as the physician, physician assistant, psychologist, psychotherapist, or advanced practice registered nurse does not represent to the public that he or she is a licensed service provider and does not provide services to individuals under ~~pursuant to~~ part V of this chapter. Failure to comply with any requirement necessary to maintain an exempt status under this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 12. Subsection (14) of section 916.106, Florida Statutes, is amended to read:

916.106 Definitions.—For the purposes of this chapter, the term:

(14) “Mental illness” means an impairment of the emotional processes that exercise conscious control of one’s actions, or of the ability to perceive or understand reality, which impairment substantially interferes with the defendant’s ability to meet the ordinary demands of living. For the purposes of this chapter, the term does not apply to defendants who have only an intellectual disability or autism or a defendant with traumatic brain injury or dementia who lacks a co-occurring mental illness, and does not include intoxication or conditions manifested only by antisocial behavior or substance abuse impairment.

Section 13. Subsection (2) of section 916.13, Florida Statutes, is amended to read:

916.13 Involuntary commitment of defendant adjudicated incompetent.—

(2) A defendant who has been charged with a felony and who has been adjudicated incompetent to proceed due to mental illness, and who meets the criteria for involuntary commitment under this chapter, may be committed to the department, and the department shall retain and treat the defendant.

(a) *Immediately after receipt of a completed copy of the court commitment order containing all documentation required by the applicable Florida Rules of Criminal Procedure, the department shall request all medical information relating to the defendant from the jail. The jail shall provide the department with all medical information relating to the defendant within 3 business days after receipt of the department’s request or at the time the defendant enters the physical custody of the department, whichever is earlier.*

(b) ~~(a)~~ Within 6 months after the date of admission and at the end of any period of extended commitment, or at any time the administrator or his or her designee determines that the defendant has regained competency to proceed or no longer meets the criteria for continued commitment, the administrator or designee shall file a report with the court pursuant to the applicable Florida Rules of Criminal Procedure.

(c) ~~(b)~~ A competency hearing ~~must~~ ~~shall~~ be held within 30 days after the court receives notification that the defendant is competent to proceed or no longer meets the criteria for continued commitment. The defendant must be transported to the committing court’s jurisdiction for the hearing. *If the defendant is receiving psychotropic medication at a mental health facility at the time he or she is discharged and transferred*

*to the jail, the administering of such medication must continue unless the jail physician documents the need to change or discontinue it. The jail and department physicians shall collaborate to ensure that medication changes do not adversely affect the defendant’s mental health status or his or her ability to continue with court proceedings; however, the final authority regarding the administering of medication to an inmate in jail rests with the jail physician.*

Section 14. Subsections (3) and (5) of section 916.15, Florida Statutes, are amended to read:

916.15 Involuntary commitment of defendant adjudicated not guilty by reason of insanity.—

(3)(a) Every defendant acquitted of criminal charges by reason of insanity and found to meet the criteria for involuntary commitment may be committed and treated in accordance with the provisions of this section and the applicable Florida Rules of Criminal Procedure.

(b) *Immediately after receipt of a completed copy of the court commitment order containing all documentation required by the applicable Florida Rules of Criminal Procedure, the department shall request all medical information relating to the defendant from the jail. The jail shall provide the department with all medical information relating to the defendant within 3 business days after receipt of the department’s request or at the time the defendant enters the physical custody of the department, whichever is earlier.*

(c) The department shall admit a defendant so adjudicated to an appropriate facility or program for treatment and shall retain and treat such defendant. No later than 6 months after the date of admission, prior to the end of any period of extended commitment, or at any time that the administrator or his or her designee determines ~~shall have determined~~ that the defendant no longer meets the criteria for continued commitment placement, the administrator or designee shall file a report with the court pursuant to the applicable Florida Rules of Criminal Procedure.

(5) The commitment hearing shall be held within 30 days after the court receives notification that the defendant no longer meets the criteria for continued commitment. The defendant must be transported to the committing court’s jurisdiction for the hearing. *Each defendant returning to a jail shall continue to receive the same psychotropic medications as prescribed by the facility physician at the time of discharge from a forensic or civil facility, unless the jail physician determines there is a compelling medical reason to change or discontinue the medication for the health and safety of the defendant. If the jail physician changes or discontinues the medication and the defendant is later determined at the competency hearing to be incompetent to stand trial and is recommitted to the department, the jail physician may not change or discontinue the defendant’s prescribed psychotropic medication upon the defendant’s next discharge from the forensic or civil facility.*

Section 15. Paragraph (a) of subsection (3) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(3)(a)1. Except as otherwise provided in subparagraph (b)1. or paragraph (e), before the department provides psychotropic medications to a child in its custody, the prescribing physician or a psychiatric nurse, as defined in s. 394.455, shall attempt to obtain express and informed consent, as defined in s. 394.455(16) ~~s. 394.455(15)~~ and as described in s. 394.459(3)(a), from the child’s parent or legal guardian. The department must take steps necessary to facilitate the inclusion of the parent in the child’s consultation with the physician or psychiatric nurse, as defined in s. 394.455. However, if the parental rights of the parent have been terminated, the parent’s location or identity is unknown or cannot reasonably be ascertained, or the parent declines to give express and informed consent, the department may, after consultation with the prescribing physician or psychiatric nurse, as defined in s. 394.455, seek court authorization to provide the psychotropic medications to the child. Unless parental rights have been terminated and if it is possible to do so, the department shall continue to involve the parent in the decisionmaking process regarding the provision of psychotropic medications. If, at any time, a parent whose parental rights have not been

terminated provides express and informed consent to the provision of a psychotropic medication, the requirements of this section that the department seek court authorization do not apply to that medication until such time as the parent no longer consents.

2. Any time the department seeks a medical evaluation to determine the need to initiate or continue a psychotropic medication for a child, the department must provide to the evaluating physician or psychiatric nurse, as defined in s. 394.455, all pertinent medical information known to the department concerning that child.

Section 16. Subsection (3) of section 394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A professional as defined in s. 394.455(5), (7), (33), ~~(32), (35), or (36)~~, or (37);

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a qualified professional as defined in s. 394.455(5), (7), (33), ~~(32), (35), or (36)~~, or (37) or a professional licensed under chapter 491.

Section 17. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A professional as defined in s. 394.455(5), (7), (33), ~~(32), (35), or (36)~~, or (37) or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 18. Paragraph (a) of subsection (1) of section 394.674, Florida Statutes, is amended to read:

394.674 Eligibility for publicly funded substance abuse and mental health services; fee collection requirements.—

(1) To be eligible to receive substance abuse and mental health services funded by the department, an individual must be a member of at least one of the department's priority populations approved by the Legislature. The priority populations include:

(a) For adult mental health services:

1. Adults who have severe and persistent mental illness, as designated by the department using criteria that include severity of diagnosis, duration of the mental illness, ability to independently perform activities of daily living, and receipt of disability income for a psychiatric condition. Included within this group are:

a. Older adults in crisis.

b. Older adults who are at risk of being placed in a more restrictive environment because of their mental illness.

c. Persons deemed incompetent to proceed or not guilty by reason of insanity under chapter 916.

d. Other persons involved in the criminal justice system.

e. Persons diagnosed as having co-occurring mental illness and substance abuse disorders.

2. Persons who are experiencing an acute mental or emotional crisis as defined in s. 394.67(18) ~~s. 394.67(17)~~.

Section 19. Paragraph (a) of subsection (3) of section 394.74, Florida Statutes, is amended to read:

394.74 Contracts for provision of local substance abuse and mental health programs.—

(3) Contracts shall include, but are not limited to:

(a) A provision that, within the limits of available resources, substance abuse and mental health crisis services, as defined in s. 394.67(4) ~~s. 394.67(3)~~, shall be available to any individual residing or employed within the service area, regardless of ability to pay for such services, current or past health condition, or any other factor;

Section 20. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms “detoxification services,” “addictions receiving facility,” and “receiving facility” have the same meanings as those provided in ss. 397.311(26)(a)3. ~~ss. 397.311(26)(a)4, 397.311(26)(a)1., and 394.455(40) 394.455(39)~~, respectively.

Section 21. Paragraph (b) of subsection (1) of section 409.972, Florida Statutes, is amended to read:

409.972 Mandatory and voluntary enrollment.—

(1) The following Medicaid-eligible persons are exempt from mandatory managed care enrollment required by s. 409.965, and may voluntarily choose to participate in the managed medical assistance program:

(b) Medicaid recipients residing in residential commitment facilities operated through the Department of Juvenile Justice or a treatment facility as defined in s. 394.455(48) ~~s. 394.455(47)~~.

Section 22. Paragraph (e) of subsection (4) of section 464.012, Florida Statutes, is amended to read:

464.012 Licensure of advanced practice registered nurses; fees; controlled substance prescribing.—

(4) In addition to the general functions specified in subsection (3), an advanced practice registered nurse may perform the following acts within his or her specialty:

(e) A psychiatric nurse, who meets the requirements in s. 394.455(36) ~~s. 394.455(35)~~, within the framework of an established protocol with a psychiatrist, may prescribe psychotropic controlled substances for the treatment of mental disorders.

Section 23. Subsection (7) of section 744.2007, Florida Statutes, is amended to read:

744.2007 Powers and duties.—

(7) A public guardian may not commit a ward to a treatment facility, as defined in s. 394.455(48) ~~s. 394.455(47)~~, without an involuntary placement proceeding as provided by law.

Section 24. 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 substance abuse and mental health; amending s. 14.2019, F.S.; providing additional duties for the Statewide Office for Suicide Prevention; establishing the First Responders Suicide Deterrence Task Force adjunct to the office; specifying the purpose of the task force; providing for the composition and the duties of the task force; requiring the task force to submit reports to the Governor and the Legislature on an annual basis; providing for future repeal; amending s. 14.20195, F.S.; providing additional duties for the Suicide Prevention Coordinating Council; revising the composition of the council; amending s. 334.044, F.S.; requiring the Department of Transportation to work with the office in developing a plan relating to evidence-based suicide deterrents in certain locations; amending s. 394.455, F.S.; revising and providing definitions; amending s. 394.67, F.S.; defining the term “coordinated specialty care program”; amending s. 394.658, F.S.; revising the application criteria for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program to include support for coordinated specialty care programs; amending s. 394.4573, F.S.; requiring the Department of Children and Families to include specified information regarding coordinated specialty care programs in its annual assessment of behavioral health services; providing that a coordinated system of care includes coordinated specialty care programs;

amending s. 394.463, F.S.; requiring that certain information be provided to the guardian or representative of a minor patient released from involuntary examination; amending s. 397.311, F.S.; revising a definition; amending s. 397.321, F.S.; removing the requirement that the department develop a certification process for community substance abuse prevention coalitions; amending s. 397.4012, F.S.; revising entities that are exempt from certain licensing requirements; amending s. 916.106, F.S.; revising a definition; amending ss. 916.13 and 916.15, F.S.; authorizing jails to share medical information pertaining to specified defendants with the Department of Children and Families; requiring the maintenance of psychotropic medications to specified defendants under certain circumstances; providing an exception; amending ss. 39.407, 394.495, 394.496, 394.674, 394.74, 394.9085, 409.972, 464.012, and 744.2007, F.S.; conforming cross-references; providing an effective date.

On motion by Senator Book, the Senate concurred in **House Amendment 1 (541211)**.

**CS for SB 7012** 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	Flores	Powell
Baxley	Gainer	Rader
Bean	Gibson	Rodriguez
Benacquisto	Gruters	Rouson
Berman	Harrell	Simmons
Book	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

### RECESS

The President declared the Senate in recess at 3:53 p.m. to reconvene upon his call.

### EVENING SESSION

The Senate was called to order by the President at 5:30 p.m. A quorum present—36:

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

### MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 7:00 p.m.

### RECESS

The President declared the Senate in recess at 5:33 p.m. to reconvene at 6:30 p.m. or upon his call.

### EVENING SESSION

The Senate was called to order by the President at 6:50 p.m. A quorum present—32:

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

### MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 9:00 p.m.

### RECESS

The President declared the Senate in recess at 6:53 p.m. to reconvene at 9:00 p.m. or upon his call.

### EVENING SESSION

The Senate was called to order by the President at 8:47 p.m. A quorum present—29:

Mr. President	Diaz	Rader
Albritton	Flores	Rouson
Baxley	Gruters	Simmons
Bean	Harrell	Simpson
Benacquisto	Hooper	Stargel
Berman	Mayfield	Stewart
Book	Montford	Taddeo
Bradley	Passidomo	Torres
Broxson	Perry	Wright
Cruz	Powell	

### MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 11:59 p.m.

### RECESS

The President declared the Senate in recess at 8:48 p.m. to reconvene upon his call.

### EVENING SESSION

The Senate was called to order by the President at 10:13 p.m. A quorum present—38:

Mr. President	Book	Diaz
Albritton	Bradley	Farmer
Baxley	Brandes	Flores
Bean	Braynon	Gainer
Benacquisto	Broxson	Gibson
Berman	Cruz	Gruters

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

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

**BILLS ON THIRD READING, continued**

**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 con-

tributions 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.

—as amended March 12, was read the third time by title.

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Stargel, the Senate reconsidered the vote by which **Substitute Amendment 2 (271678)** was adopted. **Substitute Amendment 2 (271678)** was withdrawn.

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 3 (204786) (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. 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) *“Applicant” means the owner of property for which an exemption is being sought under ss. 196.196 and 196.197 for hospital property.*

(b) *“County net community benefit expense” is that portion of the net community benefit expense reported by an applicant on its most recently filed Internal Revenue Service Form 990, Schedule H:*

1. *Attributable to those services and activities provided or performed in a county; and*

2. *Attributed to the county from another county. An applicant may attribute up to 100 percent of its net community benefit expense to any county or counties in this state. The county net community benefit expense of a county must be reduced by any net community benefit expense that is attributed to another county.*

(c) *“Department” means the Department of Revenue.*

(d) *“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 ss. 196.196 and 196.197 for each property owned by an applicant.*

(3) *By January 15 of each year, an applicant shall submit to the department:*

(a) *A copy of the applicant’s most recently filed Internal Revenue Service Form 990, Schedule H.*

(b) *A schedule displaying:*

1. *The county net community benefit expense attributed to each county in this state in which properties are located pursuant to subparagraph (1)(b)1.;*

2. *The county net community benefit expense attributed to each county in this state in which properties are located pursuant to subparagraph (1)(b)2.;*

3. *The portion of net community benefit expense reported by the applicant on its most recently filed Internal Revenue Service Form 990, Schedule H, attributable to those services and activities provided or performed outside of this state; and*

4. *The sum of amounts provided under subparagraphs 1., 2., and 3., which must equal the total net community benefit expense reported by the applicant on its most recently filed Internal Revenue Service Form 990, Schedule H.*

(c) *A statement signed by the applicant’s chief executive officer and an independent certified public accountant that, upon each person’s reasonable knowledge and belief, the statement of the county net community benefit expense is true and correct.*

(4) *The department must determine whether the county net community benefit expense attributed to an applicant’s property located in a county equals or exceeds the tax reductions resulting from the exemptions described in subsection (2) for that county.*

(5) *In any second consecutive year the department determines that an applicant’s county 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 limit the exemption under ss. 196.196 and 196.197 for the current year in the property appraiser’s county by multiplying it by the ratio of the net community benefit expense to the tax reductions resulting from the exemptions described in subsection (2).*

(6) *The department shall publish the data collected pursuant to this section for each applicant from a county property appraiser, including the net community benefit expense reported in the Internal Revenue Service Form 990, Schedule H.*

(7) *The department may adopt rules to administer this section, including the adoption of necessary forms.*

Section 3. 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. 193.155(6)(b), or s. 193.155(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 4. 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 5. 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 sub-classifications 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 6. 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 sub-classifications 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 7. 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 8. *The amendment made by this act to s. 196.173(2), Florida Statutes, first applies to the 2020 ad valorem tax roll.*

Section 9. *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 10. 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 11. 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 12. 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 13. 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 14. 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 15. 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 16. 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 17. 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 18. 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 ~~must 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 THE	....CENTS TAX
....AGAINST THE	....CENTS TAX

(c) The resolution providing for the imposition of the surtax ~~must 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 19. *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 20. 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 21. 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 22. 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 23. 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 24. 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 25. 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 26. The amendment made by this act to s. 220.1105(4)(a)3., Florida Statutes, is remedial in nature and applies retroactively.

Section 27. 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 2002, 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 28. 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 29. 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 30. *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 31. *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 32. (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 33. 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; creating s. 193.019, F.S.; defining terms; requiring county property appraisers to annually calculate and submit to the Department of Revenue certain property tax reductions granted to owners of hospital property; requiring applicants for the property tax exemption for hospitals to annually submit certain information and a signed statement to the department; specifying requirements for the department in reviewing such information and in determining whether the exemption should be limited; requiring the department to publish certain data; authorizing the department to

adopt rules; 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 multifamily 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 the information that property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; 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. 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 amendment was allowed:

Senator Stargel moved the following amendment to **Substitute Amendment 3 (204786)** which was adopted by two-thirds vote:

**Amendment 3A (577084)**—Delete line 72 and insert:  
*statement of the Florida total of the county net community benefit expense is true*

**Substitute Amendment 3 (204786)**, as amended, was adopted by two-thirds vote.

On motion by Senator Stargel, **CS for HB 7097**, as amended, was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Lee Rader

## INTRODUCTION OF RESOLUTIONS

### FIRST READING

On motion by Senator Benacquisto, by unanimous consent—

By Senator Benacquisto—

**SCR 1936**—A concurrent resolution extending the 2020 Regular Session of the Florida Legislature under the authority of Section 3(d), Article III of the State Constitution.

WHEREAS, the 60 days of the 2020 Regular Session of the Florida Legislature will expire on Friday, March 13, 2020, and the necessary tasks of the session have not been completed, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That, the 2020 Regular Session of the Florida Legislature is extended until 11:59 p.m. on Friday, March 20, 2020, under the authority of Section 3(d), Article III of the State Constitution.

BE IT FURTHER RESOLVED that, in the regular session so extended, the Legislature shall consider only the following matters:

(1) House Bill 5001 or any Senate and House Conference Committee Report thereon.

(2) House Bill 5003 or any Senate and House Conference Committee Report thereon.

(3) House Bill 5005 or any Senate and House Conference Committee Report thereon.

BE IT FURTHER RESOLVED that all other measures in both houses are indefinitely postponed and withdrawn from consideration of the respective house as of 12:00 a.m., Saturday, March 14, 2020.

BE IT FURTHER RESOLVED that upon recess or adjournment on Friday, March 13, 2020, either house may reconvene upon the call of its presiding officer.

BE IT FURTHER RESOLVED that the Legislature shall adjourn sine die at the earlier of Friday, March 20, 2020, at 11:59 p.m. or upon concurrent motions to adjourn sine die.

—was introduced out of order and read by title. On motion by Senator Benacquisto, **SCR 1936** was read the second time in full, adopted by the required constitutional three-fifths vote of the members present and voting, and certified to the House.

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/SB 72, with 1 amendment(s), and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

**CS for SB 72**—A bill to be entitled An act relating to postsecondary education; amending s. 287.057, F.S.; authorizing state agencies to contract with independent, nonprofit colleges and universities that meet specified requirements; amending s. 1001.03, F.S.; clarifying requirements for new construction, remodeling, or renovation projects; amending s. 1001.706, F.S.; requiring that selection of a president by a university board of trustees be from among at least three candidates; amending s. 1001.7065, F.S.; requiring that certain academic and research excellence standards be reported annually in the accountability plan prepared by the Board of Governors; revising the academic and research excellence standards established for the preeminent state research universities program; establishing criteria for identifying state universities of distinction, rather than programs of excellence, throughout the State University System; authorizing the Board of Governors to annually submit, by a specified date, the programs for funding by the Legislature; amending s. 1004.085, F.S.; requiring certain innovative pricing techniques and payment options to contain an opt-out provision for students; amending s. 1004.346, F.S.; deleting a provision related to terms of Phosphate Research and Activities Board members; creating s. 1004.6499, F.S.; creating the Florida Institute of Politics within the Florida State University College of Social Sciences

and Public Policy; providing the purpose and goals of the institute; amending s. 1009.50, F.S.; revising a provision relating to the maximum annual grant amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a certain timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; requiring institutions that receive moneys through the program to submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or request a refund of moneys overpaid to the institution under certain circumstances; providing a timeframe for such refunds; amending s. 1009.505, F.S.; requiring that grant awards administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program not exceed a certain amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; requiring institutions that receive moneys through the program to submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or to request a refund of moneys overpaid to the institution under certain circumstances; authorizing funds appropriated for state student assistance grants to be deposited in a specified trust fund; requiring that any balance in the trust fund at the end of a fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program remain therein, subject to certain statutory exceptions; amending s. 1009.51, F.S.; requiring that grant awards administered through the Florida Private Student Assistance Grant Program not exceed a certain annual award amount; providing that students who receive an award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring that the formula used to distribute funds for the program account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; revising a requirement for a biennial report; amending s. 1009.52, F.S.; requiring that grants administered through the Florida Postsecondary Student Assistance Grant Program not exceed a certain annual award amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring that the formula used to distribute funds for the program account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; revising a requirement for a biennial report; amending s. 1009.893, F.S.; specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising requirements for a student to receive a renewal award; providing a timeframe within which students can receive an award; providing an exception to renewal requirements; amending s. 1011.45, F.S.; revising the date by which a spending plan must be

submitted to a university's board of trustees for approval; revising the date by which the Board of Governors must review and approve such spending plan; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; amending s. 1012.976, F.S.; deleting a provision relating to applicability; requiring the Board of Governors to adopt regulations defining university faculty and administrative personnel classifications; amending s. 1013.841, F.S.; revising the dates by which a spending plan must be submitted to a Florida College System institution's board of trustees for approval; revising the dates by which the State Board of Education shall review and publish such plan; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; providing an effective date.

**House Amendment 1 (594317) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Subsection (21) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(21) An agency may contract for services with any independent, nonprofit college or university which is located within the state on the same basis as it may contract with any state university or college if the independent, nonprofit college or university:

(a) ~~and~~ Is accredited by the Southern Association of Colleges and Schools; ~~or, on the same basis as it may contract with any state university and college~~

(b) *Is authorized to operate within this state pursuant to chapter 1005, offers a professional degree, and is accredited by the Middle States Commission on Higher Education.*

Section 2. Paragraph (c) of subsection (18) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of Education shall develop and submit the prioritized list required by s. 1013.64(4). Projects considered for prioritization shall be chosen from a preliminary selection group which shall include the list of projects maintained pursuant to paragraph (d) and the top two priorities of each Florida College System institution.

(c) A new construction, remodeling, or renovation project that has not received an appropriation in a previous year shall not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:

1. A plan is provided to reserve funds in an escrow account, specific to the project, into which shall be deposited each year an amount of funds equal to 0.5 percent of the total value of the building for future maintenance;

2. ~~There exists~~ *are sufficient capacity within the cash and bonding estimate of funds by the Revenue Estimating Conference to accommodate the project* ~~excess funds from the allocation provided pursuant to s. 1013.60 within the 3-year Public Education Capital Outlay funding cycle planning period which are not needed to complete the projects listed pursuant to paragraph (d); and~~

3. The project has been recommended pursuant to s. 1013.31.

Section 3. Subsection (19) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(19) Each board of trustees shall appoint, suspend, or remove the president of the Florida College System institution. The board of trustees ~~shall~~ *may* appoint a search committee. *The search committee shall be comprised of no more than 15 members, three of whom must be members of the board of trustees and, if applicable, one of whom must be the president of the alumni association or his or her designee. Additional*

members must be individuals from the institution's faculty, the student body, the institution's foundation board, and, if applicable, the institution's financing corporation board. However, none of the individuals selected to serve on the search committee may hold positions that report directly to the president. In addition, the chair of the board of trustees may consider appointing alumni, donors, and members from the community where the institution is located to serve on the search committee. The chair of the board of trustees shall appoint a member of the search committee who is a member of the board of trustees to serve as chair of the committee. A search committee must recommend at least three candidates for selection by the board of trustees. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Education and submit such evaluations to the State Board of Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 and the performance of the president in achieving the annual and long-term goals and objectives established in the Florida College System institution's employment accountability program implemented pursuant to s. 1012.86.

Section 4. Paragraph (a) of subsection (6) and paragraph (a) of subsection (7) of section 1001.706, Florida Statutes, are amended, to read:

1001.706 Powers and duties of the Board of Governors.—

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors, or the board's designee, shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected. *A presidential search committee must recommend at least three candidates for selection by the university board of trustees.*

(7) POWERS AND DUTIES RELATING TO PROPERTY.—

(a) The Board of Governors shall develop guidelines for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. ~~Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein.~~ Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

Section 5. Effective upon this act becoming a law, subsections (2), (5), and (7) of section 1001.7065, Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.— The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of ~~1800 or higher on a 2400 point scale or 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on a 36 score scale, using the latest published national concordance table developed jointly by the College Board and ACT, Inc.,~~ for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, ~~as reported annually to the Integrated Postsecondary Education Data System (IPEDS).~~

(d) A 4-year graduation rate of 60 percent or higher for full-time, first-time-in-college students, ~~as reported annually to the IPEDS. However, for the 2018 determination of a state university's preeminence designation and the related distribution of the 2018-2019 fiscal year appropriation associated with preeminence and emerging preeminence, a university is considered to have satisfied this graduation rate measure by attaining a 6-year graduation rate of 70 percent or higher by October 1, 2017, for full-time, first-time-in-college students, as reported to the IPEDS and confirmed by the Board of Governors.~~

(e) Six or more faculty members at the state university who are members of a national academy, ~~as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.~~

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, ~~as reported annually by the National Science Foundation (NSF).~~

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, ~~based on data reported annually by the NSF.~~

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, ~~as reported annually by the NSF.~~

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, ~~as reported in the Board of Governors Annual Accountability Report.~~

(k) Two hundred or more postdoctoral appointees annually, ~~as reported in the TARU annual report.~~

(l) An endowment of \$500 million or more, ~~as reported in the Board of Governors Annual Accountability Report.~~

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM SUPPORT.—

(a) A state university that is designated as a preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. ~~Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.~~

(c) The award of funds under this subsection is contingent upon funding provided by the Legislature to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed to ~~as follows:~~

1. each designated preeminent state research university that meets the criteria in paragraph (a). *Each designated preeminent state research university shall receive an equal amount of funding.*

2. ~~Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall, beginning in the 2018-~~

~~2019 fiscal year, receive an amount of funding that is equal to one-fourth of the total increased amount awarded to each designated pre-eminent state research university.~~

~~(7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors shall establish standards and measures whereby state universities that focus on one core competency unique to the State University System that achieves excellence at the national or state level, meets state workforce needs, and fosters an innovation economy that focuses on areas such as health care, security, transportation, and science, technology, engineering, and mathematics (STEM), including supply chain management, individual undergraduate, graduate, and professional degree programs in state universities which objectively reflect national excellence can be identified. The Board of Governors may annually submit such programs, excluding those from preeminent state research universities, and make recommendations to the Legislature by January September 1 for funding, 2018, as to how any such programs could be enhanced and promoted.~~

Section 6. Subsection (1) of section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. Beginning with the Board of Governors' determination of each university's performance improvement and achievement ratings for 2018, and the related distribution of annual the 2018-2019 fiscal year appropriation, the performance-based metrics must include:

- (a) The 4-year graduation rate for first-time-in-college students;
- (b) Beginning in fiscal year 2021-2022, the 2-year graduation rate for associate in arts transfer students rates;
- (c) Retention rates;
- (d) Postgraduation education rates;
- (e) Degree production;
- (f) Affordability;
- (g) Postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree;
- (h) Access rate, based on the percentage of undergraduate students enrolled during the fall term who received a Pell Grant during the fall term; and
- (i) Beginning in fiscal year 2021-2022, the 6-year graduation rate for students who are awarded a Pell Grant in their first year.

~~The Board of Governors may approve and other metrics approved by the board in a publicly formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding. Benchmarks and metrics may not be adjusted after university performance data has been received by the Board of Governors. Access rate benchmarks must be differentiated and scored to reflect the varying access rate levels among the state universities; however, the scoring system may not include bonus points.~~

Section 7. Subsection (4) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(4) Each Florida College System institution and state university board of trustees is authorized to adopt policies in consultation with providers, including bookstores, which allow for the use of innovative pricing techniques and payment options for textbooks and instructional materials. Such policies may include bulk pricing arrangements that enable students to purchase course materials or texts that are delivered digitally; delivered through other technologies that are, or the licenses

of which are, required for use within a course; or delivered in a print format. Innovative pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students taking a course.

Section 8. Effective upon this act becoming a law, paragraph (c) of subsection (2) of section 1004.346, Florida Statutes, is amended to read:

1004.346 Florida Industrial and Phosphate Research Institute.—

(2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate Research and Activities Board is created to monitor the expenditure of funds appropriated to the university from the Phosphate Research Trust Fund.

(c) Members of the board appointed by the Governor shall be appointed to 3-year terms. A board member may continue to serve until a successor is appointed, but not more than 180 days after the expiration of his or her term. A board member is eligible for reappointment to subsequent terms.

Section 9. Section 1004.6499, Florida Statutes, is created to read:

1004.6499 Florida Institute for Great Citizenship.—

(1) The Florida Institute for Great Citizenship is established at the Florida State University for the purpose of providing Floridians with a bipartisan, world-class institute for intellectual diversity.

(2) The goals of the institute are to:

- (a) Create undergraduate, graduate, post-doctoral, and professional-level fellowship opportunities for advanced study in civic literacy and engagement, political history, public policy, government institutions, debate, and civic discourse.
- (b) Create regular forums for civic engagement and public policy discussions that are open to all students and the general public, thereby fostering civil discourse and the development of public policy research.
- (c) Create a shared understanding of government institutions, their history, and the development of public policy through the publishing of publicly accessible research and materials.
- (d) Create a curriculum for educating K-12 and postsecondary students on how to engage their government and become great advocates for themselves and their community.

(e) Become a national and state resource on polling information and survey methodology.

(3) The institute shall establish affiliate institutes at the University of Florida with a focus on American ideals and at Florida International University with a focus on free market economics.

Section 10. Section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(1) There is hereby created a Florida Public Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the state board.

(2)(a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education and may not exceed the maximum annual award an amount equal to the average prior academic year cost of tuition fees and other registration fees for 30 credit hours at state universities or such other amount as specified in the General Appropriations Act, to any recipient. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a state student assistance grant. Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. If funds are available, a student

who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree program and students who have not yet earned at least 9 semester hours by attendance at one or more summer sessions. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree program. ~~shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution.~~ An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(d) Each participating institution shall report, to the department by the established date, ~~the eligible students eligible for the program for to whom grant moneys are disbursed~~ each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida public student assistance grant must be between \$200 and the weighted average of the cost of tuition and other registration fees for 30 credit hours at state universities per academic year or the amount specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Public Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must ~~shall~~ consider at least the prior year's distribution of funds, the number of full-time eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. *The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.*

(b) Payment of Florida public student assistance grants shall be transmitted to the president of the state university or Florida College System institution, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department *within 30 days after the end of regular registration each term* the amount of funds disbursed to each student and shall remit to the department *any undisbursed advances within 60 days after the end of regular registration each spring term.* An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. *An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.*

(e) *Each institution that receives moneys through the Florida Public Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by the Auditor General, of the institution's administration of the program and a complete accounting of moneys allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution's*

*administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution's eligibility to receive future moneys for the program or may request a refund of any moneys overpaid to the institution for the program if the department finds that an institution has not complied with this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department any advances by June 1 of each year.*

(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding ~~the provisions of s. 216.301 and pursuant to s. 216.351,~~ any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.

(6) The State Board of Education shall establish rules necessary to implement this section.

Section 11. Subsections (5) and (6) of section 1009.505, Florida Statutes, are renumbered as subsections (6) and (7), respectively, a new subsection (5) is added to that section, and subsections (3) and (4) of that section are amended, to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3)(a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education and may not exceed the ~~average annual cost of tuition and registration fees or such other~~ amount as specified in the General Appropriations Act. *Priority in the distribution of grant moneys may be given to students who are within one semester of completing a certificate program.* A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a Florida College System institution authorized by Florida law or a career center operated by a district school board under s. 1001.44. *If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one term of completing a certificate program.* A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

(b) A student applying for a Florida public postsecondary career education student assistance grant shall be required to apply for the Pell Grant. A Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student; however, a Pell Grant entitlement shall not be required as a condition of receiving a grant under this section.

(c) Each participating institution shall report, to the department by the established date, ~~the eligible students eligible for the program for to whom grant moneys are disbursed~~ each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(4)(a) The funds appropriated for the Florida Public Postsecondary Career Education Student Assistance Grant Program shall be distributed to eligible Florida College System institutions and district school boards in accordance with a formula approved by the department. *The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.51, and 1009.52.*

(b) Payment of Florida public postsecondary career education student assistance grants shall be transmitted to the president of the Florida College System institution or to the district school superintendent, or to the designee thereof, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Participating institutions shall certify to the department *within 30 days after the end of regular registration each term* the amount of funds disbursed to each student and shall remit to the department any undisbursed advances *within 60 days after the end of regular registration each spring term*. *An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.*

(e) *Each institution that receives moneys through the Florida Public Postsecondary Career Education Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by the Auditor General, of the institution's administration of the program and a complete accounting of moneys allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution's administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution's eligibility to receive future moneys for the program or may request a refund of any moneys overpaid to the institution if the department finds that an institution has not complied with this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department.*

(5) *Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section by June 1 of each year.*

Section 12. Section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(1) There is created a Florida Private Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2)(a) Florida private student assistance grants ~~from the State Student Financial Assistance Trust Fund~~ may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed *the maximum annual award an amount equal to the average tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per academic year, or as specified in the General Appropriations Act, to any applicant*. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state. *If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program.* No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys *may be given to students who are within one semester of completing a degree or certificate program shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution.* An institution may not make a grant from this program to a student whose expected family contribution exceeds *one and one-half times the maximum Pell Grant-eligible family contribution the level established by the department.* An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(d) Each participating institution shall report, to the department by the established date, ~~the eligible students eligible for the program for to whom grant moneys are disbursed~~ each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida private student assistance grant must be between \$200 and ~~the average cost of tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per academic year or~~ the amount specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Private Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula ~~shall~~ consider at least the prior year's distribution of funds, the number of ~~full-time~~ eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. *The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.*

(b) Payment of Florida private student assistance grants shall be transmitted to the president of the college or university, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department *within 30 days after the end of regular registration each term* the amount of funds disbursed to each student and shall remit to the department any undisbursed advances *within 60 days after the end of regular registration each spring term*. *An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term by June 1 of each year.*

(e) Each institution that receives moneys through the Florida Private Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by an independent certified public accountant, of the institution's administration of the program and a complete accounting of moneys ~~in the State Student Financial Assistance Trust Fund~~ allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution's administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution's eligibility to receive future moneys ~~from the trust fund~~ for the program or request a refund of any moneys overpaid to the institution ~~through the trust fund~~ for the program if the department finds that an institution has not complied with ~~the provisions of~~ this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days *after notification by the department.*

(5) Funds appropriated by the Legislature for Florida private student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding ~~the provisions of~~ s. 216.301

and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Private Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.

(6) The State Board of Education shall adopt rules necessary to implement this section.

Section 13. Section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(1) There is created a Florida Postsecondary Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2)(a) Florida postsecondary student assistance grants ~~through the State Student Financial Assistance Trust Fund~~ may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed ~~the maximum annual award an amount equal to the average prior academic year cost of tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per academic year, or as specified in the General Appropriations Act, to any applicant.~~ A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida postsecondary student assistance grant. Recipients of such grants must have been accepted at a postsecondary institution that is located in ~~the~~ state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or

2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

*If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).*

(b) A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys *may be given to students who are within one semester of completing a degree or certificate program shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution.* An institution may not make a grant from this program to a student whose expected family contribution exceeds *one and one-half times the maximum Pell Grant-eligible family contribution the level established by the department.* An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(d) Each participating institution shall report, to the department by the established date, the ~~eligible~~ students *eligible for the program for whom grant moneys are disbursed* each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida postsecondary student assistance grant must be between \$200 and ~~the average cost of tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per academic year or~~ the amount specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Postsecondary Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula ~~must shall~~ consider at least the prior year's distribution of funds, the number of ~~full-time~~ eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. *The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.51.*

(b) Payment of Florida postsecondary student assistance grants shall be transmitted to the president of the eligible institution, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department *within 30 days after the end of regular registration each term* the amount of funds disbursed to each student and shall remit to the department any undisbursed advances *within 60 days after the end of regular registration each spring term. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term by June 1 of each year.*

(e) Each institution that receives moneys through the Florida Postsecondary Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by an independent certified public accountant, of the institution's administration of the program and a complete accounting of moneys ~~in the State Student Financial Assistance Trust Fund allocated to the institution~~ for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution's administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution's eligibility to receive future moneys ~~from the trust fund~~ for the program or request a refund of any moneys overpaid to the institution ~~through the trust fund~~ for the program if the department finds that an institution has not complied with ~~the provisions of~~ this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days *after notification by the department.*

(5) Any institution that was eligible to receive state student assistance grants on January 1, 1989, and that is not eligible to receive grants pursuant to s. 1009.51 is eligible to receive grants pursuant to this section.

(6) Funds appropriated by the Legislature for Florida postsecondary student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Postsecondary Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.

(7) The State Board of Education shall adopt rules necessary to implement this section.

Section 14. Subsection (2) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or non-public postsecondary education institution is eligible, ~~beginning in the 2017-2018 academic year,~~ for an award equal to the amount necessary

to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional stipend ~~\$200 each fall and spring academic semester or the equivalent~~ for textbooks, to assist with the payment of educational expenses *as funds are specifically appropriated in the General Appropriations Act.*

Section 15. Subsection (2) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or non-public postsecondary educational institution is eligible, beginning in the fall 2018 semester, for an award equal to the amount necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, to assist with the payment of educational expenses. *Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11) to assist with the payment of educational expenses.*

Section 16. Subsections (2), (4), (5), and (6) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

(2) The Benacquisto Scholarship Program is created to reward a high school graduate who receives recognition as a National Merit Scholar ~~or National Achievement Scholar~~ and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(4) In order to be eligible for an *initial* award under the scholarship program, a student must meet the requirements of paragraph (a) or paragraph (b).

(a) A student who is a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

a. The student completes a home education program according to s. 1002.41; or

b. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

2. Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

3. Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(b) A student who initially enrolls in a baccalaureate degree program in the 2018-2019 academic year or later and who is not a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Physically reside in this state on or near the campus of the postsecondary educational institution in which the student is enrolled;

2. Earn a high school diploma from a school outside Florida which is comparable to a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home education program in another state; and

3. Be accepted by and enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or in-

dependent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a)1. An eligible student who meets the requirements of paragraph (4)(a), who is a National Merit Scholar ~~or National Achievement Scholar~~, and who attends a Florida public postsecondary educational institution shall receive a scholarship award equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship ~~or National Achievement Scholarship~~.

2. An eligible student who meets the requirements of paragraph (4)(b), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award equal to the institutional cost of attendance for a resident of this state minus the student's National Merit Scholarship. Such student is exempt from the payment of out-of-state fees.

(b) An eligible student who is a National Merit Scholar ~~or National Achievement Scholar~~ and who attends a Florida independent postsecondary educational institution shall receive a scholarship award equal to the highest cost of attendance for a resident of this state enrolled at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship ~~or National Achievement Scholarship~~.

(6)(a) To be eligible for a renewal award, a student must *be enrolled full time*, earn all credits for which he or she was enrolled, and maintain a 3.0 or higher grade point average. *An eligible Benacquisto Scholar who has fewer than 12 credits remaining to complete his or her first baccalaureate degree may receive funding for one term in order to complete the degree.*

(b) *A student's renewal status is not affected by subsequent changes in the residency status of the student or the residency status of the student's family.*

(c)~~(b)~~ A student may receive the scholarship award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(d) *A student may receive an award for up to 5 years following high school graduation and may not receive the award for more than 10 semesters.*

(e) *A student who receives an award under this program and fails to meet the renewal requirements due to a verifiable illness or other documented emergency may be granted an exception pursuant to s. 1009.40(1)(b)4.*

Section 17. Subsection (2) and paragraphs (e) and (f) of subsection (3) of section 1011.45, Florida Statutes, are amended, and paragraph (g) is added to subsection (3) of that section, to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(2) Each university that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall be submitted to the university's board of trustees for review, approval, or, if necessary, amendment by September 30 ~~1~~, 2020, and each September 30 ~~1~~ thereafter. The Board of Governors shall review, approve, and amend, if necessary, each university's carry forward spending plan by *November 15* ~~October 1~~, 2020, and each *November 15* ~~October 1~~ thereafter.

(3) A university's carry forward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(e) Operating expenditures that support the university mission and that are nonrecurring; ~~and~~

(f) Any purpose specified by the board or in the General Appropriations Act; and

(g) A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36.

Section 18. Subsection (4) of section 1011.90, Florida Statutes, is amended to read:

1011.90 State university funding.—

(4) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. *The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request.* Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under the provisions of s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

Section 19. Section 1012.977, Florida Statutes, is created to read:

1012.977 Disclosure of contracts that affect the integrity of state universities or entities; penalties.—

(1) Any person employed by a state university or entity engaging in research which was created or authorized pursuant to part II of chapter 1004 consents to the policies of the university or entity, the regulations of the Board of Governors, and the laws of this state. At a minimum, such policies shall require employees engaged in the design, conduct, or reporting of research to disclose and receive a determination that the outside activity or financial interest does not affect the integrity of the state university or entity.

(2)(a) “Financial interest” includes anything of value other than that provided directly by the university or entity.

(b) “Outside activity” includes anything an employee does for an organization or an individual, other than the university or entity, that is related to the employee’s expertise.

(3) An employee who has failed to disclose any outside activity or financial interest as required by subsection (1) shall be suspended without pay pending the outcome of an investigation which shall not exceed 60 days. Upon conclusion of the investigation, the university or entity may terminate the contract of the employee.

Section 20. Subsection (4) of section 1013.45, Florida Statutes, is amended, and paragraph (f) is added to subsection (1) of that section, to read:

1013.45 Educational facilities contracting and construction techniques.—

(1) Boards may employ procedures to contract for construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities, that will include, but not be limited to:

(f) The consideration of other factors, including price, for the procurement of construction management and program management by university boards of trustees in accordance with regulations of the Board of Governors.

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than \$50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. A district school board shall reuse existing construction documents or design criteria packages if such reuse is feasible and practical. If a school district’s 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board shall require that prototype design and construction be used for the construction of these schools. Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans shall be reviewed for compliance with the State Requirements for Educational Facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management, program management, contracts and the design-build process must conform to the requirements of s. 287.055. ~~A board may not modify any rules regarding construction management contracts or the design-build process.~~

Section 21. Paragraph (b) of subsection (2), paragraph (b) of subsection (3), and subsection (4) of section 1013.841, Florida Statutes, are amended to read:

1013.841 End of year balance of Florida College System institution funds.—

(2)

(b) Each Florida College System institution with a final FTE less than 15,000 for the prior year that retains a state operating fund carry forward balance in excess of the 5 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall include all excess carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval by September 30 ~~±~~, 2020, and each September 30 ~~±~~ thereafter. The State Board of Education shall review and publish each Florida College System institution’s carry forward spending plan by November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~ thereafter.

(3)

(b) Each Florida College System institution with a final FTE of 15,000 or greater for the prior year that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall include all excess carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval by September 30 ~~±~~, 2020, and each September 30 ~~±~~ thereafter. The State Board of Education shall review and publish each Florida College System institution’s carry forward spending plan by November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~ thereafter.

(4) A Florida College System institution identified in paragraph (3)(b) ~~(3)(a)~~ must include in its carry forward spending plan the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(a) Commitment of funds to a public education capital outlay project for which an appropriation was previously provided, which requires additional funds for completion, and which is included in the list required by s. 1001.03(18)(d);

(b) Completion of a renovation, repair, or maintenance project that is consistent with the provisions of s. 1013.64(1), up to \$5 million per project;

(c) Completion of a remodeling or infrastructure project, up to \$10 million per project, if such project is survey recommended pursuant to s. 1013.31;

(d) Completion of a repair or replacement project necessary due to damage caused by a natural disaster for buildings included in the inventory required pursuant to s. 1013.31;

(e) Operating expenditures that support the Florida College System institution's mission which are nonrecurring; ~~and~~

(f) Any purpose approved by the state board or specified in the General Appropriations Act; *and*

(g) *A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36.*

Section 22. 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:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to higher education; amending s. 287.057, F.S.; authorizing state agencies to contract with independent, nonprofit colleges and universities that meet specified requirements; amending s. 1001.03, F.S.; revising requirements for certain new construction, remodeling, or renovation projects; amending s. 1001.64, F.S.; providing membership requirements for specified search committees; requiring such search committees to recommend at least a certain number of candidates for president; amending s. 1001.706, F.S.; requiring certain search committees to recommend at least a certain number of candidates for president; deleting a requirement that certain boards of trustees comply with specified provisions for the procurement of professional services; amending s. 1001.7065, F.S.; revising standards for the preeminent state research universities program; requiring such standards to be reported annually in a specified plan; repealing the programs of excellence designation within the State University System; creating the "state universities of distinction" designation within the State University System; requiring the Board of Governors to establish standards and measures for specific state university competencies; providing requirements for such standards and measures; authorizing the Board of Governors to annually submit such programs to the Legislature for funding by a specified date; amending s. 1001.92, F.S.; revising the performance-based metrics for state universities to include specific data; authorizing the Board of Governors to approve other metrics; prohibiting the adjustment of such metrics and benchmarks once specified data has been received; amending s. 1004.085, F.S.; requiring innovative pricing techniques and payment options to include an opt-out provision; amending s. 1004.346, F.S.; removing a limitation on the length of time a Phosphate Research and Activities Board member may serve after expiration of his or her term; creating s. 1004.6499, F.S.; creating the Florida Institute for Great Citizenship for a specified purpose; providing goals of the institute; requiring the institute to establish specified affiliate institutes for certain purposes; amending s. 1009.50, F.S.; requiring that grants administered through the Florida Public Student Assistance Grant Program not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance

grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; requiring institutions that receive moneys through the program to prepare and submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or request a refund of moneys overpaid to the institution under certain circumstances; providing a timeframe for such refunds; amending s. 1009.505, F.S.; requiring grants administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program to not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; requiring institutions that receive moneys through the program to prepare and submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or request a refund of moneys overpaid to the institution under certain circumstances; providing a timeframe for such refunds; authorizing funds appropriated for state student assistance grants to be deposited in a specified trust fund; requiring that any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program remain in the trust fund, subject to certain statutory exceptions; amending s. 1009.51, F.S.; requiring that grants administered through the Florida Private Student Assistance Grant Program not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; revising a requirement for a biennial report; amending s. 1009.52, F.S.; requiring that grants administered through the Florida Postsecondary Student Assistance Grant Program not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; revising a requirement for a biennial report; amending s. 1009.534, F.S.; revising provisions relating to additional funds for textbooks under Florida Academic Scholars award; amending s. 1009.535, F.S.; revising the amount of an award certain Florida Medallion Scholars may receive under certain circumstances; amending s. 1009.893, F.S.; revising and specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising requirements for a student to receive a renewal award; providing a timeframe within which students may receive an award; providing an exception to renewal requirements; amending s. 1011.45, F.S.; revising the date by which a university must annually submit a spending plan to the university's board of trustees for approval; revising the date by which the Board of Governors must annually review and approve such plan; au-

thorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; amending s. 1011.90, F.S.; providing requirements for a specified legislative budget request; requiring the Board of Governors to define specified classifications by regulation and report such definitions in such budget requests; creating s. 1012.977, F.S.; providing for the disclosure of contracts that affect the integrity of state universities or entities; providing definitions; providing penalties for failure to disclose such information; amending s. 1013.45, F.S.; authorizing university boards of trustees to use other factors, including price, for the procurement of professional services; requiring certain procedures to conform to specified requirements; deleting a provision that prohibits boards from modifying specified rules; amending s. 1013.841, F.S.; revising the date by which a Florida College System institution must annually submit a spending plan to the institution's board of trustees for approval; revising the date by which the State Board of Education must annually review and publish such plans; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; providing effective dates.

Senator Stargel moved the following Senate amendments to **House Amendment 1 (594317)** which were adopted:

**Senate Amendment 1 (766582) (with title amendment) to House Amendment 1 (594317)**—Delete lines 47-111.

And the title is amended as follows:

Delete lines 1139-1147 and insert: amending

**Senate Amendment 2 (863082) (with title amendment) to House Amendment 1 (594317)**—Delete lines 298-324 and insert: *1004.6499 Florida Institute of Politics.*—

(1) *The Florida Institute of Politics is established at the Florida State University within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.*

(2) *The goals of the institute are to:*

(a) *Motivate students throughout the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.*

(b) *Provide students with an opportunity to be politically active and civically engaged.*

(c) *Nurture a greater awareness and passion for public service and politics.*

(d) *Plan and host forums to allow students and guests to hear from and interact with experts from government, politics, policy, and journalism on a frequent basis.*

(e) *Become a national and state resource on polling information and survey methodology.*

(f) *Provide fellowships and internship opportunities to students in government, nonprofit organizations, and community organizations.*

(g) *Provide training sessions for newly elected state and local public officials.*

(h) *Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.*

(i) *Create and promote research and awareness regarding politics, citizen involvement, and public service.*

(j) *Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.*

Section 10. Section 1004.64991, Florida Statutes, is created to read:

*1004.64991 The Adam Smith Center for the Study of Economic Freedom.—*

(1) *The Adam Smith Center for the Study of Economic Freedom at Florida International University, is hereby created.*

(2) *The goals of the center are to:*

(a) *Study the effect of government and free-market economies on individual freedom and human prosperity.*

(b) *Conduct and promote research on the effect of political and economic systems on human prosperity.*

(c) *Plan and host research workshops and conferences to allow, students, scholars, and guests to exchange in civil discussion of democracy and capitalism.*

(d) *Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.*

And the title is amended as follows:

Delete lines 1172-1176 and insert: 1004.6499, F.S.; creating the Florida Institute of Politics within Florida State University College of Social Sciences and Public Policy; providing the purpose and goals of the institute; creating s. 1004.64991, F.S.; creating the Adam Smith Center for the Study of Economic Freedom; providing a purpose and goals of the center; amending s. 1009.50, F.S.; requiring that

**Senate Amendment 3 (805878) (with title amendment) to House Amendment 1 (594317)**—Delete lines 1014-1066.

And the title is amended as follows:

Delete lines 1297-1303 and insert: disclose such information; amending s. 1013.841, F.S.; revising

On motion by Senator Stargel, the Senate concurred in **House Amendment 1 (594317)**, as amended, and requested the House to concur in the Senate amendments to the House amendment.

**CS for SB 72** passed, as amended, and the action of the Senate was 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
Bradley	Hutson	Taddeo
Brandes	Lee	Thurston
Braynon	Mayfield	Torres
Broxson	Montford	Wright
Cruz	Passidomo	
Diaz	Perry	

Nays—None

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred with Senate Amendments 1a (272342) and 1b (446828) and amended Senate Amendment 1 (624474) with House Amendment 1 (888727), concurred in the same as amended, and passed CS/CS/CS/HB 713 as further amended, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Health Quality Subcommittee and Representative(s) Rodriguez, A. M.—

**CS for CS for CS for HB 713**—A bill to be entitled An act relating to the Department of Health; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children's Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising provisions relating to time limitations on a cancer center's participation in the Tier 3 designation under the Florida Consortium of National Cancer Institute Centers Program; s. 381.986; providing a definition; revising a provision requiring certain information to be entered into the medical marijuana use registry; revising a provision relating to the informed consent form to include the negative health effects of marijuana use on certain persons; providing daily dose amount limits for edibles and marijuana in a form for smoking; prohibiting physicians from certifying a certain potency of tetrahydrocannabinol in marijuana for certain patients; providing an exception; authorizing the Department of Health to possess and test marijuana samples from medical marijuana treatment centers; authorizing medical marijuana treatment centers to contract with certain medical marijuana testing laboratories; prohibiting the department from renewing a medical marijuana treatment center's license under certain circumstances; providing limits on the potency of tetrahydrocannabinol in marijuana and edibles dispensed by a medical marijuana treatment center; prohibiting a medical marijuana treatment center from dispensing a medical marijuana product containing tetrahydrocannabinol; providing applicability; authorizing the department and certain employees to acquire, possess, test, transport, and dispose of marijuana; amending s. 381.988, F.S.; prohibiting a certified medical marijuana testing laboratory from having an economic interest in or financial relationship with a medical marijuana treatment center; providing construction; amending s. 401.35, F.S.; revising provisions relating to the applicability of rules to certain licensees; deleting a requirement that the department base rules governing medical supplies and equipment required in ambulances and emergency medical services vehicles on a certain association's standards; deleting a requirement that the department base rules governing ambulance or vehicle design and construction on a certain agency's standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term "useful beam"; amending s. 404.22, F.S.; providing requirements for the maintenance, operation, and modification of certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.0635, F.S.; providing an exception to a prohibition on the examination or licensure of certain applicants who are listed on a specified federal list; amending s. 456.072, F.S.; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include

disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; reviving, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; reviving, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; reviving and reenacting s. 466.00672, F.S., relating to the revocation of such a license; providing for retroactive application; amending s. 466.007, F.S.; revising requirements for examinations of dental hygienists; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term "adverse incident"; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term "athletic trainer"; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain licensees to maintain certification in good standing without lapse as a condition of renewal of their athletic trainer licenses; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s. 480.033, F.S.; revising the definition of the term "apprentice"; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms "doctoral-level psychological education" and "doctoral degree in psychology"; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s. 490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s. 491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending s. 514.0115, F.S.; providing that certain surf pools are exempt from supervision for certain provisions under certain circumstances; providing construction; defining the term "surf pool"; amending s. 408.809, F.S.; providing that battery on a specified victim is a disqualifying offense for employment in certain health care facilities; amending s. 456.0135, F.S.; providing that battery on a specified victim is a disqualifying offense for licensure as a health care practitioner; amending s. 553.77, F.S.; conforming a cross-reference; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; providing effective dates.

**House Amendment 1 (888727) (with title amendment)**—Remove lines 411-513 of the amendment and insert:

Section 10. Section 408.064, Florida Statutes, is created to read:

408.064 *Direct care worker education and awareness.*—

(1) *The agency shall create a webpage dedicated solely to providing information to patients and their families about direct care workers, as defined in s. 408.822, including, but not limited to, a description of:*

(a) *Each type of direct care worker, including any licensure or certification requirements.*

(b) *The services that each type of direct care worker typically provides.*

(c) *The business relationship that each type of direct care worker typically has with a patient or a patient's family, including the responsibilities of the consumer for each type of business relationship.*

(2) *The webpage shall contain a link to health-related data required by s. 408.05, which allows consumers to search and locate direct care workers by county and statewide. The agency shall prominently display a link on its website to the webpage created under this section.*

And the title is amended as follows:

Remove lines 2060-2068 of the amendment and insert: “referral”; creating s. 408.064, F.S.; requiring the agency to create a webpage to provide information to patients and their families about direct care workers; providing requirements for the webpage; requiring the agency to display a link on its website to the webpage; repealing s.

On motion by Senator Harrell, the Senate concurred in **House Amendment 1 (888727) to Senate Amendment 1 (624474)**.

**CS for CS for CS for HB 713** passed, as amended, and the action of the Senate was 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
Bradley	Hutson	Taddeo
Brandes	Lee	Thurston
Braynon	Mayfield	Torres
Broxson	Montford	Wright
Cruz	Passidomo	
Diaz	Perry	

Nays—None

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment 880876 to CS/HB 7065 and requests the Senate to recede.

*Jeff Takacs, Clerk*

**CS for HB 7065**—A bill to be entitled An act relating to school safety; amending s. 943.082, F.S.; requiring the FortifyFL reporting tool to notify reporting parties that submitting false information may subject them to criminal penalties; providing that certain reports shall remain anonymous; amending s. 943.687, F.S.; revising the membership of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 985.12, F.S.; requiring law enforcement officers to have access to specified information by a certain date for specified purposes; amending s. 1001.11, F.S.; requiring the Commissioner of Education to oversee compliance with requirements relating to school safety and security; requiring the commissioner to take specified actions under certain circumstances relating to noncompliance; amending s. 1001.20, F.S.; requiring the Office of Inspector General to take specified actions for an investigation relating to noncompliance with school safety and security requirements under certain circumstances; authorizing the office to issue and serve certain subpoenas for specified purposes; authorizing the office to take specified actions relating to noncompliance

with such subpoenas; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to provide certain opportunities to charter school personnel; requiring such office to coordinate with specified entities to provide a specified tool for certain purposes and a model family reunification plan for certain purposes; amending s. 1002.33, F.S.; revising provisions relating to the immediate termination of a charter school's charter; amending s. 1006.07, F.S.; requiring codes of student conduct to include provisions relating to civil citation or similar prearrest diversion programs for specified purposes; requiring codes of student conduct to include provisions relating to the assignment of students to school-based intervention programs; prohibiting participation in such programs from being entered into a specified system; authorizing certain procedures to include accommodations for specified drills; requiring district school boards and charter school governing boards, in coordination with local law enforcement agencies, to adopt a family reunification plan for specified purposes; providing requirements for members of a threat assessment team; amending s. 1006.12, F.S.; revising provisions relating to the duties of school safety officers; requiring the district school superintendent or charter school administrator to provide certain notifications relating to safe-school officers; requiring safe-school officers to complete a specified training; providing requirements for such training; requiring individuals to meet certain criteria before participating in specified training; providing requirements for such training; requiring school districts to provide charter schools with specified safe-school officers under additional circumstances; amending s. 1006.13, F.S.; requiring certain agreements between district school boards and specified law enforcement to disclose procedures relating to the arrest of certain minors on school grounds; amending s. 1006.1493, F.S.; requiring the Florida Safe Schools Assessment Tool to address policies and procedures relating to certain disasters; amending s. 1008.32, F.S.; authorizing the state board to direct a school district to suspend the salaries of specified individuals under certain circumstances relating to school safety; amending s. 1011.62, F.S.; revising the mental health assistance allocation plans to include policies and procedures relating to certain behavioral health services available to such students; requiring schools districts to use specified services from certain teams; providing requirements for referrals to certain behavioral health services; providing effective dates.

On motion by Senator Diaz, the Senate refused to recede from **Senate Amendment 1 (880876) to CS for HB 7065** and again requested that the House concur. 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 refused to recede from House amendment 288171 to CS/CS/CS/SB 1066 and requests the Senate to concur.

*Jeff Takacs, Clerk*

**CS for CS for CS for SB 1066**—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; prohibiting new or increased impact fees from applying to certain applications; providing an exception; providing applicability; providing a calculation on which contributions to mitigate impacts not otherwise funded by impact fees must be based; prohibiting such contributions from being collected before the issuance of building permits; providing that impact fee credits are assignable and transferable under certain conditions; providing an effective date.

**House Amendment 1 (288171) (with title amendment)**—Remove lines 83-101 and insert:  
market value.

And the title is amended as follows:

Remove lines 4-9 and insert: applying to certain applications; providing

On motion by Senator Gruters, the Senate concurred in **House Amendment 1 (288171)**.

**CS for CS for CS for SB 1066** 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—36

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

Nays—None

Vote after roll call:

Yea—Thurston

**SPECIAL GUESTS**

Senator Pizzo recognized Senator Albritton’s wife, Missy, who was present in the gallery.

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 252236 with 436717, concurred in the same as amended, and passed CS/CS/HB 1259 as further amended, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Jones, Mercado, Brown, Bush, Daniels, Eskamani, Geller, Goff-Marcil, Hart, Joseph, Killebrew, Newton, Polsky, Smith, C., Thompson, Watson, C.—

**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.

**House Amendment 1 (436717) (with title amendment)**—Remove lines 21-205 of the amendment and insert: circumstance that dictates restraints be used to ensure the safety and security of the prisoner, the staff of the correctional institution or medical facility, other prisoners, or the public.

(e) “Invasive body search” means a search involving a manual inspection of the breasts or a manual inspection using touch, insertion, or probing of the cavities of the human body, including the genitals, buttocks, or anus. An invasive body search may only be conducted according to a correctional institution’s written rules, policies, or procedures as required by subsection (6).

(f)(e) “Labor” means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(g)(f) “Postpartum recovery” means, as determined by her physician, the period immediately following delivery, including the recovery period when a woman is in the hospital or infirmary following birth, up to 24 hours after delivery unless the physician after consultation with the department or correctional institution recommends a longer period of time.

(h) “Pregnant prisoner” means any prisoner whose pregnancy is confirmed by or otherwise known to a qualified healthcare professional at the correctional institution.

(i)(g) “Prisoner” means any person incarcerated or detained in any correctional institution who is accused of, convicted of, sentenced for, or adjudicated delinquent for a violation of criminal law or the terms and conditions of parole, probation, community control, pretrial release, or a diversionary program. For purposes of this section, the term includes any woman detained under the immigration laws of the United States at any correctional institution.

(j)(h) “Restraints” means any physical restraint or mechanical device used to control the movement of a prisoner’s body or limbs, including, but not limited to, flex cuffs, soft restraints, hard metal handcuffs, a black box, chubb cuffs, leg irons, belly chains, a security or tether chain, or a convex shield.

(k) “Restrictive housing” means housing a prisoner separately from the general population of a correctional institution and imposing restrictions on her movement, behavior, and privileges. The term includes placing a prisoner in medical isolation, in a medical housing unit, or in the infirmary.

(3) RESTRAINT OF PRISONERS.—

(a) Restraints may not be used on a pregnant prisoner ~~who is known to be pregnant~~ during labor, delivery, and postpartum recovery, unless the corrections official makes an individualized determination that the pregnant prisoner presents an extraordinary circumstance, except that:

1. The physician may request that restraints not be used for documentable medical purposes. The correctional officer, correctional institution employee, or other officer accompanying the pregnant prisoner may consult with the medical staff; however, if the officer determines there is an extraordinary public safety risk, the officer is authorized to apply restraints as limited by subparagraph 2.

2. ~~Under no circumstances shall~~ Leg, ankle, or waist restraints may not be used on any pregnant prisoner who is in labor or delivery.

(b) If restraints are used on a pregnant prisoner pursuant to paragraph (a):

1. The type of restraint applied and the application of the restraint must be done in the least restrictive manner necessary; and

2. The corrections official shall make written findings within 10 days after the use of restraints as to the extraordinary circumstance that dictated the use of the restraints. These findings shall be kept on file by the department or correctional institution for at least 5 years.

(c) During the third trimester of pregnancy or when requested by the physician treating a pregnant prisoner, unless there are significant documentable security reasons noted by the department or correctional institution to the contrary that would threaten the safety of the prisoner, the unborn child, or the public in general:

1. Leg, ankle, and waist restraints may not be used; and

2. If wrist restraints are used, they must be applied in the front so the pregnant prisoner is able to protect herself in the event of a forward fall.

(d) In addition to the specific requirements of paragraphs (a)-(c), any restraint of a pregnant prisoner ~~who is known to be pregnant~~ must be done in the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences.

(4) RESTRICTIVE HOUSING.—

(a) Except as provided in paragraph (b) or paragraph (d), a pregnant prisoner may not be involuntarily placed in restrictive housing.

(b) A pregnant prisoner may be involuntarily placed in restrictive housing if the corrections official of the correctional institution makes an individualized determination that restrictive housing is necessary to protect the health and safety of the pregnant prisoner or others or to preserve the security and order of the correctional institution and that there are no less restrictive means available. After placing a pregnant prisoner in restrictive housing under this paragraph, the corrections official must write a report stating:

1. The individualized reason restrictive housing is necessary.
2. The reason less restrictive means are not available.
3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

The corrections official must provide a copy of such report to the pregnant prisoner within 12 hours after placing the prisoner in restrictive housing.

(c) A pregnant prisoner who is placed in restrictive housing under this section must be:

1. Seen by a qualified healthcare professional at least once every 24 hours.
2. Observed by a correctional officer at least once every hour.
3. Housed in the least restrictive setting consistent with the health and safety of the pregnant prisoner.
4. Given a medical treatment plan developed and approved by a qualified healthcare professional at the correctional institution if the pregnant prisoner does not already have such a treatment plan in place.

(d)1. If a pregnant prisoner needs medical care, a primary care nurse practitioner or obstetrician must provide an order for the pregnant prisoner to be placed in a designated medical housing unit or admitted to the infirmary.

2. If a pregnant prisoner has passed her due date, she must be placed in a designated medical housing unit or admitted to the infirmary until labor begins. A pregnant prisoner who has been placed in a designated medical housing unit or admitted to the infirmary must be provided the same access to outdoor recreation, visitation, mail, telephone calls, and other privileges and classes available to the general population unless:

a. The corrections official, after consulting with a qualified healthcare professional at the correctional institution, determines that such access poses a danger to the safety and security of the correctional institution; or

b. A qualified healthcare professional at the correctional institution determines that such access poses a danger of adverse clinical consequences for the pregnant prisoner or others and documents such determination in the pregnant prisoner's medical file.

~~(5)~~(4) ENFORCEMENT.—

(a) Notwithstanding any relief or claims afforded by federal or state law, any prisoner who is restrained or placed in restrictive housing in violation of this section may file a grievance with the correctional institution, and be granted a 45-day extension if requested in writing pursuant to rules promulgated by the correctional institution.

(b) This section does not prevent a woman harmed through the use of restraints or by placement in restrictive housing under this section from filing a complaint under any other relevant provision of federal or state law.

~~(6)~~(5) NOTICE TO PRISONERS.—

(a) ~~By September 1, 2012,~~ The department and the Department of Juvenile Justice shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(b) Each correctional institution shall inform female prisoners of the rules developed pursuant to paragraph (a) upon admission to the correctional institution, including the policies and practices in the prisoner handbook, and post the policies and practices in locations in the correctional institution where such notices are commonly posted and will be seen by female prisoners, including common housing areas and medical care facilities.

(c) Each county or municipal detention facility and each detention facility operated by a private entity shall adopt written policies and procedures relating to the use of restraints and the performance of invasive body searches on pregnant prisoners.

And the title is amended as follows:

Remove lines 214-239 of the amendment and insert: providing definitions; prohibiting the involuntary placement of pregnant prisoners in restrictive housing; 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 a designated medical housing unit or admitted to the infirmary under certain circumstances; providing certain rights for pregnant prisoners placed in a designated medical housing unit or admitted to the infirmary; expanding enforcement provisions to provide for grievances for violations relating to restrictive housing of pregnant prisoners; requiring the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring detention facilities to develop specified written policies and procedures; providing an effective date.

On motion by Senator Pizzo, the Senate concurred in **House Amendment 1 (436717) to Senate Amendment 1 (252236)**.

**CS for CS for HB 1259** passed, as amended, and the action of the Senate was 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
Bradley	Lee	Taddeo
Brandes	Mayfield	Thurston
Braynon	Montford	Torres
Broxson	Passidomo	Wright
Cruz	Perry	
Diaz	Pizzo	

Nays—None

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS, continued

Secretary Debbie Brown  
Suite 405, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 13, 2020

Dear Madam Secretary:

Please be advised that the following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the appointments because the terms of the appointees have expired:

*Office and Appointment*

Construction Industry Licensing Board  
 Appointee: Cesarone, Donald M., Jr. 10/31/2019

Florida Elections Commission  
 Appointee: Allen, Jason 12/31/2019

Tampa Port Authority  
 Appointee: Mai, Hung T. 11/15/2019

Please be advised that the following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature because the term of the appointee had expired:

*Office and Appointment*

Tampa Port Authority  
 Appointee: Swindal, Stephen W. 02/06/2020

Please be advised that the following executive appointment was referred to the Senate Committee on Commerce and Tourism and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Commerce and Tourism and the Senate Committee on Ethics and Elections did not consider the appointment because the term of the appointee expired:

*Office and Appointment*

Board of Directors, Enterprise Florida, Inc.  
 Appointee: San Pedro, Katherine 09/30/2019

Please be advised that the following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections did not consider the appointment because the term of the appointee expired:

*Office and Appointment*

Board of Governors of the State University System  
 Appointee: Lydecker, Charles Harvey 01/01/2020

Please be advised that the following executive appointments were referred to the Senate Committee on Environment and Natural Resources and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environment and Natural Resources and the Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointments and the appointees were not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature because the terms of the appointees had expired:

*Office and Appointment*

Governing Board of the St. Johns River Water Management District  
 Appointee: Davis, Daniel J. 03/01/2020

Governing Board of the South Florida Water Management District  
 Appointee: Butler, Benjamin L. 03/01/2020

Please be advised that the following executive appointment was referred to the Senate Committee on Infrastructure and Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Infrastructure and Security and the Senate Committee on Ethics and Elections did not consider the following appointment because the term of the appointee had expired:

*Office and Appointment*

Florida Transportation Commission  
 Appointee: Burke, Richard 09/30/2019

Please be advised that the following executive appointment was referred to the Senate Appropriations Subcommittee on Agriculture, Environment, and General Government, the Senate Committee on Innovation, Industry, and Technology, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Appropriations Subcommittee on Agriculture, Environment, and General Government, the Senate Committee on Innovation, Industry, and Technology, and the Senate Committee on Ethics and Elections did not consider the appointment because the appointee resigned:

*Office and Appointment*

Secretary of the Department of the Lottery  
 Appointee: Hunt, Randall Pleasure of Governor

Please be advised that the following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections temporarily postponed consideration of the appointment and no recommendation was made and the appointee was not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature because the appointee resigned:

*Office and Appointment*

Board of Trustees of Miami-Dade College  
 Appointee: Leon, Benjamin, III 05/31/2022

Respectfully submitted,  
 Dennis Baxley, Chair

Secretary Debbie Brown March 13, 2020  
 Suite 405, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

Dear Madam Secretary:

The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature:

*Office and Appointment*

Director and Chief Judge, Division of Administrative Hearings

*Office and Appointment*

Appointee: MacIver, John

*For Term  
Ending*Pleasure of  
Admin  
Commission**MESSAGES FROM THE HOUSE OF  
REPRESENTATIVES****RETURNING MESSAGES — FINAL ACTION**

The Honorable Bill Galvano, President

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (766582), 2 (863082), and 3 (805878) to House amendment 594317 and passed CS/SB 72 as further amended.

*Jeff Takacs, Clerk*

The bill contained in the foregoing message was ordered engrossed and then enrolled.

*Office and Appointment**For Term  
Ending*

Board of Trustees, Florida A &amp; M University

Appointee: Washington, T. Nicole

01/06/2025

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 370715 and passed CS/CS/SB 646.

*Jeff Takacs, Clerk*

Board of Trustees, Florida International University

Appointee: Hrinak, Donna J.

01/06/2025

The bill contained in the foregoing message was ordered enrolled.

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2020 Regular Session of the Florida Legislature:

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 145281 and 556959 and passed CS/SB 838.

*Jeff Takacs, Clerk**Office and Appointment**For Term  
Ending*

Board of Trustees, Florida Atlantic University

Appointee: Dennis, Michael T.B.

01/06/2025

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 adopted SCR 1936 by the required constitutional three-fifths vote of the members voting.

*Jeff Takacs, Clerk*

Respectfully submitted,  
*Dennis Baxley, Chair*

Secretary Debbie Brown  
Suite 405, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 13, 2020

Dear Madam Secretary:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2020 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

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 319936 and 112030 and passed CS/CS/HB 133, as amended.

*Jeff Takacs, Clerk**Office and Appointment**For Term  
Beginning*

Board of Trustees of Seminole State College

Appointee: Fernandez, Susan

08/29/2019

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 183008 and passed HB 641, as amended.

*Jeff Takacs, Clerk*

Florida Development Finance Corporation

Appointees: Reynolds-Russell, Rebecca E.  
Tanner, Paul C.12/09/2019  
12/09/2019

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 158898 and passed CS/CS/HB 921, as amended.

*Jeff Takacs, Clerk*

Board of Optometry

Appointees: Atkins, Mary Linville  
Kepley, Stephen R.12/20/2019  
12/20/2019

Respectfully submitted,  
*Dennis Baxley, Chair*

The Honorable Bill Galvano, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 717452 and passed CS/CS/HB 977, 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 235304 and passed HB 1135, 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 573190 and passed CS/CS/CS/HB 1339, 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 amendments 3 (204786) and 3a (577084) and passed CS/HB 7097, as amended.

*Jeff Takacs, Clerk*

**ENROLLING REPORTS**

SCR 1936 has been enrolled, signed by the required constitutional officers, and filed with the Secretary of State on March 13, 2020.

*Debbie Brown, Secretary*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 12 was corrected and approved.

**ADJOURNMENT**

On motion by Senator Benacquisto, the Senate adjourned at 11:53 p.m. to reconvene upon the call of the President to consider the conference reports on the budget and related bills.