



Journal of the Senate

Number 3—Regular Session

Thursday, March 11, 2021

CONTENTS

Bills on Special Orders	238
Call to Order	235
Co-Introducers	246
Committee Substitutes, First Reading	240
Executive Business, Reports	240
Motions	238
Reference Changes, Rule 4.7(2)	246
Reports of Committees	238
Resolutions	235
Special Order Calendar	236

CALL TO ORDER

The Senate was called to order by President Simpson at 2:30 p.m. A quorum present—38:

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
Berman	Garcia	Rodriguez
Book	Gruters	Rouson
Boyd	Harrell	Stargel
Bracy	Hooper	Stewart
Bradley	Hutson	Taddeo
Brandes	Jones	Thurston
Brodeur	Mayfield	Torres
Broxson	Passidomo	Wright
Burgess	Perry	

Excused: Senators Bean and Gibson

PRAYER

The following prayer was offered by The Reverend Brad Clayton, Faith Presbyterian Church, Tallahassee:

Holy God, we call on you this day like so many days before. We call on you to provide for every need that we have. We call on you to forgive us when we make mistakes. We call on you to help us when we are overwhelmed. We call on you to heal our state, our country, our world. We call on you to lift up the broken, to overwhelm our enemies, and to give us prosperity.

But, God, we remember that you call on us too. You call on us to be servant leaders. You call on us to care for the least of these. You call on us to love our enemies and pray for those who persecute us. You call on us to love our neighbors as ourselves. You call on us to seek justice, to love kindness, and to walk humbly. You call on us to believe, to believe in something greater than ourselves.

And so as we live into this calling this day, we ask for courage, for strength, and for inspiration. Grant us faith that carries us through the storms around us. Grant us peace that calms the storms within us. Grant us wisdom to follow your path that you have given us. Grant us hope that inspires those around us. Grant us humility to listen and learn from each other. Grant us the gift of unity, that even when we disagree, we may always work together.

We pray this all in the name of God whose steadfast love endures forever. Amen.

PLEDGE

Senator Albritton led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Harrell—

By Senator Harrell—

SR 1910—A resolution recognizing March 15, 2021, as “Oceans Day” in Florida.

WHEREAS, coastal and ocean resources are vital to Florida’s quality of life and economic vitality, and

WHEREAS, it is the policy of the State of Florida to conserve and protect its natural resources and scenic beauty, in accordance with Section 7, Article II of the State Constitution, and

WHEREAS, this state is the only state in the contiguous United States which is bordered on three sides by the sea, with more than 8,000 miles of continuous tidal shoreline, and

WHEREAS, more than 75 percent of Florida’s residents live within its coastal counties, and

WHEREAS, there is a need to coordinate the protection, enhancement, and management of our state’s ocean resources so that future generations will enjoy healthy ocean and coastal resources, and

WHEREAS, oceans provide the basis for a significant part of this state’s economic, ecological, and social well-being, and

WHEREAS, coastal counties generated more than \$797 billion of economic value in Florida’s economy in 2018, more than three-quarters of the state’s \$1 trillion economy, and

WHEREAS, more than a million jobs in Florida were directly or indirectly created by activities using ocean resources, with the ocean economy contributing \$73.9 billion to the state’s economy in 2018, and

WHEREAS, Florida’s “blue economy” and ocean-related industries are key drivers of economic activity and are critical to Florida’s economic recovery from the coronavirus pandemic, and

WHEREAS, the Florida Ocean Alliance is a nonprofit, nonpartisan, public-private partnership of ocean-related interests which promotes awareness and understanding of the ocean’s importance to the ecology and economy of Florida and its neighbors, NOW, THEREFORE,

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

That March 15, 2021, is recognized as “Oceans Day” in Florida, in recognition of the economic and environmental importance of Florida’s ocean resources.

—was introduced, read, and adopted by publication.

SPECIAL ORDER CALENDAR

On motion by Senator Passidomo—

SB 306—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2021 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2021 shall be effective immediately upon publication; providing that general laws enacted during the 2020 regular session and prior thereto and not included in the Florida Statutes 2021 are repealed; providing that general laws enacted after the 2020 regular session are not repealed by this adoption act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 306** was placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

SB 308—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 20.058, 20.2551, 39.01, 39.302, 39.3065, 39.521, 39.6012, 45.035, 70.001, 215.555, 215.985, 220.03, 220.183, 252.355, 253.0341, 258.3991, 288.9619, 324.021, 364.336, 365.179, 373.41492, 379.2426, 381.925, 393.066, 400.462, 400.962, 401.45, 402.402, 403.726, 409.165, 409.973, 420.628, 420.9071, 420.9072, 420.9075, 420.9076, 429.02, 456.053, 481.203, 552.30, 556.102, 624.307, 624.5105, 625.091, 627.6387, 627.6648, 631.54, 641.31076, 647.02, 647.05, 723.079, 784.046, 943.059, 960.28, 1004.6499, 1007.33, 1009.24, 1009.50, 1009.51, 1009.52, 1009.65, 1009.986, and 1011.62, F.S.; reenacting s. 408.036, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and revising a statutory provision to conform to a directive of the Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 308** was placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

SB 310—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 119.071(5)(k), 216.181(11)(e), 267.0618, 311.101(7), 339.2818(8), 464.012(8), 466.00673, 1002.394(15), and 1003.4282(9), F.S., and amending ss. 316.306, 381.986, and 383.14, F.S., to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2021 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 1002.3105 and 1003.5716, F.S., to conform to the repeal of s. 1003.4282(9), F.S., by this act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 310** was placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

SB 312—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 335.066, 339.81, and 380.276, F.S., and repealing s. 338.065, F.S., to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 312** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brodeur—

CS for CS for CS for SB 88—A bill to be entitled An act relating to farming operations; amending s. 823.14, F.S.; revising legislative findings; defining and redefining terms; prohibiting farms from being held liable for nuisance except under certain circumstances; providing a burden of proof; prohibiting nuisance actions from being filed against farm operations unless specified conditions are met; providing requirements for and limitations on damages; providing that plaintiffs who bring nuisance actions against farm operations are liable for certain costs and expenses under certain conditions; amending ss. 193.4517, 316.5501, 633.202, and 812.015, F.S.; conforming cross-references; reenacting ss. 163.3162(2)(b), 163.3163(3)(b), 403.9337(4), and 570.86(4), F.S., relating to agricultural lands and practices, applications for development permits and disclosure and acknowledgment of contiguous sustainable agricultural land, Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes, and definitions relating to agritourism, respectively, to incorporate the amendments made by this act to s. 823.14, F.S., in references thereto; providing an effective date.

—was read the second time by title.

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

Senator Brodeur moved the following amendment which was adopted:

Amendment 1 (545786)—Delete lines 94-185 and insert:
by the owner, lessee, agent, independent contractor, ~~or~~ ~~and~~ supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products *or in connection with complementary agritourism activities. These conditions and activities include, but are not limited to, the marketing of farm products* ~~and includes, but is not limited to, the marketing of farm products~~ ~~produce~~ at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, fumes, and particle emissions ~~and fumes~~; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; *agritourism activities*; and the employment and use of labor.

(d)(e) “Farm product” means any plant, as defined in s. 581.011, or animal or insect useful to humans and includes, but is not limited to, any product derived therefrom.

(e)(d) “Established date of operation” means the date the farm operation commenced. *For an agritourism activity, the term “established date of operation” means the date the specific agritourism activity commenced.* If the farm operation is subsequently expanded within the original boundaries of the farm land, the established date of operation of the expansion shall also be considered as the date the original farm operation commenced. If the land boundaries of the farm are subsequently expanded, the established date of operation for each expansion is deemed to be a separate and independent established date of operation. The expanded operation shall not divest the farm operation of a previous established date of operation.

(f) “Nuisance” means any interference with reasonable use and enjoyment of land, including, but not limited to, noise, smoke, odors, dust, fumes, particle emissions, or vibration. *The term also includes all claims that meet the requirements of this definition, regardless of whether the plaintiff designates those claims as brought in nuisance, negligence, trespass, personal injury, strict liability, or other tort.*

~~(4) FARM OPERATIONS; NUISANCE FARM OPERATION NOT TO BE OR BECOME A NUISANCE.~~

(a) No farm operation which has been in operation for 1 year or more since its established date of operation and which was not a nuisance at the time of its established date of operation shall be a public or private nuisance if the farm operation conforms to generally accepted agricultural and management practices, except that the following conditions shall constitute evidence of a nuisance:

1. The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life.

2. The presence of improperly built or improperly maintained septic tanks, water closets, or privies.

3. The keeping of diseased animals which are dangerous to human health, unless such animals are kept in accordance with a current state or federal disease control program.

4. The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.

(b) No farm operation shall become a public or private nuisance as a result of a change in ownership, a change in the type of farm product being produced, a change in conditions in or around the locality of the farm, or a change brought about to comply with best management practices adopted by local, state, or federal agencies if such farm has been in operation for 1 year or more since its established date of operation and if it was not a nuisance at the time of its established date of operation.

(c) *A farm may not be held liable for nuisance unless the plaintiff proves by clear and convincing evidence that the claim arises out of conduct that did not comply with state or federal environmental laws, regulations, or best management practices.*

(d) *A nuisance action may not be filed against a farm operation unless the real property affected by the conditions alleged to be a nuisance is located within one-half mile of the source of the activity or structure alleged to be a nuisance.*

(7) **COMPENSATORY DAMAGES.**—*When the alleged nuisance emanated from a farm operation, the compensatory damages that may be awarded to a plaintiff for a private nuisance action must be measured by the reduction in the fair market value of the plaintiff's property caused by the nuisance, but may not exceed the fair market value of the property.*

(8) **PUNITIVE DAMAGES.**—*Any punitive damages claim in a nuisance action brought against a farm is subject to ss. 768.71 through 768.81. Additionally, a plaintiff may not recover punitive damages in a nuisance action against a farm unless:*

(a) *The alleged nuisance is based on substantially the same conduct that was subject to a civil enforcement judgment or criminal conviction; and*

(b) *The conviction or judgment occurred within 3 years of the first action forming the basis of the nuisance action.*

(9) **NUISANCE ACTIONS BASED ON EXISTING FARM OPERATIONS.**—*A plaintiff who fails to prevail in a nuisance action based on a farm operation that has been in existence for 1 year or more before the date that the action was instituted and that conforms with generally accepted agricultural and management practices or state and federal environmental laws is liable to the farm for all costs, fees, and expenses incurred in defense of the action.*

Pursuant to Rule 4.19, **CS for CS for CS for SB 88**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 70—A bill to be entitled An act relating to domestic violence centers; creating s. 39.9057, F.S.; prohibiting the unlawful disclosure of certain information about domestic violence centers; providing criminal penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 70** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 68—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting personal identifying and location information of current and former staff and domestic violence advocates of domestic violence centers certified by the Department of Children and Families under ch. 39, F.S., and personal identifying and location information of spouses and children of such personnel, from public records requirements; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 68** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hutson—

CS for CS for SB 46—A bill to be entitled An act relating to craft distilleries; amending s. 565.02, F.S.; defining the term “destination entertainment venue”; authorizing craft distilleries to be licensed as specified vendors under certain circumstances; providing requirements for such licenses; providing requirements for craft distilleries for such licenses; prohibiting a licensee from taking certain actions; requiring certain alcoholic beverages to be obtained through a licensed distributor; amending s. 565.03, F.S.; redefining the terms “branded product” and “craft distillery”; prohibiting a distillery from operating as a craft distillery until certain requirements are met; authorizing persons to have common ownership in craft distilleries under certain circumstances; defining the term “common ownership”; requiring a minimum percentage of a craft distillery’s total finished branded products to be distilled in this state and contain one or more Florida agricultural products after a specified date; revising the requirements and prohibitions on the sale of branded products to consumers by a licensed craft distillery; revising the circumstances for which a craft distillery must report certain information about the production of distilled spirits to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; revising prohibitions on the shipment of certain products by a craft distillery; revising prohibitions on the transfer of a craft distillery license or ownership interest in such license; revising prohibitions relating to affiliated ownership of craft distilleries; authorizing a craft distillery to transfer specified distilled spirits from certain locations to its souvenir gift shop and tasting room; making technical changes; requiring the keeping of records for alcoholic beverages received from specified persons; amending s. 565.17, F.S.; authorizing craft distilleries to conduct spirituous beverage tastings under certain circumstances; requiring the division to issue permits to craft distilleries to conduct tastings and sales at certain locations; specifying requirements for distilleries for such permits; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 46** was placed on the calendar of Bills on Third Reading.

On motion by Senator Burgess—

CS for SB 416—A bill to be entitled An act relating to the POW-MIA Vietnam Veterans Bracelet Memorial; creating s. 265.008, F.S.; providing legislative intent; establishing the POW-MIA Vietnam Veterans Bracelet Memorial; providing for the funding and administration of the memorial; directing the Department of Management Services to designate space for the memorial’s construction and placement by a specified date; requiring the department to consider recommendations of, and coordinate with, specified entities regarding the memorial’s placement and design; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 416** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rodriguez—

SB 58—A bill to be entitled An act relating to hospitals' community benefit reporting; repealing s. 193.019, F.S., relating to reporting of community benefit expenses for property tax exemption purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 58** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 50** was deferred.

MOTIONS

On motion by Senator Passidomo, the rules were waived and the following bill temporarily postponed on the Special Order Calendar this day was retained on the Special Order Calendar: **CS for CS for SB 50**.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 11, 2021: SB 306, SB 308, SB 310, SB 312, CS for CS for SB 88, CS for SB 70, CS for SB 68, CS for CS for SB 46, CS for SB 416, SB 58, CS for CS for SB 50.

Respectfully submitted,
Kathleen Passidomo, Rules Chair
Debbie Mayfield, Majority Leader
Gary M. Farmer, Jr., Minority Leader

REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: CS for SB 168

The Committee on Finance and Tax recommends the following pass: CS for SB 598; SB 688; SB 866

The Committee on Judiciary recommends the following pass: SB 1114

The Committee on Transportation recommends the following pass: SB 1716

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Judiciary recommends the following pass: SB 492

The bill was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Health Policy recommends the following pass: SB 876

The bill was referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1404

The Committee on Transportation recommends the following pass: SB 1126

The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Health Policy recommends the following pass: SB 1140

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 518

The bill was referred to the Committee on Community Affairs under the original reference.

The Committee on Judiciary recommends the following pass: SB 482

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 1262

The bill was referred to the Committee on Environment and Natural Resources under the original reference.

The Committee on Community Affairs recommends the following pass: SJR 1182

The bill was referred to the Committee on Finance and Tax under the original reference.

The Committee on Agriculture recommends the following pass: SB 1634

The Committee on Ethics and Elections recommends the following pass: SB 1492

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 770; SB 1512

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Judiciary recommends the following pass: SB 846

The bill was referred to the Committee on Health Policy under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 534

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 826

The Committee on Health Policy recommends the following pass: SB 1064

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Health Policy recommends the following pass: SB 262

The bill was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 286

The Committee on Community Affairs recommends the following pass: SB 738; SB 760

The Committee on Ethics and Elections recommends the following pass: SJR 1238

The Committee on Judiciary recommends the following pass: SB 144; SB 848

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 922

The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.

The Committee on Rules recommends the following pass: CS for CS for SB 54; CS for SB 60

The bills were placed on the Calendar.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1370

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1024

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Agriculture, Environment, and General Government under the original reference.

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1166; SB 1192

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1040

The Committee on Judiciary recommends a committee substitute for the following: SB 838

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 726

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 782

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Education under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 714; SB 1096; SB 1526

The Committee on Health Policy recommends committee substitutes for the following: SB 240; SB 990

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Transportation recommends committee substitutes for the following: SB 1326; SB 1502

The bills with committee substitute attached were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1288

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

The Committee on Health Policy recommends a committee substitute for the following: SB 634

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1076

The Committee on Health Policy recommends a committee substitute for the following: SB 1084

The Committee on Judiciary recommends a committee substitute for the following: SB 1520

The Committee on Regulated Industries recommends committee substitutes for the following: SB 856; SB 1128

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 1186; SB 1214

The bills with committee substitute attached were referred to the Committee on Finance and Tax under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1594

The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 532

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1080

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Health Policy under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1408

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1532

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1088; SB 1426

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1428

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 938

The bill with committee substitute attached was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 686

The Committee on Criminal Justice recommends a committee substitute for the following: SB 498

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 90

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 76; SB 420; SB 1048

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Rules under the original reference.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 778

The bill was referred to the Committee on Appropriations under the original reference.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

*For Term
Ending*

Executive Director, Department of Economic Opportunity

Appointee: Eagle, Dane

Pleasure of
Governor

The appointment was referred to the Committee on Commerce and Tourism under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Judiciary; and Banking and Insurance; and Senators Boyd and Brandes—

CS for CS for SB 76—A bill to be entitled An act relating to property insurance; amending s. 626.112, F.S.; providing a criminal penalty for aiding or abetting unlicensed activity; creating s. 626.5813, F.S.; defining the term “claims adjusting”; prohibiting a person from providing claims adjusting services unless the person meets specified requirements; authorizing the department to take administrative actions and impose fines against persons performing specified activities without licensure; amending s. 626.9373, F.S.; providing that, for certain attorney fees awarded for claims arising under surplus lines property insurance policies, a strong presumption is created that a lodestar fee is sufficient and reasonable; providing that such presumption may be rebutted only under certain circumstances; defining terms; providing for an award of attorney fees for certain claims under specified circumstances; amending s. 627.428, F.S.; providing that, for certain attorney

fees awarded for claims arising under property insurance policies, a strong presumption is created that a lodestar fee is sufficient and reasonable; providing that such presumption may be rebutted only under certain circumstances; amending s. 627.7011, F.S.; providing that certain provisions relating to homeowners’ policies, offers of replacement cost coverage, and offers of law and ordinance coverage do not prohibit insurers from providing specified property insurance policies by including roof surface reimbursement schedules; providing requirements for roof surface reimbursement schedules; prohibiting application of a roof surface reimbursement schedule under certain circumstances; providing that certain provisions relating to homeowners’ policies, offers of replacement cost coverage, and offers of law and ordinance coverage do not prohibit insurers from providing specified property insurance policies by offering roof reimbursement on the basis of replacement costs; providing that certain provisions relating to homeowners’ policies, offers of replacement cost coverage, and offers of law and ordinance coverage do not prohibit insurers from providing coverage on specified property insurance policies for a roof that is limited to a certain value; providing that a stated value sublimit of coverage may not be applied to a roof in certain circumstances; amending s. 627.70132, F.S.; revising property insurance coverages for which a notice of claim must be given to the insurer within a specified timeframe; revising the timeframe for providing notices of property insurance claims; revising the definitions of the terms “supplemental claim” and “reopened claim”; amending s. 627.7015, F.S.; conforming a provision to changes made by the act; authorizing property insurance policies to require policyholders and assignees to participate in mediation; creating s. 627.70152, F.S.; providing applicability; defining terms; requiring notice of intent to initiate litigation; specifying requirements for such notice; specifying an assignee’s presuit obligations; specifying the timeframe within which a notice of intent to initiate litigation must be served; requiring dismissal of certain actions under specified circumstances; specifying the admissibility of certain evidence; providing construction; authorizing an insurer to request to inspect, photograph, or evaluate certain property; specifying requirements for such inspections, photographs, and evaluations; authorizing motions to abate suits under property insurance policies; specifying conditions for abatement; providing for an award of attorney fees for certain claims under specified circumstances; providing for an award of attorney fees following a voluntary dismissal under certain circumstances; requiring the court to stay proceedings under certain circumstances; creating s. 627.70153, F.S.; requiring parties that are aware of certain residential property insurance claims to notify the court of multiple proceedings; authorizing the court to consolidate certain residential property insurance claims upon notification of any party; amending s. 627.7152, F.S.; deleting definitions; requiring assignment agreements to be provided to named insureds; providing that assignment agreements do not modify the right of insurers to communicate directly with unrepresented named insureds; deleting a requirement for a notice of intent to initiate litigation; deleting requirements for such notice; deleting a requirement for a written response to the notice of intent to initiate litigation; deleting requirements for such response; deleting a provision related to an award of reasonable attorney fees and costs for certain claims arising under an assignment agreement; deleting a provision related to an award of reasonable attorney fees and costs following a voluntary dismissal under certain circumstances; deleting a requirement for the court to stay proceedings under certain circumstances; requesting the Florida Supreme Court to amend rules to require participating lawyers or firms to provide closing statements to the department under certain circumstances; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections; and Senator Baxley—

CS for CS for SB 90—A bill to be entitled An act relating to election administration; amending s. 101.62, F.S.; limiting the duration of requests for vote-by-mail ballots to all elections through the end of the calendar year of the next regularly scheduled general election; requiring vote-by-mail ballot requests to include additional identifying information regarding the requesting elector; prohibiting the supervisor from mailing, delivering, or otherwise providing vote-by-mail ballots to an elector, or a designee thereof, unless a request has been made for such ballot; requiring supervisors of elections to record whether a voter’s certificate on a vote-by-mail ballot has a mismatched signature; restricting who an elector may designate to pick up a vote-by-mail ballot to conform to changes made by the act; amending s. 101.64, F.S.; pro-

hibiting the display of an absent elector's party affiliation or other partisan information on the outside of vote-by-mail ballots and return and secrecy envelopes; amending s. 101.65, F.S.; revising instructions to absent electors to conform to changes made by the act; amending s. 101.68, F.S.; authorizing the canvassing of vote-by-mail ballots upon the completion of the public preelection testing of automatic tabulating equipment; requiring the canvassing board to use the most recent signature of an elector when verifying a signature on a vote-by-mail ballot or a cure affidavit; amending s. 101.69, F.S.; prohibiting the use of drop boxes for the return of vote-by-mail ballots; amending s. 104.0616, F.S.; prohibiting any person from distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing a vote-by-mail ballot of another person, not including a ballot belonging to an immediate family member; providing an exception; providing a penalty; providing for construction and applicability; providing an effective date.

By the Committee on Health Policy; and Senator Book—

CS for SB 240—A bill to be entitled An act relating to donor human milk bank services; creating s. 383.017, F.S.; providing legislative intent; defining the term “donor human milk bank”; requiring the Department of Health to establish certain standards for the regulation of donor human milk banks; requiring donor human milk banks to comply with certain standards; requiring the department to adopt rules; providing an effective date.

By the Committee on Judiciary; and Senator Hooper—

CS for SB 420—A bill to be entitled An act relating to motor vehicle insurance coverage exclusions; creating s. 627.747, F.S.; providing that private passenger motor vehicle policies may exclude certain identified individuals from specified coverages under certain circumstances; requiring excluded drivers to meet certain requirements for financial responsibility; amending ss. 324.151, 627.736, and 627.7407, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Criminal Justice; and Senators Gruters, Brandes, Hutson, Baxley, Rodriguez, Rodrigues, Broxson, Albritton, and Bradley—

CS for SB 498—A bill to be entitled An act relating to the safety of religious institutions; amending s. 790.06, F.S.; authorizing, for specified purposes, a concealed weapons or firearms licensee to carry a firearm on certain property of a church, a synagogue, or any other religious institution; providing an exception; providing an effective date.

By the Committee on Education; and Senator Burgess—

CS for SB 532—A bill to be entitled An act relating to workforce education; amending s. 1011.80, F.S.; revising the workforce education programs that school district career centers are authorized to conduct; providing an effective date.

By the Committee on Health Policy; and Senators Gibson, Baxley, and Farmer—

CS for SB 634—A bill to be entitled An act relating to dementia-related staff training; providing a short title; creating s. 430.5025, F.S.; defining terms; requiring certain entities, as a condition of licensure, to provide specified dementia-related training for new employees within a specified timeframe; requiring certain employees to receive additional dementia-related training under certain circumstances within a specified timeframe; providing requirements for the training; requiring annual dementia-related training for certain employees; requiring certain employees to receive additional training developed or approved by the Department of Elderly Affairs under certain circumstances; providing that such additional training counts toward a certified nursing assistant's total annual training; authorizing certain health care practitioners to count certain continuing education hours toward the dementia-related training requirements under certain circumstances; requiring the department to approve such continuing education hours to satisfy the dementia-related training requirements; requiring the de-

partment or its designee to develop a registration process for training providers; specifying requirements for such registration; requiring the department or its designee to issue unique identifiers to approved training providers; requiring the department or its designee to approve courses used to satisfy the dementia-related training requirements; requiring such courses to be approved in various; requiring training providers to develop certain assessments and passing scores for a specified purpose; requiring certain employees to take and pass such assessments upon completion of the training; requiring training providers to issue such employees a certificate upon completing the training and passing the assessments; providing requirements for the certificate; providing that certain employees do not need to repeat certain training when changing employment, under certain circumstances; requiring licensees to maintain copies of training certifications for each of their employees and direct care workers; requiring licensees to make such copies available for inspection for a specified purpose; requiring the department to adopt rules; amending ss. 400.1755, 400.4785, 400.6045, 429.178, 429.52, 429.83, and 429.917, F.S.; revising dementia-related staff training requirements for nursing homes, home health agencies, hospices, facilities that provide special care for persons with Alzheimer's disease or related disorders, assisted living facilities, adult family-care homes, and adult day care centers, respectively, to conform to changes made by the act; providing an effective date.

By the Committees on Banking and Insurance; and Judiciary; and Senator Brandes—

CS for CS for SB 686—A bill to be entitled An act relating to offers of judgment; amending s. 768.79, F.S.; authorizing parties to serve offers of judgment that make certain stipulations relating to attorney fees and costs; authorizing certain offerings of judgment relating to jointly owned property to require both individuals to either accept or reject the offer; providing requirements relating to grounds for challenging the validity of offers; defining the term “judgment obtained” as it relates to certain offers of judgment; providing applicability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Taddeo—

CS for SB 714—A bill to be entitled An act relating to resource information for individuals with disabilities; amending s. 393.065, F.S.; requiring the Agency for Persons with Disabilities to provide specified written information to persons applying for certain waiver services; requiring the agency to provide a certain disclosure statement along with such information; providing an effective date.

By the Committee on Education; and Senator Taddeo—

CS for SB 726—A bill to be entitled An act relating to individual education plan requirements for students with disabilities; amending s. 1003.5716, F.S.; revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education or career opportunities; requiring the parents of students with disabilities to provide a written notice relating to the deferment of a standard high school diploma by a specified date; conforming provisions to changes made by the act; requiring the Department of Education to conduct a review of specified services and programs; requiring the department to establish and publish on its website uniform best practices for such services and programs by a specified date; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Cruz—

CS for SB 782—A bill to be entitled An act relating to educational opportunities for veterans; creating s. 295.011, F.S.; defining the term “disabled veteran”; providing that disabled veterans receiving certain federal educational assistance benefits are eligible to receive an award for the remaining cost of tuition and fees at state universities and Florida College System institutions; specifying applicability of other laws; providing an effective date.

By the Committee on Judiciary; and Senator Boyd—

CS for SB 838—A bill to be entitled An act relating to clerks of the circuit court; amending s. 28.246, F.S.; clarifying the responsibility of an individual released from incarceration regarding enrolling in a payment plan for any outstanding court obligations; modifying the manner of calculating a monthly payment amount under a payment plan; requiring the clerk to establish all terms of a payment plan; amending s. 28.35, F.S.; modifying duties of the Florida Clerks of Court Operations Corporation with respect to the funding of clerks' offices; conforming a cross-reference; amending s. 28.36, F.S.; conforming a cross-reference; requiring the corporation to establish and manage a contingency reserve within the Clerks of the Court Trust Fund for specified purposes; prescribing reporting requirements; specifying circumstances under which moneys held in reserve may be used; prescribing procedures for the release of such funds; amending s. 28.37, F.S.; modifying a provision regarding state court system funding; defining terms; conforming a cross-reference; revising provisions governing the transfer of certain funds from the Clerks of the Court Trust Fund to the General Revenue Fund by the Department of Revenue; amending s. 28.42, F.S.; requiring the clerks to develop a uniform payment plan form by a specified date; prescribing requirements for the form; requiring the clerks to use such form by a specified date; amending ss. 318.15, 318.20, and 322.245, F.S.; requiring orders and notifications for certain traffic citations and suspensions to include information regarding payment plans; amending s. 775.083, F.S.; designating the clerk as the entity responsible for collecting payment of certain court obligations; requiring a person ordered to pay such obligations to contact the clerk in order to pay or establish a payment plan, unless otherwise provided; providing effective dates.

By the Committee on Regulated Industries; and Senator Hutson—

CS for SB 856—A bill to be entitled An act relating to the state preemption of transportation energy infrastructure regulation; creating s. 377.707, F.S.; defining terms; providing legislative findings; preempting the regulation of transportation energy infrastructure to the state; prohibiting a local government from taking specified actions relating to the regulation of transportation energy infrastructure; providing exceptions; providing construction; providing an effective date.

By the Committee on Education; and Senator Wright—

CS for SB 938—A bill to be entitled An act relating to Purple Star Campuses; creating s. 1003.051, F.S.; defining the term "military student"; requiring the Department of Education to establish the Purple Star Campus program; specifying program criteria for participating schools; authorizing the department to establish additional program eligibility criteria; authorizing schools to partner with school districts to meet such criteria; requiring the State Board of Education to adopt rules; providing an effective date.

By the Committee on Health Policy; and Senator Bradley—

CS for SB 990—A bill to be entitled An act relating to occupational therapy; amending s. 468.203, F.S.; revising and defining terms; amending s. 468.209, F.S.; revising the fieldwork experience requirement for certain persons to take the examination for licensure as an occupational therapist; amending s. 468.215, F.S.; authorizing licensed occupational therapists to use a specified title and initials; amending s. 468.223, F.S.; prohibiting certain persons from using a specified title and initials; providing criminal penalties; amending s. 468.225, F.S.; providing construction; reenacting ss. 1002.385(5)(c) and 1002.66(2)(c), F.S., relating to the Gardiner Scholarship and specialized instructional services for children with disabilities, respectively, to incorporate the amendment made to s. 468.203, F.S., in references thereto; providing an effective date.

By the Committee on Banking and Insurance; and Senators Brodeur and Rouson—

CS for SB 1024—A bill to be entitled An act relating to increasing access to mental health care; creating s. 624.36, F.S.; requiring the Department of Financial Services to submit a specified report to the Governor and Legislature by a specified date; specifying the minimum

information the report must contain; requiring the department to make certain information available on its website; creating ss. 627.4215 and 641.31085, F.S.; requiring insurers and health maintenance organizations, respectively, to disclose specified information on their websites; requiring insurers and health maintenance organizations, respectively, to annually provide certain written notices to insureds or subscribers; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Brodeur—

CS for SB 1040—A bill to be entitled An act relating to duties of the Attorney General; repealing s. 16.10, F.S., relating to the receipt of Supreme Court decisions by the Attorney General; repealing s. 16.101, F.S., relating to the Supreme Court reporter; amending s. 163.503, F.S.; revising the definition of "department" to conform to changes made by the act; amending s. 163.504, F.S.; deleting provisions relating to the Safe Neighborhoods Program; amending ss. 163.5055, 163.506, 163.508, and 163.511, F.S.; relieving the Department of Legal Affairs from certain duties associated with specified neighborhood improvement districts; repealing s. 163.517, F.S., relating to the Safe Neighborhoods Program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs; repealing s. 163.521, F.S., relating to funding of neighborhood improvement districts inside enterprise zones; repealing s. 163.5215, F.S., relating to the construction of the Safe Neighborhoods Act; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to the cooperation and involvement of community organizations to create safe neighborhood districts; amending s. 163.524, F.S.; conforming a provision to changes made by the act; amending s. 215.22, F.S.; specifying that the Crimes Compensation Trust Fund is exempt from the service charge into the General Revenue Fund; amending s. 376.84, F.S.; conforming a cross-reference; amending s. 402.181, F.S.; requiring certain claims for restitution to be filed with specified entities; removing the Department of Legal Affairs as an entity for such filings; authorizing the Department of Children and Families, the Department of Health, the Department of Juvenile Justice, the Department of Corrections, and the Agency for Persons with Disabilities to adopt rules to process specified claims; amending s. 501.160, F.S.; authorizing certain declarations during a state of emergency to be extended for specified days by executive order; amending ss. 775.083 and 812.173, F.S.; conforming a provision to changes made by the act; amending ss. 812.174, 812.175, and 812.176, F.S.; revising provisions to require that the Department of Business and Professional Regulation, instead of the Attorney General, regulate convenience businesses; amending chapter 2019-127, Laws of Florida; extending the timeframe for the Attorney General to have access to records from the prescription drug monitoring program when ordered by a court under specified provisions; delaying the scheduled repeal of amendments until a specified date unless reviewed and saved from repeal through reenactment by the Legislature; amending s. 960.21, F.S.; deleting a reference to the service charge provided for in ch. 215, F.S., to conform to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senators Bean and Baxley—

CS for SB 1048—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the terms "conviction integrity unit" and "conviction integrity unit reinvestigation information"; providing a public records exemption for certain conviction integrity unit reinvestigation information; providing for the future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Brodeur—

CS for SB 1076—A bill to be entitled An act relating to public works projects; amending s. 255.0991, F.S.; revising a prohibition relating to any solicitation for construction services paid for with state or locally appropriated funds; providing construction; amending s. 255.0992, F.S.; revising the definition of the term "public works project"; prohibiting the state or any political subdivision that contracts for a public works project from taking specified action against certain persons that are

engaged in a public works project or have submitted a bid for such a project; providing construction; providing an effective date.

By the Committee on Regulated Industries; and Senator Hutson—

CS for SB 1080—A bill to be entitled An act relating to tobacco and nicotine products; amending s. 210.095, F.S.; deleting the definition of the term “adult”; revising age limitations relating to mail order, Internet, and remote sales of tobacco products; amending s. 210.15, F.S.; requiring permits to be issued to persons or corporations whose officers are not under 21 years of age; amending s. 386.212, F.S.; providing that it is unlawful for persons under 21 years of age to smoke tobacco or vape in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school during specified hours; renaming ch. 569, F.S.; providing directives to the Division of Law Revision; amending s. 569.002, F.S.; defining the terms “nicotine product” and “nicotine dispensing device”; conforming provisions to changes made by the act; amending ss. 569.003, 569.004, and 569.006, F.S.; conforming provisions to changes made by the act; amending s. 569.007, F.S.; revising age limitations relating to the sale and delivery of tobacco products; revising applicability; amending s. 569.0075, F.S.; revising age limitations relating to gifting sample tobacco products; amending s. 569.008, F.S.; revising legislative intent; revising qualification requirements for responsible retail tobacco products dealers; conforming provisions to changes made by the act; amending s. 569.009, F.S.; conforming a provision to changes made by the act; amending s. 569.101, F.S.; revising age limitations relating to selling, delivering, bartering, furnishing, or giving tobacco products to certain persons; amending s. 569.11, F.S.; revising age limitations relating to possessing and obtaining tobacco products; amending s. 569.12, F.S.; expanding the authority of tobacco product enforcement officers to include nicotine products; amending s. 569.14, F.S.; revising requirements for signage relating to tobacco products, nicotine products, and nicotine dispensing devices; conforming provisions to changes made by the act; amending s. 569.19, F.S.; conforming provisions to changes made by the act; creating s. 569.31, F.S.; defining terms; creating s. 569.32, F.S.; requiring retail nicotine product dealers to acquire a permit; providing requirements and authorizations for such permit; creating s. 569.33, F.S.; specifying that an applicant for a retail nicotine products dealer permit consents to certain inspections and searches upon accepting such permit; creating s. 569.34, F.S.; prohibiting certain persons, firms, associations, or corporations from operating without a permit; providing civil penalties; creating s. 569.35, F.S.; providing administrative penalties for retail nicotine product dealers under certain circumstances; requiring the Division of Alcoholic Beverages and Tobacco to deposit funds collected from administrative fines into the General Revenue Fund; creating s. 569.37, F.S.; providing restrictions on the sale or delivery of nicotine products; creating s. 569.38, F.S.; prohibiting certain persons from gifting sample nicotine products to persons under a specified age; creating s. 569.381, F.S.; providing legislative intent; providing requirements for a dealer to qualify as a responsible retail nicotine products dealer; authorizing the division to mitigate certain penalties; requiring the division to develop and make available a nicotine products training program; requiring dealers to exercise diligence in the management and supervision of their premises and the supervision and training of certain persons; creating s. 569.39, F.S.; requiring the division to adopt rules; creating ss. 569.41 and 569.42, F.S.; providing civil and criminal penalties relating to selling, delivering, bartering, furnishing, or giving nicotine products to certain persons and possessing and acquiring nicotine products, respectively; creating s. 569.43, F.S.; providing signage requirements relating to the sale of nicotine products or nicotine dispensing devices; providing criminal penalties; creating s. 569.44, F.S.; requiring the division to provide an annual report containing specified information to the Governor and the Legislature; creating s. 569.45, F.S.; defining terms; providing requirements for mail order, Internet, and remote sales of nicotine products; providing applicability; providing criminal penalties; repealing s. 877.112, F.S., relating to nicotine products and nicotine dispensing devices; providing an effective date.

By the Committee on Health Policy; and Senators Pizzo and Book—

CS for SB 1084—A bill to be entitled An act relating to volunteer ambulance services; amending s. 316.003, F.S.; revising the definition of the term “authorized emergency vehicles” and defining the term “vo-

lunteer ambulance service”; amending s. 316.072, F.S.; authorizing certain medical staff of a volunteer ambulance service to use red lights on a privately owned vehicle under certain circumstances; amending s. 316.2397, F.S.; authorizing vehicles of volunteer ambulance services to show or display red lights and operate emergency lights and sirens under certain circumstances; amending s. 316.2398, F.S.; authorizing privately owned vehicles belonging to certain medical staff of a volunteer ambulance service to display or use red warning signals under certain circumstances; conforming a provision to changes made by the act; prohibiting certain medical staff of volunteer ambulance services from operating red warning signals when not responding to an emergency in the line of duty; amending s. 401.211, F.S.; revising legislative intent; amending s. 401.23, F.S.; defining the term “volunteer ambulance service”; amending s. 401.25, F.S.; exempting certain first responder agencies from certificate of public convenience and necessity requirements; providing that county and municipal governments may not limit, prohibit, or prevent volunteer ambulance services from responding to emergencies or providing emergency medical services or transport within their respective jurisdictions; prohibiting county and municipal governments from requiring volunteer ambulance services to obtain a license or certificate or pay a fee to provide ambulance or air ambulance services within their respective jurisdictions, with an exception; amending s. 316.306, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Criminal Justice; and Senator Rodrigues—

CS for SB 1088—A bill to be entitled An act relating to modification or continuation of terms of probation; amending s. 948.06, F.S.; revising the circumstances under which a court must modify or continue a term of probation; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Book—

CS for SB 1096—A bill to be entitled An act relating to the screening of summer camp personnel; amending s. 402.302, F.S.; defining terms; creating s. 402.3132, F.S.; providing applicability of certain requirements to summer day camps and summer 24-hour camps; providing an exception; requiring such camps to meet specified minimum requirements relating to health, sanitation, and safety and specified child care personnel screening requirements; providing that failure of a camp to comply with the child care personnel screening requirements results in the loss of the camp’s ability to operate; prohibiting the Department of Children and Families from licensing summer day camps and summer 24-hour camps; authorizing the department to access personnel records of such camps for a specified purpose; authorizing the department to adopt rules; authorizing the department or local licensing agency to perform specified enforcement actions; requiring camps to register with the department for inclusion in the department’s summer camp listing to be in compliance with specified requirements; amending s. 409.175, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Regulated Industries; and Senator Hutson—

CS for SB 1128—A bill to be entitled An act relating to preemption on restriction of utility services; creating s. 366.032, F.S.; prohibiting municipalities, counties, special districts, or other political subdivisions from enacting or enforcing provisions or taking actions that restrict or prohibit the types or fuel sources of energy production which may be used, delivered, converted, or supplied to customers by specified entities; providing for preemption; providing for retroactive application; providing an effective date.

By the Committee on Criminal Justice; and Senator Brandes—

CS for SB 1166—A bill to be entitled An act relating to juvenile justice; amending s. 20.316, F.S.; creating the Accountability and Program Support Program within the Department of Juvenile Justice and revising the name of an existing program; amending s. 985.101, F.S.; authorizing a court to order that a child be taken into custody for failure to appear; requiring a court to consider specified information before it issues such an order; amending s. 985.435, F.S.; requiring each judicial

circuit to develop, in consultation with specified persons and entities, a written plan specifying the alternative consequence component which must be based upon certain principles; providing that the alternative consequence component is designed to provide swift and appropriate consequences or incentives to a child who is alleged to be noncompliant with or in violation of probation; repealing s. 985.686, F.S., relating to the shared county and state financial support responsibility for juvenile detention; amending s. 985.6865, F.S.; deleting provisions relating to legislative findings and intent; requiring the Department of Juvenile Justice to calculate annually by a certain date and provide to each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles its annual percentage share of detention costs; requiring each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles to incorporate into its annual county budget sufficient funds to pay its annual percentage share of detention costs; reenacting ss. 960.001(1)(b) and 985.439(2), F.S., relating to guidelines for fair treatment of victims and witnesses in the criminal justice and juvenile justice systems and violation of probation or postcommitment probation, respectively, to incorporate the amendment made to s. 985.101, F.S., in references thereto; reenacting s. 985.565(4)(b), F.S., relating to sentencing alternatives, to incorporate the amendment made to s. 985.435, F.S., in a reference thereto; providing an effective date.

By the Committee on Community Affairs; and Senator Brandes—

CS for SB 1186—A bill to be entitled An act relating to property assessments for elevated properties; amending ss. 193.155 and 193.1554, F.S.; specifying that changes to elevate certain homestead and nonhomestead residential property, respectively, do not increase the assessed value of the property under certain circumstances; requiring property owners to provide certification for such property; defining the terms “voluntary elevation” and “voluntarily elevated”; prohibiting certain areas from being included in square footage calculation; making clarifying revisions; reenacting s. 193.1557, F.S., relating to assessment of certain property damaged or destroyed by Hurricane Michael, to incorporate amendments made by this act to ss. 193.155 and 193.1554, F.S., in references thereto; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Powell—

CS for SB 1192—A bill to be entitled An act relating to mental illness training for law enforcement officers; creating s. 943.17161, F.S.; requiring the Department of Law Enforcement to establish a continued employment training component relating to mental illness; defining the term “mental illness”; requiring that the training component include instruction on the recognition of the symptoms or characteristics of and appropriate responses to individuals exhibiting certain symptoms or characteristics; authorizing completion of the training to count toward continued employment or appointment instruction requirements; providing an effective date.

By the Committee on Community Affairs; and Senator Gruters—

CS for SB 1214—A bill to be entitled An act relating to nonprofit taxation; amending s. 196.196, F.S.; specifying that portions of property not used for certain purposes are not exempt from ad valorem taxation; specifying that exemptions from ad valorem taxation are not affected so long as portions of property are used for certain purposes; providing applicability; providing an effective date.

By the Committee on Judiciary; and Senator Boyd—

CS for SB 1288—A bill to be entitled An act relating to assets of an estate in administration; amending s. 69.031, F.S.; deleting a requirement that assets of an estate in administration may be placed in a savings and loan association only if such savings and loan association is a member of the Federal Savings and Loan Insurance Corporation and doing business in this state; providing an effective date.

By the Committee on Transportation; and Senator Harrell—

CS for SB 1326—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing exemptions from public records requirements for secure login credentials, Internet protocol addresses, and geolocation data held by the Department of Highway Safety and Motor Vehicles; providing retroactive application; defining the terms “secure login credentials” and “public-facing portal”; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Regulated Industries; and Senator Rodriguez—

CS for SB 1370—A bill to be entitled An act relating to the medical treatment of animals; amending s. 474.202, F.S.; revising the definition of the term “veterinarian/client/patient relationship”; defining the term “veterinary telemedicine”; creating s. 474.2021, F.S.; authorizing veterinarians to practice veterinary telemedicine; prohibiting veterinarians from prescribing controlled substances; providing exceptions; providing licensure requirements to practice veterinary telemedicine; providing jurisdiction of the Florida Board of Veterinary Medicine; providing construction; amending s. 474.203, F.S.; revising exceptions to who may immunize or treat an animal for certain diseases; amending s. 474.214, F.S.; revising grounds for disciplinary action against a veterinarian; amending s. 828.30, F.S.; authorizing employees, agents, or contractors of animal control authorities to administer rabies vaccinations under certain circumstances; providing that a supervising veterinarian assumes responsibility for any person working at his or her discretion or under his or her supervision; defining the term “indirect supervision”; providing requirements; authorizing a veterinarian who indirectly supervises the administration of the rabies vaccination to affix his or her signature stamp on a rabies vaccination certificate; providing an effective date.

By the Committee on Banking and Insurance; and Senator Burgess—

CS for SB 1408—A bill to be entitled An act relating to the Department of Financial Services; amending s. 20.121, F.S.; specifying powers and duties of the Division of Public Assistance Fraud; amending s. 284.30, F.S.; requiring the State Risk Management Trust Fund to provide insurance for certain firefighter cancer-related benefits; making technical changes; amending s. 284.31, F.S.; requiring the Insurance Risk Management Trust Fund to provide a separate account for certain firefighter cancer-related benefits; making technical changes; amending s. 284.385, F.S.; specifying a condition that must be met before certain firefighter cancer-related benefits may be paid from the State Risk Management Trust Fund; making technical changes; creating s. 284.45, F.S.; prohibiting individuals working for entities covered by the State Risk Management Trust Fund from engaging in retaliatory conduct against sexual harassment victims; defining the term “sexual harassment victim”; specifying a criminal penalty for the willful and knowing dissemination of a sexual harassment victim’s personal identifying information, except under certain circumstances; amending s. 497.101, F.S.; revising provisions relating to membership of the Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services; authorizing use of communications media technology for board member participation and determination of a quorum of the board; defining the term “communications media technology”; deleting a requirement for the department to adopt certain rules; making technical changes; creating s. 497.1411, F.S.; defining terms; providing for permanent disqualification of applicants for licensure under ch. 497, F.S., for certain offenses; providing for disqualifying periods for applicants for certain offenses; requiring the board to adopt rules; providing for calculation of disqualifying periods; providing conditions for licensure after completion of a disqualifying period; specifying the effect of a pardon or restoration of civil rights; providing for exemptions from disqualification if certain conditions are met; requiring an applicant for an exemption to provide certain evidence that he or she will not present a danger if licensed; granting the board the discretion to approve or deny an exemption; providing applicability; providing construction; amending s. 497.142, F.S.; revising criminal history disclosure requirements for applicants seeking licensure under ch. 497, F.S.; amending s. 497.157, F.S.; prohibiting persons from acting as or advertising themselves as being funeral directors, embalmers, direct disposers, or preneed sales agents unless they are so licensed; prohibiting persons from engaging in certain activities requiring licensure without

holding required licenses; revising the criminal penalty for unlicensed activity; making technical changes; amending s. 497.159, F.S.; conforming a provision to changes made by the act; amending s. 552.081, F.S.; revising the definition of the term “two-component explosives” for the purpose of regulation by the Division of State Fire Marshal; amending s. 553.7921, F.S.; authorizing a contractor repairing certain existing fire alarm systems to begin work after filing an application for a required permit but before receiving the permit; providing construction; amending s. 626.2815, F.S.; revising continuing education requirements for certain persons licensed to solicit, sell, or adjust insurance; amending s. 626.371, F.S.; requiring submission of renewal appointments of certain insurance representatives within a certain timeframe; requiring the department to notify certain insurers or employers regarding inadvertent failures to appoint; requiring insurers and employers to pay certain fees and taxes within a certain timeframe; authorizing the department to issue appointments under certain circumstances; prohibiting the department from considering inadvertent failures to appoint to be violations under certain circumstances; requiring the department to suspend an insurer’s or employer’s authority to appoint licensees under certain circumstances; amending s. 626.8443, F.S.; increasing the maximum period of suspension of a title insurance agent’s or agency’s license; making technical changes; amending s. 626.916, F.S.; deleting a requirement for agents to advise insureds that certain coverage may be available for personal residential property risks to be eligible for export under the Surplus Lines Law; amending s. 626.9551, F.S.; prohibiting a person from requiring an insurance agent or agency to provide replacement cost estimators or certain other proprietary business information under certain circumstances; prohibiting an insurance agent or agency from providing replacement cost estimators or certain other proprietary business information without written authorization; amending s. 627.715, F.S.; providing an exemption from a diligent effort requirement for agents exporting contracts or endorsements providing flood coverage; amending s. 633.136, F.S.; replacing fire protection agencies in the Fire and Emergency Incident Information Reporting Program with fire service providers; revising the composition of the Fire and Emergency Incident Information System Technical Advisory Panel; defining the term “fire service provider”; amending s. 633.202, F.S.; extending a deadline for certain buildings to comply with a minimum radio signal strength requirement under the Florida Fire Prevention Code; requiring such buildings to meet certain conditions by a specified date; revising a condition that existing apartment buildings must meet by a specified date; making technical changes; creating s. 633.217, F.S.; prohibiting certain acts to influence a firesafety inspector to violate certain laws; prohibiting a firesafety inspector from knowingly and intentionally requesting, soliciting, accepting, or agreeing to accept certain compensation; amending s. 633.402, F.S.; revising the composition of the Firefighters Employment, Standards, and Training Council; amending s. 633.416, F.S.; providing that certain persons serving as volunteer firefighters may serve as a regular or permanent firefighter for a limited period, subject to certain restrictions; amending s. 648.30, F.S.; prohibiting the aiding or abetting of unlicensed activity of a bail bond agent or temporary bail bond agent; providing criminal penalties; amending s. 843.08, F.S.; prohibiting false personation of personnel or representatives of the Division of Investigative and Forensic Services; amending s. 943.045, F.S.; revising the definition of the term “criminal justice agency” to include the investigations component of the department which investigates certain crimes; reenacting s. 497.141(5)(a), F.S., relating to licensing and general application procedures, to incorporate the amendment made to s. 497.142, F.S., in a reference thereto; providing effective dates.

By the Committee on Criminal Justice; and Senator Jones—

CS for SB 1426—A bill to be entitled An act relating to pregnant women in custody; providing a short title; creating s. 907.033, F.S.; requiring that every female who is arrested and not released on bond within 72 hours after arrest be administered a pregnancy test within a specified timeframe, upon her request; requiring that each municipal or county detention facility notify each arrested female upon booking of her right to request a pregnancy test; providing for the types of pregnancy tests that may be given; defining the term “female”; creating s. 925.13, F.S.; defining the term “pregnant woman”; requiring that, if a pregnant woman is convicted of a crime and sentenced to incarceration of any length, the sentencing judge provide the pregnant woman the opportunity to defer the imposed sentence until a certain time after delivery; authorizing a sentencing judge to order certain terms and

conditions that the pregnant woman must comply with during the deferral; requiring that, within 10 days after the deferral period ends and the woman is incarcerated, she be offered and, if requested, receive specified services; authorizing sanctions for a new criminal conviction or violation of the terms and conditions ordered by the judge; requiring municipal and county detention facilities to collect and report specified information to the Department of Corrections, which must incorporate such information from its facilities; requiring the department to compile and publish quarterly the information on its public website; providing report requirements; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Wright—

CS for SB 1428—A bill to be entitled An act relating to procurement procedures; amending s. 287.042, F.S.; requiring the Department of Management Services to develop procedures that require current and prospective contractors to disclose whether such contractor is owned or controlled by a foreign government before providing commodities or contractual services to the state; requiring any such disclosure to be in writing, under penalty of perjury; providing an effective date.

By the Committee on Transportation; and Senator Harrell—

CS for SB 1502—A bill to be entitled An act relating to public records; amending s. 319.1414, F.S.; exempting from public records requirements certain information received by the Department of Highway Safety and Motor Vehicles as a result of investigations and examinations of private rebuilt inspection providers; providing for future legislative review and repeal of the exemptions; amending s. 319.25, F.S.; exempting from public records requirements certain information received by the department as a result of investigations and examinations relating to title certificates; providing for future legislative review and repeal of the exemptions; amending s. 320.861, F.S.; exempting from public records requirements certain information received by the department as a result of investigations and examinations of persons suspected of violating or of having violated certain laws, rules, or orders relating to motor vehicle licenses; providing for future legislative review and repeal of the exemptions; amending s. 322.71, F.S.; exempting from public records requirements certain information received by the department as a result of investigations and examinations of persons suspected of violating or of having violated certain laws, rules, or orders relating to driver licenses; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Judiciary; and Senator Boyd—

CS for SB 1520—A bill to be entitled An act relating to ancillary property rights; creating s. 704.09, F.S.; defining the term “utility easement”; providing that a utility easement is an interest in real property and subject to certain actions unless otherwise provided in the instrument creating the easement; providing that the easement is not an undue burden; amending s. 712.03, F.S.; revising rights that are not affected or extinguished by marketable record titles; amending s. 712.04, F.S.; revising what types of interests are extinguished by a marketable record title; providing construction; amending s. 712.12, F.S.; revising the definition of the term “covenant or restriction”; providing applicability; requiring persons with certain interests in land which may be extinguished by this act to file a specified notice to preserve such interests; providing a directive to the Division of Law Revision; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Garcia—

CS for SB 1526—A bill to be entitled An act relating to Medicaid coverage for former foster youth; amending s. 409.1451, F.S.; requiring the Department of Children and Families to develop a program to facilitate enrollment of certain young adults in Medicaid; authorizing the department to coordinate with a community-based care lead agency in implementing the program; specifying requirements for outreach services provided by the program; amending s. 409.903, F.S.; revising

eligibility for Medicaid coverage for certain young adults formerly eligible for foster care; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Book—

CS for SB 1532—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; revising requirements for child support depositories in Title IV-D cases; requiring the depositories to transmit case data through and set up appropriate payment accounts in the Clerk of the Court Child Support Enforcement Collection System upon certain notice from the Department of Revenue; amending s. 61.1354, F.S.; revising provisions related to the sharing of information between consumer reporting agencies and the department; requiring consumer reports to be kept confidential and used only for specified purposes; amending s. 61.30, F.S.; prohibiting the treatment of incarceration as voluntary unemployment for purposes of establishing or modifying child support orders, with exceptions; providing that certain social security benefits are included in a parent's gross income; authorizing certain social security benefits paid to be applied as a credit for purposes of monthly support obligations; providing requirements for such credit; providing procedures for a parent to seek application of such credit; amending s. 409.256, F.S.; revising the definition of the term "rendered"; amending s. 409.2563, F.S.; revising the definition of the term "rendered"; deleting a requirement that a certain order filed by the department be a certified copy of the order; amending s. 409.25656, F.S.; authorizing the department to deliver certain notices by secure electronic means under certain circumstances; amending s. 409.25658, F.S.; revising provisions related to the department's joint efforts with the Department of Financial Services to use unclaimed property for past due child support; amending s. 409.2567, F.S.; authorizing the department to include confidential and exempt information in unencrypted electronic mail communications with parents, caregivers, or other authorized persons under certain circumstances, with exceptions; amending s. 409.2576, F.S.; requiring service recipients to report certain information to the State Directory of New Hires; defining the term "service recipient"; providing reporting requirements for service recipients; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Agriculture; and Senator Cruz—

CS for SB 1594—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting personal identifying and location information of certain current or former inspectors of the Department of Agriculture and Consumer Services, and personal identifying and location information of spouses and children of such person-

nel, from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Children, Families, and Elder Affairs; and Senator Taddeo—

CS for SB 714—A bill to be entitled An act relating to resource information for individuals with disabilities; amending s. 393.065, F.S.; requiring the Agency for Persons with Disabilities to provide specified written information to persons applying for certain waiver services; requiring the agency to provide a certain disclosure statement along with such information; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Criminal Justice; and Senator Rodrigues—

CS for SB 1088—A bill to be entitled An act relating to modification or continuation of terms of probation; amending s. 948.06, F.S.; revising the circumstances under which a court must modify or continue a term of probation; providing an effective date.

—was referred to the Committee on Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 2 and March 10 were corrected and approved.

CO-INTRODUCERS

Senators Baxley—SB 266; Berman—SB 806; Book—CS for SB 80, SB 1084; Bradley—SB 1046; Farmer—SB 634, SB 1078; Jones—SB 1078; Pizzo—SB 370; Rodriguez—SB 940; Rouson—CS for CS for SB 46; CS for CS for SB 50; Torres—SB 874

ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 2:47 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, March 18 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

March 11, 2021

BA — Bill Action
BF — Bill Failed
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute, First Reading

FR — First Reading
MO — Motion
RC — Reference Change
SM — Special Master Reports
SO — Bills on Special Orders

CS/CS/SB 46	(BA) 237, (SO) 238, (CO) 246	SB 856	(CR) 239
CS/CS/SB 50	(BA) 238, (MO) 238, (SO) 238, (CO) 246	SB 866	(CR) 238
CS/CS/SB 54	(CR) 239	SB 874	(CO) 246
SB 58	(BA) 238, (SO) 238	SB 876	(CR) 238
CS/SB 60	(CR) 239	SB 922	(CR) 239
CS/SB 68	(BA) 237, (SO) 238	CS/SB 938	(CS) 242
CS/SB 70	(BA) 237, (SO) 238	SB 938	(CR) 240
CS/CS/SB 76	(CS) 240	SB 940	(CO) 246
CS/SB 76	(CR) 240	CS/SB 990	(CS) 242
CS/SB 80	(CO) 246	SB 990	(CR) 239
CS/CS/CS/SB 88	(BA) 236, (BA) 237, (SO) 238	CS/SB 1024	(CS) 242
CS/CS/SB 90	(CS) 240	SB 1024	(CR) 239
CS/SB 90	(CR) 240	CS/SB 1040	(CS) 242
SB 144	(CR) 239	SB 1040	(CR) 239
CS/SB 168	(CR) 238	SB 1046	(CO) 246
CS/SB 240	(CS) 241	CS/SB 1048	(CS) 242
SB 240	(CR) 239	SB 1048	(CR) 240
SB 262	(CR) 238	SB 1064	(CR) 238
SB 266	(CO) 246	CS/SB 1076	(CS) 242
CS/SB 286	(CR) 238	SB 1076	(CR) 239
SB 306	(BA) 236, (SO) 238	SB 1078	(CO) 246
SB 308	(BA) 236, (SO) 238	CS/SB 1080	(CS) 243
SB 310	(BA) 236, (SO) 238	SB 1080	(CR) 239
SB 312	(BA) 236, (SO) 238	CS/SB 1084	(CS) 243
SB 370	(CO) 246	SB 1084	(CR) 239, (CO) 246
CS/SB 416	(BA) 237, (SO) 238	CS/SB 1088	(CS) 243, (RC) 246
CS/SB 420	(CS) 241	SB 1088	(CR) 239
SB 420	(CR) 240	CS/SB 1096	(CS) 243
SB 482	(CR) 238	SB 1096	(CR) 239
SB 492	(CR) 238	SB 1114	(CR) 238
CS/SB 498	(CS) 241	SB 1126	(CR) 238
SB 498	(CR) 240	CS/SB 1128	(CS) 243
SB 518	(CR) 238	SB 1128	(CR) 239
CS/SB 532	(CS) 241	SB 1140	(CR) 238
SB 532	(CR) 239	CS/SB 1166	(CS) 243
SB 534	(CR) 238	SB 1166	(CR) 239
CS/SB 598	(CR) 238	SJR 1182	(CR) 238
CS/SB 634	(CS) 241	CS/SB 1186	(CS) 244
SB 634	(CR) 239, (CO) 246	SB 1186	(CR) 239
CS/CS/SB 686	(CS) 241	CS/SB 1192	(CS) 244
CS/SB 686	(CR) 240	SB 1192	(CR) 239
SB 688	(CR) 238	CS/SB 1214	(CS) 244
CS/SB 714	(CS) 241, (RC) 246	SB 1214	(CR) 239
SB 714	(CR) 239	SJR 1238	(CR) 239
CS/SB 726	(CS) 241	SB 1262	(CR) 238
SB 726	(CR) 239	CS/SB 1288	(CS) 244
SB 738	(CR) 239	SB 1288	(CR) 239
SB 760	(CR) 239	CS/SB 1326	(CS) 244
SB 770	(CR) 238	SB 1326	(CR) 239
SB 778	(CR) 240	CS/SB 1370	(CS) 244
CS/SB 782	(CS) 241	SB 1370	(CR) 239
SB 782	(CR) 239	SB 1404	(CR) 238
SB 806	(CO) 246	CS/SB 1408	(CS) 244
SB 826	(CR) 238	SB 1408	(CR) 239
CS/SB 838	(CS) 242	CS/SB 1426	(CS) 245
SB 838	(CR) 239	SB 1426	(CR) 239
SB 846	(CR) 238	CS/SB 1428	(CS) 245
SB 848	(CR) 239	SB 1428	(CR) 239
CS/SB 856	(CS) 242	SB 1492	(CR) 238

JOURNAL OF THE SENATE

CS/SB 1502	(CS) 245	CS/SB 1532	(CS) 246
SB 1502	(CR) 239	SB 1532	(CR) 239
SB 1512	(CR) 238	CS/SB 1594	(CS) 246
CS/SB 1520	(CS) 245	SB 1594	(CR) 239
SB 1520	(CR) 239	SB 1634	(CR) 238
CS/SB 1526	(CS) 245	SB 1716	(CR) 238
SB 1526	(CR) 239	SR 1910	(FR) 235