



Journal of the Senate

Number 6—Regular Session

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REPORTS OF COMMITTEES

The Committee on Education recommends the following pass: SB 98

The Committee on Environment and Natural Resources recommends the following pass: SB 1262

The Committee on Finance and Tax recommends the following pass: SB 982; SB 996

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 382

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

The Committee on Education recommends the following pass: SB 1282; SB 1656

The bills were referred to the Appropriations Subcommittee on Education under the original reference.

The Committee on Environment and Natural Resources recommends the following pass: SB 1550

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

The Committee on Education recommends the following pass: SB 2012

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

The Committee on Environment and Natural Resources recommends the following pass: SB 904

The Committee on Finance and Tax recommends the following pass: CS for SB 342

The Committee on Judiciary recommends the following pass: SB 534; SB 1498

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

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 1208; SB 1334

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

The Committee on Environment and Natural Resources recommends a committee substitute for the following: SB 1054

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 Health Policy recommends a committee substitute for the following: SB 894

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

The Committee on Environment and Natural Resources recommends a committee substitute for the following: SB 1946

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1014

The Committee on Health Policy recommends a committee substitute for the following: SB 716

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 Appropriations recommends a committee substitute for the following: CS for SB 1040

The Committee on Environment and Natural Resources recommends committee substitutes for the following: SB 912; SB 1018

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

The Committee on Appropriations recommends committee substitutes for the following: SB 100; CS for SB 264

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: CS for SB 838; CS for SB 1166

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations; and Senators Harrell and Taddeo—

CS for SB 100—A bill to be entitled An act relating to highway projects; repealing s. 163.3168(4), F.S., relating to applications for funding for technical assistance relating to areas in and around a proposed multiuse corridor interchange; amending s. 334.044, F.S.; revising the powers and duties of the Department of Transportation relating to the workforce development program; repealing s. 338.2278, F.S., relating to the Multi-use Corridors of Regional Economic Significance Program; amending s. 338.236, F.S.; deleting a requirement for the department to give priority consideration to placement of staging areas in certain counties; amending s. 339.0801, F.S.; requiring that \$35 million transferred to Florida's Turnpike Enterprise be used for a specified purpose beginning in a specified fiscal year and annually for up to 30 years thereafter; conforming provisions to changes made by the act; amending s. 339.0801, F.S.; deleting a requirement for a specified amount of funds to be transferred to Florida's Turnpike Enterprise for a specified purpose; creating s. 339.0803, F.S.; requiring that certain increased revenues be used to fund specified projects beginning in a specified fiscal year and annually thereafter; authorizing such revenues to be used for certain projects; requiring the department to prioritize the use of certain facilities when upgrading arterial highways; providing construction; providing that such funding is in addition to other statutory funding allocations; repealing s. 339.1373, F.S., relating to funding of the Multi-use Corridors of Regional Economic Significance Program; creating s. 339.66, F.S.; providing legislative findings; requiring the department, in coordination with the Florida Turnpike Enterprise, to evaluate certain roadways for development of specific controlled access facilities and to include such projects in the work program; authorizing the department to upgrade roadways with targeted improvements; prohibiting the department from reducing nontolled general use lanes of an existing facility; requiring the department to maintain existing access points; providing for access points for certain property owners; specifying the location of tolling points and requiring a nontolled alternative for local traffic; requiring any new alignments to be established with a specified goal; providing that any tolled facilities are approved turnpike projects and part of the turnpike system; designating a controlled-access portion of a specified roadway a Strategic Intermodal System facility; providing for applicability of certain requirements; requiring the department and Turnpike Enterprise to take into consideration guidance and recommendations of certain studies and reports; requiring certain decisions to be determined in accordance with applicable department rules, policies, and procedures; requiring, to the greatest extent practicable, that roadway alignments, project alignment, and interchange locations be designed as specified; providing for funding sources; providing that project construction is not eligible for funding until completion of 30 percent of the project design phase, with exceptions; authorizing the Division of Bond Finance to issue specified bonds on behalf of the department to finance certain projects; creating s. 339.67, F.S.; requiring the department to develop and include construction of controlled access facilities in the work program of a certain facility; requiring the facility to be developed using existing roadway or portions thereof; requiring the facilities to be developed no later than a specified date to the maximum extent feasible; creating s. 339.68, F.S.; requiring the department to identify and include in the work program projects to increase capacity by widening existing two-lane arterial rural roads to four lanes; providing requirements for roads to be included in work program projects; requiring the department to annually fund at least a specified amount for such projects; providing legislative findings; requiring the department to commence the project development and environmental phase of an extension of the Florida Turnpike; requiring the department to prepare a specified report and to submit the report to the Governor and Legislature by a specified date; providing effective dates.

By the Committees on Appropriations; and Education; and Senator Rodrigues—

CS for CS for SB 264—A bill to be entitled An act relating to higher education; amending s. 1001.03, F.S.; defining terms; requiring the State Board of Education to require each Florida College System in-

stitution to conduct an annual assessment related to intellectual freedom and viewpoint diversity; providing criteria relating to such assessment; requiring the State Board of Education to annually publish such assessments by a specified date; authorizing the State Board of Education to adopt rules; prohibiting the State Board of Education from shielding Florida College System institution students from certain speech; amending s. 1001.706, F.S.; defining terms; requiring the Board of Governors to require each state university to conduct an annual assessment related to intellectual freedom and viewpoint diversity; providing criteria relating to such assessment; requiring the Board of Governors to annually publish such assessments by a specified date; prohibiting the Board of Governors from shielding state university students from certain speech; amending s. 1004.097, F.S.; defining the term "shield"; providing that certain faculty communications are protected expressive activity; prohibiting specified entities from shielding students, faculty, or staff from certain speech; authorizing students at public postsecondary institutions to record video and audio in classrooms for specified purposes; prohibiting the publication of certain video or audio recordings; providing an exception; revising available remedies for certain causes of action to include damages; providing that such damages and specified costs and fees must be paid from nonstate funds; providing a cause of action against a person who publishes certain video or audio recordings; providing a limitation on the amount that can be recovered; amending s. 1004.26, F.S.; providing that state university student governments are subject to all applicable federal and state laws and regulations and the policies of the Board of Governors of the State University System and of the university; providing an effective date.

By the Committee on Health Policy; and Senator Book—

CS for SB 716—A bill to be entitled An act relating to consent for pelvic examinations; amending s. 456.51, F.S.; revising the definition of the term "pelvic examination"; revising the circumstances under which a pelvic examination may be performed without written consent; authorizing written consent for a pelvic examination to be obtained as a part of a general consent form and to allow multiple health care practitioners or students to perform the examination; providing an effective date.

By the Committee on Health Policy; and Senator Diaz—

CS for SB 894—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; revising legislative intent; defining and redefining terms; deleting a limitation on the number of physician assistants a physician may supervise at one time; deleting a provision prohibiting a requirement that a supervising physician review and cosign charts or medical records prepared by a physician assistant under his or her supervision; deleting a requirement that a physician assistant inform his or her patients that they have the right to see a physician before the physician assistant prescribes or dispenses a prescription; authorizing physician assistants to procure drugs and medical devices; providing an exception; conforming provisions to changes made by the act; revising requirements for a certain formulary; authorizing physician assistants to authenticate documents that may be authenticated by a physician; authorizing physician assistants to supervise medical assistants; authorizing third-party payors to reimburse employers of physician assistants for services rendered; providing requirements for such payment for services; authorizing physician assistants to bill for and receive direct payment for services they deliver; revising provisions relating to approved programs for physician assistants; revising provisions relating to physician assistant licensure requirements; amending ss. 382.008, 394.463, and 401.45, F.S.; conforming provisions relating to certificates of death, certificates for involuntary examinations, and orders not to resuscitate, respectively, to changes made by the act; providing an effective date.

By the Committee on Environment and Natural Resources; and Senator Albritton—

CS for SB 912—A bill to be entitled An act relating to the tolling and extension of permits and other authorizations during states of emergency; amending s. 252.363, F.S.; adding consumptive use permits issued under part II of ch. 373, F.S., and specified development permits and development agreements to the list of permits and other authorizations that are tolled and extended during a state of emergency de-

clared by the Governor for a natural emergency; providing for retroactive application; providing an effective date.

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

CS for SB 1014—A bill to be entitled An act relating to employee organizations; amending s. 1012.2315, F.S.; revising the information that employee organizations that have been certified as the bargaining agent for a unit of instructional personnel must report in applications for renewal of registration; requiring certain employee organizations to petition the Public Employees Relations Commission for recertification; authorizing the commission to conduct an investigation to confirm the validity of certain information; authorizing the commission to require an employee organization to submit certain information as part of such investigation; providing for the revocation of an employee organization's certification if it fails to meet certain requirements; requiring the commission to adopt rules; prohibiting an employee organization from having its dues and uniform assessments deducted and collected by a district school board; requiring certain instructional personnel to sign and submit a specified form to the employee organization by a certain date and annually thereafter before the employee organization may collect dues or uniform assessments for the upcoming school year; creating s. 1012.8552, F.S.; requiring an employee organization certified as the bargaining agent for a unit of Florida College System institution instructional personnel to include specified information and documentation in an application for registration renewal; providing that certain applications are incomplete; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification; authorizing a Florida College System institution to challenge an employee organization's application; requiring the commission to review a challenged application and revoke an employee organization's registration and certification in certain circumstances; creating s. 1012.916, F.S.; requiring an employee organization certified as the bargaining agent for a unit of State University System institution instructional personnel to include specified information and documentation in an application for registration renewal; providing that certain applications are incomplete; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification; authorizing a State University System institution to challenge an employee organization's application; requiring the commission to review a challenged application and revoke an employee organization's registration and certification in certain circumstances; providing an effective date.

By the Committee on Environment and Natural Resources; and Senators Boyd and Perry—

CS for SB 1018—A bill to be entitled An act relating to the sale of aquaculture products; amending s. 597.004, F.S.; authorizing certified aquaculture producers and certain licensed dealers to sell Florida largemouth bass without restriction under certain circumstances; making technical changes; providing an effective date.

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senator Brodeur—

CS for 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. 376.84, F.S.; conforming a provision to changes made by the act; 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 by executive order; amending s. 775.083, F.S.; conforming a provision to changes made by the act; amending s. 812.171, F.S.; revising a definition; amending ss. 812.173, 812.174, 812.175, and 812.176, F.S.; revising provisions to require that the Division of Alcoholic Beverages and Tobacco, instead of the Attorney General, regulate convenience businesses; amending chapter 2019-127, Laws of Florida; extending the timeframe for the Attorney General to access 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; providing an effective date.

By the Committee on Environment and Natural Resources; and Senator Broxson—

CS for SB 1054—A bill to be entitled An act relating to soil and groundwater contamination; creating s. 376.91, F.S.; defining terms; requiring the Department of Environmental Protection to adopt statewide rules for cleanup target levels for PFAS in soils and groundwater; prohibiting such rules from taking effect until ratified by the Legislature; providing that certain parties may not be subjected to administrative or judicial action under certain circumstances; providing that certain statutes of limitations are tolled until a specified time; providing construction; requiring the Office of Program Policy Analysis and Government Accountability to conduct an analysis and submit a report to the Governor and the Legislature by a specified date; providing a directive to the Division of Law Revision; providing an effective date.

By the Committees on Finance and Tax; and Community Affairs; and Senators Rodriguez, Burgess, Gruters, and Polsky—

CS for CS for SB 1208—A bill to be entitled An act relating to the Resiliency Energy Environment Florida (REEF) program; amending s. 163.08, F.S.; revising legislative findings; defining and redefining terms; specifying that a property owner may apply to a REEF program for certain purposes; providing that costs incurred by the REEF program may be collected as a non-ad valorem assessment; authorizing a local government to enter into agreements with program administrators and to incur debt; authorizing a local government to enter into an assessment financing agreement only with the record owner of the affected property; revising the items a local government or a program administrator must reasonably determine before entering into an assessment financing agreement; requiring a qualifying improvement to be affixed or plan to be affixed to specified properties before final funding; authorizing an assessment financing agreement to cover qualifying improvements on real properties under new construction; revising the written disclosure statement required to be given by sellers to prospective purchasers when executing a contract for the sale and purchase of certain properties; requiring a program administrator to make specified determinations about a property owner's ability to pay the annual assessment; specifying information a program administrator must provide to the residential real property owner or an authorized representative before entering into an assessment financing agreement; specifying a timeframe within which a residential real property owner may cancel an assessment financing agreement; prohibiting the term of an assessment financing agreement from exceeding specified timeframes; prohibiting a program administrator from offering specified types of financing for residential real properties; prohibiting a program administrator from enrolling certain contractors unless certain conditions are met; providing requirements that must be met before a program administrator may disburse funds; specifying marketing and communications guidelines that program administrators and contractors must comply with when communicating with residential real property owners; prohibiting a contractor from engaging in certain practices regarding pricing of qualifying improvements on residential real properties; specifying requirements for government leased prop-

erty; providing exemptions for residential real property that meets certain conditions; providing an effective date.

By the Committee on Finance and Tax; and Senator Boyd—

CS for SB 1334—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.08, F.S.; providing that modifications of original documents for certain purposes are not renewals and are not subject to document excise taxes; providing an effective date.

By the Committee on Environment and Natural Resources; and Senators Polsky and Bean—

CS for SB 1946—A bill to be entitled An act relating to anchoring limitation areas; amending s. 327.4108, F.S.; authorizing counties to establish anchoring limitation areas that meet certain requirements; providing that specified established anchoring limitation areas are exempt from specified provisions; specifying size requirements for the anchoring limitation areas; requiring the anchoring limitation areas to be marked with signs and buoys that meet certain requirements; prohibiting vessels from anchoring in such areas for longer than a specified time; requiring vessel owners or operators in certain anchoring limitation areas to be allowed to provide specified proof of compliance with certain provisions; providing that vessels with repeat offenses within a specified timeframe shall be declared public nuisances and subject to certain provisions; requiring the Fish and Wildlife Conservation Commission to initiate rulemaking by a certain date; providing requirements for such rulemaking; removing applicability provisions relating to the commission's recommendations; reenacting s. 327.73(1)(z), F.S., relating to noncriminal infractions, to incorporate the amendment made to s. 327.4108, F.S., in a reference thereto; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Governmental Oversight and Accountability; and Senators Bracy and Stewart—

CS for SB 490—A bill to be entitled An act relating to Juneteenth Day; amending s. 683.01, F.S.; designating Juneteenth Day as a legal holiday; repealing s. 683.21, F.S., relating to Juneteenth Day; deleting provisions designating Juneteenth Day as a special observance, to conform to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

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

CS for SB 1014—A bill to be entitled An act relating to employee organizations; amending s. 1012.2315, F.S.; revising the information that employee organizations that have been certified as the bargaining agent for a unit of instructional personnel must report in applications for renewal of registration; requiring certain employee organizations to petition the Public Employees Relations Commission for recertification; authorizing the commission to conduct an investigation to confirm the validity of certain information; authorizing the commission to require an employee organization to submit certain information as part of such investigation; providing for the revocation of an employee organization's certification if it fails to meet certain requirements; requiring the commission to adopt rules; prohibiting an employee organization from having its dues and uniform assessments deducted and collected by a district school board; requiring certain instructional personnel to sign and submit a specified form to the employee organization by a certain date and annually thereafter before the employee organization may collect dues or uniform assessments for the upcoming school year; creating s. 1012.8552, F.S.; requiring an employee organization certified as the bargaining agent for a unit of Florida College System institution instructional personnel to include specified information and documentation in an application for registration renewal; providing that certain applications are incomplete; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification; authorizing a Florida College System institution to challenge an employee organization's application;

requiring the commission to review a challenged application and revoke an employee organization's registration and certification in certain circumstances; creating s. 1012.916, F.S.; requiring an employee organization certified as the bargaining agent for a unit of State University System institution instructional personnel to include specified information and documentation in an application for registration renewal; providing that certain applications are incomplete; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification; authorizing a State University System institution to challenge an employee organization's application; requiring the commission to review a challenged application and revoke an employee organization's registration and certification in certain circumstances; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Agriculture; and Senator Rouson—

CS for SB 1768—A bill to be entitled An act relating to agriculture and nutrition; amending s. 287.082, F.S.; conforming provisions to changes made by the act; creating s. 287.0823, F.S.; declaring that it is a state goal that by a specified date, a percentage of food commodities purchased by state agencies, Florida College System institutions, and state universities will be grown or produced in this state; requiring such agencies, institutions, and universities to give preference to food commodities grown or produced in this state in certain purchasing agreements, state term contracts, or contracts for the purchase of food commodities; providing conditions for such preference; defining the term "food commodities"; requiring certain of such agencies, institutions, and universities to cooperate with the Department of Management Services in establishing a reporting system; requiring such agencies, institutions, and universities to report compliance to the Governor, Cabinet, and Legislature by a specified date each year; specifying report requirements; amending s. 595.405, F.S.; providing sponsor reimbursements for certain school breakfast meals; requiring certain schools to implement a program for special assistance certification and reimbursement alternatives to provide universal free school breakfast and lunch meals; providing an exception; requiring sponsors or designated sponsor entities to consider certain public testimony before declining to implement the program; directing the Department of Education to use specified data and methodologies to establish income levels for schools implementing the program; requiring a specified multiplier to be applied when using certain data; creating s. 595.421, F.S.; establishing the Agricultural Surplus Purchase Program within the Department of Agriculture and Consumer Services for a specified purpose; authorizing the department to consult with specified entities; directing the department to purchase, donate, and distribute certain agricultural commodities to specified organizations and communities and to adopt specified rules; creating s. 595.422, F.S.; establishing the Local Food Pantry Infrastructure Assistance Grant Program within the department for a specified purpose; defining the term "food pantry"; requiring the department to adopt specified rules and to promote and market the program; creating s. 595.802, F.S.; establishing the Healthy Food Access Pilot Program within the department for a specified purpose; requiring the department to adopt rules; authorizing the department to enter into agreements with third-party vendors; requiring the department to submit an annual report to the Governor and Legislature; providing that the program is repealed by a specified date unless reenacted by the Legislature; providing appropriations; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Judiciary Committee and Representative(s) McClure, Bell, Buchanan, Caruso, DiCeglie, Fischer, Giallombardo, Gregory, Killebrew, Maggard, Overdorf, Roach, Smith, D., Snyder—

CS for HB 7—A bill to be entitled An act relating to civil liability for damages relating to COVID-19; creating s. 768.38, F.S.; providing legislative findings and intent; providing definitions; providing requirements for a civil action based on a COVID-19-related claim; providing that the plaintiff has the burden of proof in such action; providing a statute of limitations; providing severability; providing retroactive applicability; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 9 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Judiciary Committee and Representative(s) Zika, Bell, Bush, Casello, Fabricio, Giallombardo, Grieco, Hunschofsky, Maggard, McClain, Sirois, Smith, D., Snyder, Tant, Trabulsky, Woodson—

CS for HB 9—A bill to be entitled An act relating to protecting consumers against pandemic-related fraud; creating s. 817.418, F.S.; defining the term "personal protective equipment"; prohibiting dissemination of false or misleading information relating to personal protective equipment under certain circumstances with specified intent; providing criminal penalties; authorizing a state attorney or the statewide prosecutor to prosecute a violation; authorizing the Attorney General to seek civil remedies; creating s. 817.504, F.S.; prohibiting dissemination of false or misleading vaccine information under certain circumstances with specified intent; providing criminal penalties; authorizing a state attorney or the statewide prosecutor to prosecute a violation; authorizing the Attorney General to seek civil remedies; amending s. 921.0022, F.S.; ranking offenses created by the act on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was referred to the Committee on Rules.

CO-INTRODUCERS

Senators Book—SB 942; Cruz—SB 724; Gruters—SM 1630; Mayfield—CS for SB 416; Perry—SB 760, SB 1018; Taddeo—SB 1906; Torres—CS for SB 634

JOURNAL OF THE SENATE

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