



# Journal of the Senate

Number 13—Regular Session

Thursday, April 15, 2021

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## CALL TO ORDER

The Senate was called to order by President Simpson at 3:00 p.m. A quorum present—38:

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

Excused: Senator Ausley until 3:15 p.m.

## PRAYER

The following prayer was offered in song by Senator Baxley:

Our Father, who art in heaven,  
 hallowed be thy name.  
 Thy kingdom come,  
 Thy will be done,  
 on earth as it is in heaven.  
 Give us this day our daily bread.  
 And forgive us our debts,  
 as we forgive our debtors.  
 And lead us not into temptation,  
 but deliver us from evil.  
 For thine is the kingdom,  
 and the power, and the glory,  
 forever. Amen.

## PLEDGE

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

## DOCTOR OF THE DAY

The President recognized Dr. Frederic Guerrier of St. Petersburg Beach, sponsored by Senator Rouson, as the doctor of the day. Dr. Guerrier specializes in family medicine.

## BILLS ON THIRD READING

**CS for HB 1**—A bill to be entitled An act relating to combating public disorder; amending s. 166.241, F.S.; authorizing specified elected officials to file an appeal to the Administration Commission if the governing body of a municipality makes a specified reduction to the operating budget of the municipal law enforcement agency; requiring the petition to contain specified information; requiring the Executive Office of the Governor to conduct a budget hearing considering the matter and make findings and recommendations to the Administration Commission; requiring the commission to approve, amend, or modify the municipality's budget; amending s. 316.2045, F.S.; revising the prohibition on obstructing traffic by standing on the street, highway, or road; deleting provisions concerning charitable solicitations; amending s. 768.28, F.S.; providing that a municipality has a duty to allow the municipal law enforcement agency to respond to a riot or unlawful assembly in a specified manner based on specified circumstances; providing a municipality is civilly liable for specified damages proximately caused by the municipality's specified breach of such duty; amending s. 784.011, F.S.; reclassifying the penalty for an assault committed in furtherance of a riot or an aggravated riot; amending s. 784.021, F.S.; increasing the offense severity ranking of an aggravated assault for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 784.03, F.S.; reclassifying the penalty for a battery committed in furtherance of a riot or an aggravated riot; amending s. 784.045, F.S.; increasing the offense severity ranking of an aggravated battery for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; creating s. 784.0495, F.S.; prohibiting specified assemblies from using or threatening to use imminent force against another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint under certain circumstances; providing a penalty; requiring a person arrested for a violation to be held in custody until first appearance; amending s. 784.07, F.S.; requiring a minimum term of imprisonment for a person convicted of battery on a law enforcement officer committed in furtherance of a riot or an aggravated riot; increasing the offense severity ranking of an assault or battery against specified persons for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 806.13, F.S.; prohibiting defacing, injuring, or damaging a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; creating s. 806.135, F.S.; defining the terms "historic property" and "memorial"; prohibiting a person from destroying or demolishing a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; amending s. 810.02, F.S.; reclassifying specified burglary offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a person arrested for such a violation to be held in custody until first appearance; amending s. 812.014, F.S.; reclassifying specified theft offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a person arrested for such a violation to be held in custody until first appearance; creating s. 836.115, F.S.; providing definitions; prohibiting cyberintimidation by publication; providing criminal penalties; amending s. 870.01, F.S.; prohibiting a person from fighting in a public place; prohibiting a person from willfully participating in a specified violent public disturbance resulting in specified damage or injury; providing an increased penalty for rioting under specified circumstances; prohibiting a person from inciting a riot; providing an increased penalty for inciting a riot under specified circumstances; providing definitions; requiring a person arrested for such

a violation to be held in custody until first appearance; providing an exception; amending s. 870.02, F.S.; requiring a person arrested for an unlawful assembly to be held in custody until first appearance; repealing s. 870.03, F.S.; relating to riots or routs; creating s. 870.07, F.S.; creating an affirmative defense to a civil action where the plaintiff participated in a riot; amending s. 872.02, F.S.; increasing the offense severity ranking of specified offenses involving graves and tombs for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; ranking offenses created by the act on the offense severity ranking chart; providing an effective date.

—was read the third time by title.

#### SENATOR BEAN PRESIDING

#### THE PRESIDENT PRESIDING

On motion by Senator Burgess, **CS for HB 1** was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Burgess	Mayfield
Albritton	Diaz	Passidomo
Baxley	Gainer	Perry
Bean	Garcia	Rodriguez
Boyd	Gruters	Rodriguez
Bradley	Harrell	Stargel
Brodeur	Hooper	Wright
Broxson	Hutson	

Nays—17

Ausley	Farmer	Rouson
Berman	Gibson	Stewart
Book	Jones	Taddeo
Bracy	Pizzo	Thurston
Brandes	Polsky	Torres
Cruz	Powell	

**CS for CS for SB 1890**—A bill to be entitled An act relating to campaign financing; amending s. 106.08, F.S.; providing a limitation on contributions made to political committees sponsoring or opposing a constitutional amendment proposed by initiative; specifying conditions upon which the limitation no longer applies; preempting counties, municipalities, and other local governmental entities from enacting or adopting any limitation or restriction involving certain contributions and expenditures, or establishing contribution limits different than those established in the Florida Election Code; providing applicability; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing that any candidate required to dispose surplus funds may give certain surplus funds to the state or a political subdivision, to be disbursed in a specified manner; providing an effective date.

—was read the third time by title.

On motion by Senator Rodrigues, **CS for CS for SB 1890** was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Burgess	Mayfield
Albritton	Diaz	Passidomo
Baxley	Gainer	Perry
Bean	Garcia	Rodriguez
Boyd	Gruters	Rodriguez
Bradley	Harrell	Stargel
Brodeur	Hooper	Wright
Broxson	Hutson	

Nays—17

Ausley	Farmer	Rouson
Berman	Gibson	Stewart
Book	Jones	Taddeo
Bracy	Pizzo	Thurston
Brandes	Polsky	Torres
Cruz	Powell	

#### MOTIONS

On motion by Senator Passidomo, the rules were waived and time of adjournment was extended until 7:00 p.m.

#### SPECIAL ORDER CALENDAR

Consideration of **SB 998** and **CS for SB 968** was deferred.

**SB 1634**—A bill to be entitled An act relating to public records; creating s. 597.0042, F.S.; providing a public records exemption for certain aquaculture records held by the Department of Agriculture and Consumer Services; providing that the records may be disclosed to other governmental entities under certain circumstances; providing for retroactive application of the exemption; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **SB 1634** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Consideration of **CS for SB 1048** and **CS for CS for SB 1868** was deferred.

#### MOTIONS

On motion by Senator Passidomo, by two-thirds vote, all bills passed this day were ordered immediately certified to the House.

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

#### SPECIAL RECOGNITION

Senator Mayfield announced the birth of her first grandchild born today. Her son, Samuel Mayfield, and his wife, Carolina, welcomed a boy weighing 9 pounds and measuring 20 1/4 inches in length.

**REPORTS OF COMMITTEES**

The Committee on Appropriations recommends the following pass:  
CS for SB 506; SB 1324; CS for SB 1326; CS for SB 1408

**The bills were referred to the Committee on Rules under the original reference.**

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 14 was corrected and approved.

**CO-INTRODUCERS**

Senators Bracy—CS for SB 1948; Hooper—CS for SB 838; Pizzo—CS for SB 1948; Thurston—SB 370

**ADJOURNMENT**

On motion by Senator Passidomo, the Senate adjourned at 5:55 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 21 or upon call of the President.

**JOURNAL OF THE SENATE**

**Daily Numeric Index for**

**April 15, 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

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