



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Simpson at 10:00 a.m. A quorum present—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	

## PRAYER

The following prayer was offered by the Reverend Jonathan M. Craig, Ministry to State, Tallahassee:

Heavenly Father, as we begin this morning, we do so with praise, for you, Lord, are God and not we ourselves. You alone are worthy of all praise and all glory and all honor and all power.

Be pleased today to bless these your servants, their staffs, and their families in the work to which you have called them. In the quiet moments of solitude when the weightiness of our callings rests heavy upon us, bless us with the knowledge of your loving presence and encourage us by the power of your Holy Spirit.

In moments of temptation, bless us with deliverance and should we succumb, bless us with humble and contrite hearts burdened by our sin. Remind us that we have an advocate with you and that if we confess our sins, you are faithful and just to forgive us our sins and to cleanse us from all unrighteousness. In our moments of triumph, bless us with joyful hearts which rejoice in you and which give you the glory for the great things you have done. In your holy name, we pray. Amen.

## PLEDGE

Senator Brandes 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 Baxley—

By Senator Baxley—

**SR 1572**—A resolution encouraging Floridians to consider opening their hearts and homes to children in this state who are in need of a loving family, and recognizing November 2021 as “Florida Adoption Month.”

WHEREAS, it is paramount that Florida’s children and families have the opportunities necessary to reach their full potential and lead healthy lives, and

WHEREAS, all children deserve a loving, supportive, nurturing, and permanent family of their own, and

WHEREAS, adoption is an opportunity to change the life of a child and the families that might adopt them while making an impact on local communities, and

WHEREAS, anyone with the ability to love and provide for a child and to make a lifelong commitment can be an adoptive parent, and

WHEREAS, 4,548 Florida children found permanent homes through adoption during the 2019-2020 state fiscal year, and

WHEREAS, approximately 800 Florida children, including teenagers, sibling groups, and children with special medical needs, are available for adoption and have no identified adoptive family, and

WHEREAS, First Lady Casey DeSantis, as chair of the Florida Children and Youth Cabinet and through her “Hope for Healing Florida” program, is working alongside state agencies to improve the health, safety, economic stability, and quality of life of Florida’s children, and

WHEREAS, the Governor’s Office of Adoption and Child Protection, the Florida Department of Children and Families, community-based care lead agencies, the Florida Association of Heart Galleries, state and local agencies, and child advocacy organizations join together each November to raise awareness of foster care adoptions in Florida, and

WHEREAS, this year, Florida will celebrate National Adoption Month and Florida Adoption Month with its 30 Days of Amazing Children campaign on the Explore Adoption website, [www.adoptflorida.org](http://www.adoptflorida.org), and

WHEREAS, families and children across this state and nation will celebrate adoption on November 20, 2021, National Adoption Day, while also remembering the children who are still in need of a loving, permanent family of their own, NOW, THEREFORE,

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

That Floridians are encouraged to consider opening their hearts and homes to children in this state who are in need of a loving family, and that November 2021 is recognized as “Florida Adoption Month.”

—was introduced, read, and adopted by publication.

At the request of Senator Rodriguez—

By Senator Rodriguez—

**SR 2014**—A resolution recognizing the week of May 2-8, 2021, as “Tardive Dyskinesia Awareness Week” in Florida and encouraging all Floridians to become better informed about tardive dyskinesia.

WHEREAS, many people with serious, chronic mental illness, such as schizophrenia and other schizoaffective disorders, bipolar disorder, or severe depression, require treatment with medications that work as dopamine receptor blocking agents (DRBAs), including antipsychotics, and

WHEREAS, many people who have gastrointestinal disorders, including gastroparesis, nausea, and vomiting, also require treatment with DRBAs, and

WHEREAS, while ongoing treatment with these medications can be very helpful, and even lifesaving, for many people, it also can lead to tardive dyskinesia (TD), a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, torso, and extremities, and

WHEREAS, TD commonly manifests through movement of the arms, legs, fingers, or toes and, in some cases, may affect the tongue, lips, and jaw, and

WHEREAS, other symptoms of TD include involuntary swaying of the torso or hips and involuntary movement of the muscles associated with walking, speech, eating, and breathing, and

WHEREAS, TD can develop months, years, or decades after a person starts taking DRBAs and even after discontinuing the use of those medications, and, while not everyone who takes a DRBA develops TD, those who do often find the aftereffects are permanent, and

WHEREAS, common risk factors for TD include advanced age and alcoholism or other substance abuse disorders, and postmenopausal women and people with mood disorders also are at higher risk of developing TD, and

WHEREAS, a person’s risk for TD increases after taking DRBAs for just 3 months, and the longer the person takes these medications, the higher his or her risk, and

WHEREAS, it is estimated that more than 500,000 people in the United States suffer from TD, and the National Alliance for Mental Illness estimates that one in every four patients receiving long-term treatment with an antipsychotic medication will experience TD, and

WHEREAS, TD is often unrecognized, and patients suffering from the illness are commonly misdiagnosed, and

WHEREAS, patients suffering from TD often suffer embarrassment due to their abnormal and involuntary movements, which leads them to withdraw from society and increasingly isolate themselves as the disease progresses, and

WHEREAS, caregivers of patients with TD face many challenges and are often responsible for their overall care, and

WHEREAS, years of research have resulted in recent scientific breakthroughs, with two new TD treatments approved by the United States Food and Drug Administration, and

WHEREAS, the American Psychiatric Association recommends regular screening for TD in patients taking DRBAs, NOW, THEREFORE,

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

That the week of May 2-8, 2021, is recognized as “Tardive Dyskinesia Awareness Week” in Florida and that all Floridians are encouraged to become better informed about tardive dyskinesia.

—was introduced, read, and adopted by publication.

At the request of Senator Cruz—

By Senator Cruz—

**SR 2050**—A resolution recognizing May 2021 as “Osteoporosis Awareness Month” in Florida.

WHEREAS, one in two women and one in four men in the United States who are 50 years of age or older will fracture a bone due to osteoporosis in their lifetimes, and

WHEREAS, approximately 4.7 million women who are 50 years of age or older live in this state, and

WHEREAS, a woman’s risk of fracturing a hip is equal to her combined risk of being diagnosed with breast, uterine, and ovarian cancer, and

WHEREAS, bone fractures due to osteoporosis can have serious long-term consequences, and

WHEREAS, after the first bone fracture, postmenopausal women with osteoporosis are five times more likely to fracture a bone within the next year, and

WHEREAS, persons who are living with osteoporosis often remain undiagnosed and untreated, and

WHEREAS, since lost bone cannot be replaced, treatment for osteoporosis typically focuses on preventing any further bone loss, NOW, THEREFORE,

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

That May 2021 is recognized as “Osteoporosis Awareness Month” in Florida to increase awareness, screening, and prevention and provide educational resources to inform and empower women to take charge of their bone health.

—was introduced, read, and adopted by publication.

#### MOMENT OF SILENCE

Senator Ausley offered a recognition of the passing of former Secretary of the Florida Senate Joe Brown, who passed away on April 16, 2021. In 1974, Joe Brown became the 40th Secretary of the Senate. His distinguished service spanned 22 years until his retirement in 1996. Joe met his wife of 25 years, Rebecca, during his tenure in the Senate. He and Becky exchanged their wedding vows in the Senate Chamber, being the very first couple to do so. He was born in Columbus, Georgia, but lived the majority of his life in Liberty County. He graduated from Liberty County High School in 1950. After graduation, Joe served his country in the United States Air Force during the Korean War. After the war, he continued to serve as a member of the United States Coast Guard Reserve. When he returned to the U.S., he attended the University of Florida and graduated in 1958 with a B.S. in Journalism. In 1973, Joe earned a graduate certificate in Public Administration and Executive Management from Florida State University. After he retired from the Florida Senate, Joe continued serving his community and state through his work and affiliations with a number of organizations. He was a member of the University of Florida Alumni Association and an advisor for Boys State and Girls State. Joe Brown is survived by his wife, five children, six grandchildren, two great-grandchildren, brother, and two sisters. His hobbies included hunting, fishing, and cooking for his family.

At the request of Senator Ausley, the Senate observed a moment of silence in memory of Joe Brown.

#### SPECIAL ORDER CALENDAR

**SB 998**—A bill to be entitled An act relating to contractor advertising; amending s. 489.521, F.S.; providing that alarm system contractors are not required to state their certification and registration numbers in or on certain advertisements if the contractor maintains an Internet website that displays such information and the advertisement directs consumers to the website; amending s. 553.7921, F.S.; authorizing a

contractor to begin repairing certain fire alarm systems after filing an application for a required permit but before receiving the permit; prohibiting such repaired fire alarm systems from being considered compliant until certain requirements are met; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 998**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 823** was withdrawn from the Committee on Rules.

On motion by Senator Brodeur—

**CS for HB 823**—A bill to be entitled An act relating to alarm system contractors; amending s. 489.521, F.S.; providing that advertisements for alarm system contracting do not have to include the contractor’s registration or certification number under certain circumstances; amending s. 553.7921, F.S.; authorizing a contractor to begin repairing a specified fire alarm system under certain conditions; providing that a repaired fire alarm system is not compliant with applicable codes and standards until certain conditions are met; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 998** and read the second time by title.

On motion by Senator Brodeur, by two-thirds vote, **CS for HB 823** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Harrell

**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.

—was read the second time by title.

Senator Bean moved the following amendment which was adopted:

**Amendment 1 (704292)**—Delete lines 40-51 and insert:

*Constitution for a reasonable period of time during an active, ongoing, and good faith investigation of a claim of actual innocence in a case that previously resulted in the conviction of the accused person and until the claim is no longer capable of further investigation. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that conviction integrity unit reinvestigation information be made exempt*

*from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution for a reasonable period of time*

On motion by Senator Bean, by two-thirds vote, **CS for SB 1048**, as amended, was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Gruters

**CS for CS for SB 1868**—A bill to be entitled An act relating to privileged communications made to crime stoppers organizations; amending s. 16.557, F.S.; prohibiting a person from knowingly and willfully attempting to obtain, obtaining, or disclosing a privileged communication or protected information; providing a penalty; providing an exemption from criminal liability for employees, board members, or volunteers of a crime stoppers organization in certain circumstances; providing immunity from civil liability for certain actions by specified persons concerning privileged communications; limiting the uses of privileged communications or evidence of such communications; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1868**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 363** was withdrawn from the Committee on Rules.

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

**CS for HB 363**—A bill to be entitled An act relating to privileged communications made to crime stoppers organizations; amending s. 16.557, F.S.; prohibiting a person from knowingly and willfully attempting to obtain, obtaining, or disclosing a privileged communication or protected information; providing a penalty; providing an exemption from criminal liability for employees, board members, or volunteers of a crime stoppers organization in certain circumstances; providing immunity from civil liability for certain actions by specified persons concerning privileged communications; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1868** and read the second time by title.

On motion by Senator Bean, by two-thirds vote, **CS for HB 363** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Berman	Brandes
Albritton	Book	Brodeur
Ausley	Boyd	Broxson
Baxley	Bracy	Burgess
Bean	Bradley	Cruz

Diaz	Jones	Rouson
Farmer	Mayfield	Stargel
Gainer	Passidomo	Stewart
Garcia	Perry	Taddeo
Gibson	Pizzo	Thurston
Gruters	Polsky	Torres
Harrell	Powell	Wright
Hooper	Rodrigues	
Hutson	Rodriguez	

Nays—None

**SB 794**—A bill to be entitled An act relating to independent living services; amending s. 413.395, F.S.; removing a provision requiring the Florida Independent Living Council to assist the Division of Blind Services of the Department of Education; revising the membership of the council; revising the council's duties and responsibilities; authorizing the council to conduct certain activities as described in the state plan for independent living; requiring the council to coordinate with centers for independent living; prohibiting the council from engaging in certain activities; requiring the council to comply with state and federal laws and regulations relating to lobbying; amending s. 413.4021, F.S.; increasing the percentage of certain revenues used to administer the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program; providing an effective date.

—was read the second time by title. On motion by Senator Bean, by two-thirds vote, **SB 794** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for SB 968**—A bill to be entitled An act relating to public records; amending s. 288.075, F.S.; providing an exemption from public records requirements for certain information held by an economic development agency; providing that such information may be released in an aggregated and anonymized format; 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.

Pending further consideration of **CS for SB 968**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 379** was withdrawn from the Committee on Rules.

On motion by Senator Gainer—

**CS for HB 379**—A bill to be entitled An act relating to public records; amending s. 288.075, F.S.; providing an exemption from public records requirements for certain information held by an economic development agency; providing that such information may be released in an aggregated and anonymized format; providing for future legislative review

and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 968** and read the second time by title.

Senator Gainer moved the following amendment which was adopted:

**Amendment 1 (927352)**—Delete lines 23-42 and insert:

1. *Tax returns.*
2. *Financial information.*
3. *Credit history information, credit reports, and credit scores.*

(b) *This subsection does not prohibit the disclosure of information held by an economic development agency pursuant to its administration of a small business loan program in an aggregated and anonymized format.*

(c) *This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that tax returns; financial information; and credit history information, credit reports, and*

On motion by Senator Gainer, by two-thirds vote, **CS for HB 379**, as amended, 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—39

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

Nays—1

Berman

#### SENATOR BEAN PRESIDING

Consideration of **SB 1456** was deferred.

**CS for SB 7060**—A bill to be entitled An act relating to ratification of Department of Environmental Protection rules; ratifying specified rules relating to biosolids management for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding any specified thresholds for likely adverse impact or increase in regulatory costs; exempting the rules from certain review and approval by the Environmental Regulation Commission; providing applicability; providing construction; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7060**, pursuant to Rule 3.11(3), there being no objection, **HB 1309** was withdrawn from the Committee on Appropriations.

On motion by Senator Brodeur—

**HB 1309**—A bill to be entitled An act relating to ratification of Department of Environmental Protection rules; ratifying specified rules relating to biosolids for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; exempting the rules from certain review and approval by the Environmental Regulation Commission; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 7060** and read the second time by title.

Senator Brodeur moved the following amendment which was adopted:

**Amendment 1 (546548) (with title amendment)**—Between lines 50 and 51 insert:

Section 2. (1) *The following rule is ratified for the sole and exclusive purpose of satisfying any condition on effectiveness imposed under s. 120.541(3), Florida Statutes: Rules 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, and 62-41.305, Florida Administrative Code, titled “Central Florida Water Initiative Area,” as published on November 19, 2020, in the Florida Administrative Register, Vol. 46, No. 226, pages 5019-5025; February 9, 2021, in the Florida Administrative Register, Vol. 47, No. 26, pages 733-734; and March 26, 2021, in the Florida Administrative Register, Vol. 47, No. 59, pages 1506-1507.*

(2) *This section serves no other purpose and shall not be codified in the Florida Statutes. After this act becomes a law, its enactment and effective dates shall be noted in the Florida Administrative Code or the Florida Administrative Register, or both, as appropriate. This section does not constitute legislative preemption of or exception to any provision of law governing adoption or enforcement of the rule cited, and is intended to preserve the status of any cited rule as a rule under chapter 120, Florida Statutes. This section does not cure any rulemaking defect or preempt any challenge based on a violation of the legal requirements governing the adoption of any rule cited.*

Section 3. Paragraph (d) of subsection (2) of section 373.0465, Florida Statutes, is amended to read:

373.0465 Central Florida Water Initiative.—

(2)

(d) The department, in consultation with the St. Johns River Water Management District, the South Florida Water Management District, the Southwest Florida Water Management District, and the Department of Agriculture and Consumer Services, shall adopt uniform rules for application within the Central Florida Water Initiative Area that include:

1. A single, uniform definition of the term “harmful to the water resources” consistent with the term’s usage in s. 373.219;
2. A single method for calculating residential per capita water use;
3. A single process for permit reviews;
4. A single, consistent process, as appropriate, to set minimum flows and minimum water levels and water reservations;
5. A goal for residential per capita water use for each consumptive use permit; ~~and~~
6. An annual conservation goal for each consumptive use permit consistent with the regional water supply plan;
7. *A drought allocation for supplemental irrigation for agricultural uses which is based on a 2-in-10-year rainfall condition or, if the applicant so requests, is based on a 5-in-10-year rainfall condition alone or combined with the 2-in-10-year condition. The applicable water management district may also condition, for information only purposes,*

*consumptive use permits to advise permittees that their annual use of water should be less than the drought allocation in all years except for the drought condition that is the basis for the allocation or a more severe drought; and*

8. *A process for the applicable water management district to annually examine an agricultural user’s 5-year moving average supplemental irrigation water use against the annual supplemental irrigation needs in the 5-in-10-year rainfall condition beginning no earlier than 5 years following the effective date of the rules adopted under this section. If this annual examination indicates that the agricultural user’s 5-year moving average use exceeds that needed in such rainfall condition for reasons other than prolonged periods of below average rainfall, the water management district may modify the agricultural user’s permit to include an annual supplemental irrigation allocation based on both the amount of supplemental irrigation required during a 2-in-10-year rainfall condition and the amount of supplemental irrigation required during a 5-in-10-year rainfall condition as provided in rules adopted pursuant to this section. In such case, the supplemental irrigation allocation based on the 5-in-10-year rainfall condition shall be valid for only 5 years unless the agricultural user’s 5-year moving average use continues to exceed the amount of supplemental irrigation needed during a 5-in-10-year rainfall condition for reasons other than prolonged periods of drought.*

*Subparagraphs 7. and 8. may not be construed to limit the ability of the department or a water management district to establish different supplemental irrigation requirements as part of an existing or future recovery or prevention strategy adopted pursuant to s. 373.0363, s. 373.042, or s. 373.0421. The uniform rules must include existing recovery strategies within the Central Florida Water Initiative Area adopted before July 1, 2016. The department may grant variances to the uniform rules if there are unique circumstances or hydrogeological factors that make application of the uniform rules unrealistic or impractical.*

Section 4. Section 373.0466, Florida Statutes, is created to read:

373.0466 *Central Florida Water Initiative Grant Program.*—*Subject to appropriation, a grant program for the Central Florida Water Initiative is established within the Department of Environmental Protection.*

(1) *The department, in cooperation with the relevant water management districts, shall provide grants for projects that benefit the Central Florida Water Initiative Area and that promote alternative water supplies and protect groundwater resources.*

(2) *In allocating such funds, priority must be given to projects that use reclaimed water, create new surface water storage, enhance natural systems, recharge groundwater, optimize beneficial uses of water, expand water conservation programs, or are able to demonstrate that a significant financial hardship exists as a result of complying with rules applicable to the Central Florida Water Initiative Area.*

Section 5. Paragraph (a) of subsection (9) of section 403.8532, Florida Statutes, is amended to read:

403.8532 Drinking water state revolving loan fund; use; rules.—

(9) The department may adopt rules regarding the procedural and contractual relationship between the department and the corporation under s. 403.1837 and to carry out the purposes of this section and the federal Safe Drinking Water Act, as amended. Such rules shall:

(a) Set forth a priority system for loans based on public health considerations, compliance with state and federal requirements relating to public drinking water systems, and affordability. The priority system ~~shall~~ give special consideration to:

1. Projects that provide for the development of alternative drinking water supply projects and management techniques in areas where existing source waters are limited or threatened by saltwater intrusion, excessive drawdowns, contamination, or other problems;
2. Projects that provide for a dependable, sustainable supply of drinking water and that are not otherwise financially feasible; ~~and~~

3. Projects that contribute to the sustainability of regional water sources; and

4. Projects that implement water supply plans and develop water sources as an alternative to continued reliance on the Floridan Aquifer, pursuant to s. 373.0465.

Section 6. The Legislature determines and declares that this act fulfills an important state interest.

And the title is amended as follows:

Delete lines 2-11 and insert: An act relating to environmental regulation; ratifying specified rules relating to biosolids for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; exempting the rules from certain review and approval by the Environmental Regulation Commission; providing applicability; ratifying specified rules relating to the Central Florida Water Initiative, for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding any specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; amending s. 373.0465, F.S.; requiring the department, in consultation with specified water management districts, to adopt rules that include an annual drought allocation for supplemental irrigation for agricultural uses and a process for examining an agricultural user's supplemental irrigation needs as weighed against certain factors; providing for the applicability of specified rules to areas with certain existing recovery strategies; creating s. 373.0466, F.S.; establishing, subject to appropriation, a Central Florida Water Initiative Grant Program within the department; requiring the department, in cooperation with the relevant water management districts, to distribute appropriated funds for certain projects that benefit the Central Florida Water Initiative Area; amending s. 403.8532, F.S.; requiring the department to give funding priority to certain projects relating to the Central Florida Water Initiative; providing a declaration of important state interest; providing an

On motion by Senator Brodeur, by two-thirds vote, **HB 1309**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for SB 168**—A bill to be entitled An act relating to the Hurricane Loss Mitigation Program; amending s. 215.559, F.S.; deleting construction relating to Citizens Property Insurance Corporation coverage rates; delaying the future repeal of the Hurricane Loss Mitigation Program; providing an effective date.

—was read the second time by title. On motion by Senator Hooper, by two-thirds vote, **CS for SB 168** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for SB 260**—A bill to be entitled An act relating to services for veterans and their families; creating s. 394.9087, F.S.; authorizing the Department of Veterans' Affairs to establish the Florida Veterans' Care Coordination Program to provide veterans and their families with behavioral health care referral and care coordination services; authorizing the department to contract with a certain nonprofit entity to enter into agreements with Florida 211 Network participants to provide such services; providing program goals; providing for the statewide delivery of specified services by program teams; requiring Florida 211 Network participants to collect program implementation data and to submit such data to the department; requiring the department to submit a report to the Governor and Legislature by a specified date; providing requirements for the report; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 260**, pursuant to Rule 3.11(3), there being no objection, **HB 231** was withdrawn from the Committee on Appropriations.

On motion by Senator Harrell—

**HB 231**—A bill to be entitled An act relating to services for veterans and their families; creating s. 394.9087, F.S.; authorizing the Department of Veterans' Affairs to establish the Florida Veterans' Care Coordination Program to provide veterans and their families with behavioral health care referral and care coordination services; authorizing the department to contract with a certain nonprofit entity to enter into agreements with Florida 211 Network participants to provide such services; providing program goals; providing for the statewide delivery of specified services by program teams; requiring Florida 211 Network participants to collect program implementation data and to submit such data to the department; requiring the department to submit a report to the Governor and Legislature by a specified date; providing requirements for the report; providing an effective date.

—a companion measure, was substituted for **CS for SB 260** and read the second time by title.

On motion by Senator Harrell, by two-thirds vote, **HB 231** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bracy	Farmer
Albritton	Bradley	Gainer
Ausley	Brandes	Garcia
Baxley	Brodeur	Gibson
Bean	Broxson	Gruters
Berman	Burgess	Harrell
Book	Cruz	Hooper
Boyd	Diaz	Hutson

Jones	Powell	Taddeo
Mayfield	Rodrigues	Thurston
Passidomo	Rodriguez	Torres
Perry	Rouson	Wright
Pizzo	Stargel	
Polsky	Stewart	

Nays—None

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Consideration of **CS for CS for SB 184** was deferred.

**CS for CS for SB 1598**—A bill to be entitled An act relating to consumer protection; amending 501.0051, F.S.; deleting authorization for consumer reporting agencies to charge a fee for reissuing or providing a new unique personal identifier to a consumer; amending s. 624.307, F.S.; revising a requirement for persons licensed or authorized by the Department of Financial Services or the Office of Insurance Regulation to respond to the department’s Division of Consumer Services regarding consumer complaints; amending s. 624.501, F.S.; deleting a fee for adjusting firm licenses; amending s. 626.112, F.S.; deleting an obsolete provision; prohibiting unlicensed activity by an adjusting firm; providing an exemption; providing an exemption from licensure for branch firms that meet certain criteria; providing an administrative penalty for failing to apply for certain licensure; providing a criminal penalty for aiding or abetting unlicensed activity; amending s. 626.602, F.S.; authorizing the department to disapprove the use of insurance agency names containing the word “Medicare” or “Medicaid”; providing an exception for certain insurance agencies for a certain period; providing for expiration of certain licenses on a certain date; amending s. 626.621, F.S.; adding grounds on which the department may take certain actions against a license, appointment, or application of certain insurance representatives; amending ss. 626.782 and 626.783, F.S.; revising the definitions of the terms “industrial class insurer” and “ordinary-combination class insurer,” respectively, to conform to changes made by the act; repealing s. 626.796, F.S., relating to the representation of multiple insurers in the same industrial debit territory; amending s. 626.854, F.S.; revising the timeframes in which an insured or a claimant may cancel a public adjuster’s contract to adjust a claim without penalty or obligation; requiring that a public adjuster’s contract include a specified disclosure; specifying requirements for written estimates of loss provided by public adjusters to claimants or insureds; revising a prohibition against certain contractors or subcontractors providing insureds with specified services; providing an exception; revising services a person is prohibited from performing unless the person meets specified requirements; authorizing the department to take administrative actions and impose fines against persons performing specified activities without licensure; prohibiting specified persons from charging insureds or third-party claimants or receiving payments under certain circumstances; amending s. 626.916, F.S.; revising disclosure requirements for certain classes of insurance before being eligible for export under the Surplus Lines Law; amending s. 626.9541, F.S.; adding certain acts or practices to the definition of sliding; amending s. 626.9741, F.S.; requiring an insurer to include certain additional information when providing an applicant or insured with certain credit report or score information; amending ss. 626.9953, 626.9957, and 627.062, F.S.; conforming cross-references; amending s. 627.502, F.S.; prohibiting life insurers from writing new policies of industrial life insurance beginning on a certain date; making technical changes; amending s. 627.70131, F.S.; providing that a communication made to or by an insurer’s representative, rather than to or by an insurer’s agent, constitutes communication to or by the insurer; defining the term “representative”, rather than “agent”; revising the timeframe for insurers to begin certain investigations; requiring an insurer-assigned licensed adjuster to provide the policyholder with certain information in certain investigations; requiring insurers to maintain certain records and provide certain lists upon request; requiring insurers to include specified notices when providing preliminary or partial damage estimates or claim payments; providing applicability; conforming provisions to changes made by the act; amending s. 627.7142, F.S.; revising information contained in the Homeowner Claims Bill of Rights; conforming provisions to changes made by the act; amending s. 631.57, F.S.; deleting a deductible on the obligation of the Florida Insurance Guaranty Association, Incorporated, as to certain covered claims; amending s. 631.904, F.S.; revising the definition of the term “covered

claim”; deleting a requirement that a policy be in force on the date of the final order of liquidation; providing effective dates.

—was read the second time by title.

On motion by Senator Gruters, further consideration of **CS for CS for SB 1598** was deferred.

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Consideration of **CS for SB 7076, CS for SB 7078, CS for SB 7080, and SB 1476** was deferred.

**SB 1470**—A bill to be entitled An act relating to the Florida Life and Health Insurance Guaranty Association; amending s. 631.714, F.S.; defining the term “Moody’s Corporate Bond Yield Average”; revising the definition of the term “person”; amending s. 631.717, F.S.; authorizing the association to assume or reissue covered policies of impaired insurers; granting the association the right to appear or intervene before a court or an agency in certain proceedings; authorizing the association to take legal action to recover payment of improper claims; authorizing the association to join an organization of other state guaranty associations for certain purposes; amending s. 631.718, F.S.; revising the calculation of Class A assessments; specifying requirements for repayment of deferred assessments upon removal or rectification of the conditions causing a deferral; deleting a prohibition on certain nonprofit insurance companies being assessed more than a certain amount in a calendar year; amending s. 631.721, F.S.; revising the requirements of the association’s plan of operation; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1470**, pursuant to Rule 3.11(3), there being no objection, **HB 797** was withdrawn from the Committee on Appropriations.

On motion by Senator Boyd—

**HB 797**—A bill to be entitled An act relating to the Florida Life and Health Insurance Guaranty Association; amending s. 631.714, F.S.; defining the term “Moody’s Corporate Bond Yield Average” and redefining the term “person,” to apply to provisions relating to life and health insurance guaranty of payments; amending s. 631.717, F.S.; authorizing the Florida Life and Health Insurance Guaranty Association to assume, reissue, and cause to be reissued covered policies of impaired insurers under certain circumstances; revising the association’s standing before a court; providing that the association has the right to appear or intervene before a court or agency in another state under certain circumstances; authorizing the association to join certain organizations for specified purposes; amending s. 631.718, F.S.; authorizing the board of directors of the association to credit specified assessments against certain future assessments under certain circumstances; deleting provisions prohibiting credits against future insolvency assessments and provisions limiting the amount assessed; requiring member insurers to pay deferred assessments under certain circumstances; deleting provisions limiting the amount that may be assessed against specified member insurers; amending s. 631.721, F.S.; providing additional requirements for the association’s plan of operation; providing an effective date.

—a companion measure, was substituted for **SB 1470** and read the second time by title.

On motion by Senator Boyd, by two-thirds vote, **HB 797** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Brandes	Gruters
Albritton	Brodeur	Harrell
Ausley	Broxson	Hooper
Baxley	Burgess	Hutson
Bean	Cruz	Jones
Berman	Diaz	Mayfield
Book	Farmer	Passidomo
Boyd	Gainer	Perry
Bracy	Garcia	Pizzo
Bradley	Gibson	Polsky

Powell	Stargel	Torres
Rodrigues	Stewart	Wright
Rodriguez	Taddeo	
Rouson	Thurston	

Nays—None

**CS for CS for SB 184**—A bill to be entitled An act relating to the Purple Alert; amending s. 252.35, F.S.; requiring the Division of Emergency Management to identify and maintain an inventory of certain digitally displayed automatic changeable facing signs; amending s. 937.0201, F.S.; redefining the term “missing endangered person”; creating s. 937.0205, F.S.; providing legislative findings and intent; requiring the Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of the Lottery, and local law enforcement agencies, to establish and implement the Purple Alert; specifying minimum requirements for the Purple Alert; authorizing local law enforcement agencies to broadcast information concerning certain missing adults; requiring the local law enforcement agency having jurisdiction to notify media and alert subscribers if a Purple Alert is determined to be necessary and appropriate; authorizing the local law enforcement agency having jurisdiction to request that a case be opened with the Department of Law Enforcement’s Missing Endangered Persons Information Clearinghouse; requiring the clearinghouse to coordinate with the Department of Transportation and the Department of Highway Safety and Motor Vehicles in the activation of dynamic message signs on state highways and the immediate distribution of certain critical information under certain circumstances; requiring the Purple Alert process to include certain procedures and an information and education strategy; authorizing the Department of Law Enforcement to adopt rules; amending s. 937.021, F.S.; providing that the Department of Law Enforcement, as the Purple Alert coordinator, and certain agencies, employees, individuals, and entities are immune from civil liability for damages when performing certain actions in good faith; providing that the presumption of good faith is not overcome under certain circumstances; providing construction; amending s. 937.022, F.S.; authorizing only the law enforcement agency having jurisdiction over a case to make a request to the clearinghouse for the activation of a Purple Alert involving a missing adult under certain circumstances; providing an appropriation; providing effective dates.

—was read the second time by title. On motion by Senator Berman, by two-thirds vote, **CS for CS for SB 184** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polisky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for SB 1404**—A bill to be entitled An act relating to cultural and historical programs; creating s. 15.0455, F.S.; designating the Museum of Florida History as the official state history museum; amending s. 15.18, F.S.; providing that the Secretary of State shall be known as “Florida’s Chief Arts and Culture Officer”; conforming a provision to changes made by the act; amending s. 20.10, F.S.; renaming the Division of Cultural Affairs as the Division of Arts and Culture; amending s. 265.281, F.S.; conforming provisions to changes made by the act; re-

ordering and amending s. 265.283, F.S.; conforming provisions to changes made by the act; defining the term “folklife”; amending s. 265.286, F.S.; conforming a cross-reference; amending ss. 265.2865 and 265.701, F.S.; conforming provisions to changes made by the act; repealing s. 265.7025, F.S., relating to definitions relating to historic programs; amending s. 265.703, F.S.; conforming provisions to changes made by the act; repealing ss. 265.704, 265.705, 265.706, and 265.709, F.S., relating to historical museums and powers and duties of the Division of Cultural Affairs, state policy relative to historical properties, objects of historical or archaeological value, and publications, respectively; reordering and amending s. 267.021, F.S.; deleting the definition of the term “folklife”; defining the term “historical museum”; amending s. 267.071, F.S.; revising the duties of the Division of Historical Resources; transferring, renumbering, and amending s. 265.707, F.S.; transferring certain responsibilities from the Division of Cultural Affairs to the Division of Historical Resources; revising provisions relating to the Museum of Florida History museum store, the establishment and operation of a certain nonprofit organization or association, and the use of certain funds; transferring, renumbering, and amending s. 265.565, F.S.; defining the term “abandoned property”; removing the requirement that a museum inform a lender of certain provisions in certain circumstances; revising publication requirements for a termination of loan notice; providing for the disposition of abandoned property; amending s. 267.115, F.S.; revising the duties of the Division of Historical Resources relating to objects of historical or archaeological value; transferring and renumbering ss. 267.16 and 267.161, F.S., relating to Florida Folklife Programs and the Florida Folklife Council, respectively; amending ss. 258.081, 468.401, and 553.902, F.S.; conforming provisions and cross-references to changes made by the act; amending chapter 2020-88, Laws of Florida; conforming a provision to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1404**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 909** was withdrawn from the Committee on Appropriations.

On motion by Senator Hooper—

**CS for HB 909**—A bill to be entitled An act relating to cultural and historical programs; creating s. 15.0455, F.S.; designating the Museum of Florida History as the official state history museum; amending s. 15.18, F.S.; providing that the Secretary of State shall be known as “Florida’s Chief Arts and Culture Officer”; amending s. 20.10, F.S.; renaming the Division of Cultural Affairs as the Division of Arts and Culture; amending ss. 265.281, 265.283, 265.286, 265.2865, and 265.701, F.S.; conforming provisions and cross-references to changes made by the act; repealing s. 265.7025, F.S., relating to definitions relating to historic programs; amending s. 265.703, F.S.; conforming provisions to changes made by the act; repealing ss. 265.704, 265.705, 265.706, and 265.709, F.S., relating to historical museums and powers and duties of the Division of Cultural Affairs, state policy relative to historical properties, objects of historical or archaeological value, and publications, respectively; amending s. 267.021, F.S.; defining the term “historical museum”; amending s. 267.071, F.S.; revising the duties of the Division of Historical Resources; transferring, renumbering, and amending s. 265.707, F.S.; transferring certain responsibilities from the Division of Cultural Affairs to the Division of Historical Resources; revising provisions relating to the Museum of Florida History museum store, the establishment and operation of a certain nonprofit organization or association, and the deposit of certain funds; transferring, renumbering, and amending s. 265.565, F.S.; defining the term “abandoned property”; removing the requirement that a museum inform a lender of certain provisions in certain circumstances; revising publication requirements for a termination of loan notice; providing for the disposition of abandoned property; amending s. 267.115, F.S.; revising responsibilities of the Division of Historical Resources relating to objects of historical or archaeological value; transferring and renumbering ss. 267.16 and 267.161, F.S.; amending ss. 258.081, 468.401, and 553.902, F.S.; conforming provisions and cross-references to changes made by the act; amending chapter 2020-88, Laws of Florida; conforming a provision to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1404** and read the second time by title.



On motion by Senator Hooper, by two-thirds vote, **CS for HB 909** was read the third time by title, passed, 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

**SB 518**—A bill to be entitled An act relating to drones; amending s. 934.50, F.S.; expanding the authorized uses of drones by a state agency or political subdivision to include the assessment of damage due to natural disasters; reenacting s. 330.41(4)(c), F.S., relating to unmanned aircraft systems, to incorporate the amendment made to s. 934.50, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motion by Senator Diaz, by two-thirds vote, **SB 518** was read the third time by title, passed, 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

**CS for CS for SB 130**—A bill to be entitled An act relating to mental health and substance use disorders; amending s. 394.4573, F.S.; providing that the use of peer specialists is an essential element of a coordinated system of care in recovery from a substance use disorder or mental illness; making a technical change; amending s. 397.4073, F.S.; revising background screening requirements for certain peer specialists; revising authorizations relating to work by applicants who have committed disqualifying offenses; amending s. 397.417, F.S.; providing legislative findings and intent; revising requirements for certification as a peer specialist; requiring the Department of Children and Families to develop a training program for peer specialists and to give preference to trainers who are certified peer specialists; requiring the training program to coincide with a competency exam and to be based on current practice standards; requiring the department to certify peer specialists, either directly or by approving a third-party credentialing entity; prohibiting third-party credentialing entities from conducting background screenings for peer specialists; requiring that a person providing recovery support services be certified or be supervised by a licensed behavioral health care professional or a certified peer specialist; author-

izing the department, a behavioral health managing entity, or the Medicaid program to reimburse a peer specialist service as a recovery service; encouraging Medicaid managed care plans to use peer specialists in providing recovery services; requiring peer specialists and certain persons to meet the requirements of a background screening as a condition of employment and continued employment; requiring certain entities to forward fingerprints to specified entities; requiring the department to screen results to determine if the peer specialist meets the certification requirements; requiring that fees for state and federal fingerprint processing be borne by the peer specialist applying for employment; requiring that any arrest record identified through background screening be reported to the department; authorizing the department or certain other agencies to contract with certain vendors for fingerprinting; specifying requirements for vendors; specifying disqualifying offenses for a peer specialist who applies for certification; authorizing a person who does not meet background screening requirements to request an exemption from disqualification from the department or the agency; providing that a peer specialist certified as of the effective date of the act is deemed to satisfy the requirements of the act; providing an effective date.

—was read the second time by title. On motion by Senator Rouson, by two-thirds vote, **CS for CS for SB 130** was read the third time by title, passed, 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

**CS for CS for SB 694**—A bill to be entitled An act relating to waste management; amending s. 403.7033, F.S.; requiring the Department of Environmental Protection to review and update its report on retail bags and submit the updated report to the Legislature by a specified date; amending s. 403.70605, F.S.; requiring a local government to pay a specified amount of compensation to a displaced private waste company at the end of a specified notice period; removing a provision authorizing a local government to pay a specified amount of compensation to a private waste company as an alternative to delaying displacement for a specified period; providing applicability; amending s. 403.703, F.S.; defining the term “storm-generated yard trash”; reenacting and amending s. 403.7071, F.S.; providing that private solid waste or debris management service providers are not required to collect storm-generated yard trash unless required to do so by contract or franchise agreement with a local government; providing an effective date.

—was read the second time by title. On motion by Senator Rodriguez, by two-thirds vote, **CS for CS for SB 694** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bracy	Farmer
Albritton	Bradley	Gainer
Ausley	Brandes	Garcia
Baxley	Brodeur	Gibson
Bean	Broxson	Gruters
Berman	Burgess	Harrell
Book	Cruz	Hooper
Boyd	Diaz	Hutson

Jones	Powell	Taddeo
Mayfield	Rodrigues	Thurston
Passidomo	Rodriguez	Torres
Perry	Rouson	Wright
Pizzo	Stargel	
Polsky	Stewart	

Nays—None

**CS for SB 622**—A bill to be entitled An act relating to liens and bonds; amending s. 255.05, F.S.; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment; prohibiting a person from requiring a claimant to furnish a certain waiver in exchange for or to induce certain payments; providing that specified provisions in certain waivers are unenforceable; providing an exception; requiring service of documents to be made in a specified manner; amending s. 337.18, F.S.; providing that certain waivers apply to certain contracts; requiring service of documents to be made in a specified manner; amending s. 713.01, F.S.; revising definitions; amending s. 713.09, F.S.; authorizing a lienor to record one claim of lien for multiple direct contracts; amending s. 713.10, F.S.; revising the extent of certain liens; amending s. 713.13, F.S.; revising information to be included in a notice of commencement; revising the process for notarizing a notice of commencement; amending s. 713.132, F.S.; revising requirements for a notice of termination; amending s. 713.18, F.S.; requiring service of documents relating to construction bonds to be made in a specified manner; making technical changes; amending s. 713.20, F.S.; prohibiting a person from requiring a lienor to furnish a certain waiver or release in exchange for or to induce certain payments; providing that specified provisions in certain waivers or releases are unenforceable; providing an exception; amending s. 713.21, F.S.; authorizing the full or partial release of a lien under specified conditions; amending s. 713.23, F.S.; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment under a payment bond; amending s. 713.235, F.S.; prohibiting a person from requiring a lienor to furnish a certain waiver or release in exchange for or to induce certain payments; providing that specified provisions in certain waivers or releases are unenforceable; providing an exception; amending s. 713.29, F.S.; authorizing attorney fees in actions to enforce a lien that has been transferred to security; providing an effective date.

—was read the second time by title.

Senator Perry moved the following amendment which was adopted:

**Amendment 1 (677600) (with directory and title amendments)**—Delete lines 185-758 and insert:

(b) When a person is required to execute a waiver of his or her right to make a claim against the payment bond in exchange for, or to induce payment of, a progress payment, the waiver *must may* be in substantially the following form:

**WAIVER OF RIGHT TO CLAIM  
AGAINST THE PAYMENT BOND  
(PROGRESS PAYMENT)**

The undersigned, in consideration of the sum of \$...., hereby waives its right to claim against the payment bond for labor, services, or materials furnished through \_\_\_\_\_ (insert date) to \_\_\_\_\_ (insert the name of your customer) on the job of \_\_\_\_\_ (insert the name of the owner), for improvements to the following described project:

(description of project)

This waiver does not cover any retention or any labor, services, or materials furnished after the date specified.

DATED ON ....., .....

\_\_\_\_\_  
(Claimant)

By:.....

(c) When a person is required to execute a waiver of his or her right to make a claim against the payment bond, in exchange for, or to induce

payment of, the final payment, the waiver *must may* be in substantially the following form:

**WAIVER OF RIGHT TO CLAIM  
AGAINST THE PAYMENT BOND  
(FINAL PAYMENT)**

The undersigned, in consideration of the final payment in the amount of \$...., hereby waives its right to claim against the payment bond for labor, services, or materials furnished to \_\_\_\_\_ (insert the name of your customer) on the job of \_\_\_\_\_ (insert the name of the owner), for improvements to the following described project:

(description of project)

DATED ON ....., .....

\_\_\_\_\_  
(Claimant)

By:.....

(d) A person may not require a claimant to *provide furnish* a waiver that is different from the forms in paragraphs (b) and (c).

~~(f) A waiver that is not substantially similar to the forms in this subsection is enforceable in accordance with its terms.~~

(12) *Unless otherwise provided in this section, service of any document must be made in accordance with s. 713.18.*

Section 2. Paragraph (c) of subsection (1) of section 337.18, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)

(c) A claimant, except a laborer, who is not in privity with the contractor shall, before commencing or not later than 90 days after commencing to furnish labor, materials, or supplies for the prosecution of the work, furnish the contractor with a notice that he or she intends to look to the bond for protection. A claimant who is not in privity with the contractor and who has not received payment for his or her labor, materials, or supplies shall deliver to the contractor and to the surety written notice of the performance of the labor or delivery of the materials or supplies and of the nonpayment. The notice of nonpayment may be served at any time during the progress of the work or thereafter but not before 45 days after the first furnishing of labor, services, or materials, and not later than 90 days after the final furnishing of the labor, services, or materials by the claimant or, with respect to rental equipment, not later than 90 days after the date that the rental equipment was last on the job site available for use. An action by a claimant, except a laborer, who is not in privity with the contractor for the labor, materials, or supplies may not be instituted against the contractor or the surety unless both notices have been given. *Written notices required or permitted under this section must may be served in accordance with any manner provided in s. 713.18, and provisions for the waiver of a claim or a right to claim against a payment bond contained in s. 713.235 apply to all contracts under this section.*

(6) *Unless otherwise provided in this section, service of any document must be made in accordance with s. 713.18.*

Section 3. Subsections (4) and (8) of section 713.01, Florida Statutes, are amended to read:

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

(4) “Clerk’s office” means the office of the clerk of the circuit court of the county, or another office serving as the county recorder as provided by law, in which the real property is located.

(8) “Contractor” means a person other than a materialman or laborer who enters into a contract with the owner of real property for improving it, or who takes over from a contractor as so defined the entire remaining work under such contract. The term “contractor” in-

cludes an architect, landscape architect, or engineer who improves real property pursuant to a design-build contract authorized by s. 489.103(16). The term also includes a licensed general contractor or building contractor, as those terms are defined in s. 489.105(3)(a) and (b), respectively, who provides construction management services, which include responsibility for scheduling and coordination in both pre-construction and construction phases and for the successful, timely, and economical completion of the construction project, or who provides program management services, which include responsibility for schedule control, cost control, and coordination in providing or procuring planning, design, and construction.

Section 4. Section 713.09, Florida Statutes, is amended to read:

713.09 Single claim of lien.—A lienor ~~may be required to~~ record only one claim of lien covering his or her entire demand against the real property when the amount demanded is for labor or services or material furnished for more than one improvement under the same direct contract or multiple direct contracts. The single claim of lien is sufficient even though the improvement is for one or more improvements located on separate lots, parcels, or tracts of land. If materials to be used on one or more improvements on separate lots, parcels, or tracts of land ~~under one direct contract~~ are delivered by a lienor to a place designated by the person with whom the materialman contracted, other than the site of the improvement, the delivery to the place designated is prima facie evidence of delivery to the site of the improvement and incorporation in the improvement. The single claim of lien may be limited to a part of multiple lots, parcels, or tracts of land and their improvements or may cover all of the lots, parcels, or tracts of land and improvements. ~~If a~~ ~~In~~ ~~each~~ claim of lien under this section ~~is for multiple direct contracts~~, the owner under the direct ~~contracts~~ ~~contract~~ must be the same person for all lots, parcels, or tracts of land against which a single claim of lien is recorded.

Section 5. Paragraph (b) of subsection (2) of section 713.10, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

713.10 Extent of liens.—

(2)

(b) The interest of the lessor is not subject to liens for improvements made by the lessee when:

1. The lease, or a short form or a memorandum of the lease that contains the specific language in the lease prohibiting such liability, is recorded in the official records of the county where the premises are located before the recording of a notice of commencement for improvements to the premises and the terms of the lease expressly prohibit such liability; or

2. The terms of the lease expressly prohibit such liability, and a notice advising that leases for the rental of premises on a parcel of land prohibit such liability has been recorded in the official records of the county in which the parcel of land is located before the recording of a notice of commencement for improvements to the premises, and the notice includes the following:

- a. The name of the lessor.
- b. The legal description of the parcel of land to which the notice applies.
- c. The specific language contained in the various leases prohibiting such liability.
- d. A statement that all or a majority of the leases entered into for premises on the parcel of land expressly prohibit such liability.

~~3. The lessee is a mobile home owner who is leasing a mobile home lot in a mobile home park from the lessor.~~

A notice that is consistent with subparagraph 2. effectively prohibits liens for improvements made by a lessee even if other leases for premises on the parcel do not expressly prohibit liens or if provisions of each lease restricting the application of liens are not identical.

(4) The interest of the lessor is not subject to liens for improvements made by the lessee when the lessee is a mobile home owner who is leasing a mobile home lot in a mobile home park from the lessor.

Section 6. Paragraphs (a), (c), and (d) of subsection (1) of section 713.13, Florida Statutes, are amended to read:

713.13 Notice of commencement.—

(1)(a) Except for an improvement that is exempt ~~under pursuant to~~ s. 713.02(5), an owner or the owner's authorized agent before actually commencing to improve any real property, or recommencing completion of any improvement after default or abandonment, whether or not a project has a payment bond complying with s. 713.23, shall record a notice of commencement in the clerk's office and forthwith post either a certified copy thereof or a notarized statement that the notice of commencement has been filed for recording along with a copy thereof. The notice of commencement shall contain the following information:

1. A description sufficient for identification of the real property to be improved. The description should include the legal description of the property and also should include the street address and tax folio number of the property if available or, if there is no street address available, such additional information as will describe the physical location of the real property to be improved.

2. A general description of the improvement.

3. The name and address of the owner, the owner's interest in the site of the improvement, and the name and address of the fee simple titleholder, if other than such owner.

~~4. The name and address of the lessee, if the A lessee who contracts for the improvements as is an owner as defined in s. 713.01 under s. 713.01(23) and must be listed as the owner together with a statement that the ownership interest is a leasehold interest.~~

5.4. The name and address of the contractor.

~~6.5.~~ The name and address of the surety on the payment bond under s. 713.23, if any, and the amount of such bond.

~~7.6.~~ The name and address of any person making a loan for the construction of the improvements.

~~8.7.~~ The name and address within ~~the~~ state of a person other than himself or herself who may be designated by the owner as the person upon whom notices or other documents may be served under this part; and service upon the person so designated constitutes service upon the owner.

(c) If the contract between the owner and a contractor named in the notice of commencement expresses a period of time for completion for the construction of the improvement greater than 1 year, the notice of commencement must state that it is effective for a period of 1 year plus any additional period of time. Any payments made by the owner after the expiration of the notice of commencement are considered improper payments.

(d) A notice of commencement must be in substantially the following form:

Permit No..... Tax Folio No.....

NOTICE OF COMMENCEMENT

State of...

County of...

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of property: \_\_\_\_\_ (legal description of the property, and street address if available) \_\_\_\_\_.

2. General description of improvement:.....

3.a. Owner: name and address.  
b. Owner's phone number:.... ~~Owner information or Lessee information if the Lessee contracted for the improvement:~~

~~a. Name and address:....~~  
c.~~b~~. Interest in property:.....  
d.~~e~~. Name and address of fee simple titleholder (if different from Owner listed above):.....

4.a. Lessee, if the lessee contracted for the improvement: (name and address).

b. Lessee's phone number:.....

5.a. Contractor: (name and address).

b. Contractor's phone number:.....

6.~~5~~. Surety (if applicable, a copy of the payment bond is attached):

a. Name and address:.....  
b. Phone number:.....  
c. Amount of bond: \$.....

7.a.~~6.a~~. Lender: (name and address).

b. Lender's phone number:.....

8.~~7~~. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)8. ~~713.13(1)(a)7~~, Florida Statutes:

a. Name and address:.....  
b. Phone numbers of designated persons:.....

9.a.~~8.a~~. In addition to himself or herself, Owner designates ..... of ..... to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.

b. Phone number of person or entity designated by owner:.....

10.~~9~~. Expiration date of notice of commencement (the expiration date will be 1 year ~~after from~~ the date of recording unless a different date is specified).....

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

(Signature of Owner or Lessee, or Owner's or Lessee's Authorized Officer/Director/Partner/Manager)

(Signatory's Title/Office)

The foregoing instrument was acknowledged before me by means of  physical presence or acknowledged before me by means of  online notarization, this .... day of ...., (year) by (name of person) as (type of authority,...e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed).

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

Section 7. Subsections (1), (3), and (4) of section 713.132, Florida Statutes, are amended to read:

713.132 Notice of termination.—

(1) An owner may terminate the period of effectiveness of a notice of commencement by executing, swearing to, and recording a notice of termination that contains:

(a) The same information as the notice of commencement;

(b) The ~~official records' recording office document book and page reference numbers and recording date affixed by the recording office on~~ the recorded notice of commencement;

(c) A statement of the date as of which the notice of commencement is terminated, which date may not be earlier than 30 days after the notice of termination is recorded;

(d) A statement specifying that the notice applies to all the real property subject to the notice of commencement or specifying the portion of such real property to which it applies;

(e) A statement that all lienors have been paid in full; and

(f) A statement that the owner has, before recording the notice of termination, served a copy of the notice of termination ~~on the contractor and on each lienor who has a direct contract with the owner or who has timely served a notice to owner, and a statement that the owner will serve a copy of the notice of termination on each lienor who timely serves a notice to owner after the notice of termination has been recorded.~~ The owner is not required to serve a copy of the notice of termination on any lienor who has executed a waiver and release of lien upon final payment in accordance with s. 713.20.

(3) An owner may ~~not~~ record a notice of termination ~~at any time after except after completion of construction, or after construction ceases before completion~~ and all lienors have been paid in full or pro rata in accordance with s. 713.06(4).

(4) If an owner or a contractor, by fraud or collusion, knowingly makes any fraudulent statement or affidavit in a notice of termination or any accompanying affidavit, the owner and the contractor, or either of them, ~~as the case may be~~, is liable to any lienor who suffers damages as a result of the filing of the fraudulent notice of termination, and any such lienor has a right of action for damages ~~occasioned thereby~~.

~~(5)(4)~~ A notice of termination ~~must be served before recording on each lienor who has a direct contract with the owner and on each lienor who has timely and properly served a notice to owner in accordance with this part before the recording of the notice of termination. A notice of termination must be recorded in the official records of the county in which the improvement is located. If properly served before recording in accordance with this subsection, the notice of termination terminates the period of effectiveness of the notice of commencement 30 days after the notice of termination is recorded in the official records is effective to terminate the notice of commencement at the later of 30 days after recording of the notice of termination or a later the date stated in the notice of termination as the date on which the notice of commencement is terminated. However, if a lienor who began work under the notice of commencement before its termination lacks a direct contract with the owner and timely serves his or her notice to owner after the notice of termination has been recorded, the owner must serve a copy of the notice of termination upon such lienor, and the termination of the notice of commencement as to that lienor is effective 30 days after service of the notice of termination if the notice of termination has been served pursuant to paragraph (1)(f) on the contractor and on each lienor who has a direct contract with the owner or who has served a notice to owner.~~

Section 8. Section 713.18, Florida Statutes, is amended to read:

713.18 Manner of serving ~~documents notices and other instruments~~.

(1) ~~Unless otherwise specifically provided by law, service of any document notices, claims of lien, affidavits, assignments, and other instruments permitted or required under this part, s. 255.05, or s. 337.18,~~

or copies thereof when so permitted or required, ~~unless otherwise specifically provided in this part,~~ must be made by one of the following methods:

(a) By ~~hand actual~~ delivery to the person to be served; if a partnership, to one of the partners; if a corporation, to an officer, director, managing agent, or business agent; or, if a limited liability company, to a member or manager.

(b) By common carrier delivery service or by registered, Global Express Guaranteed, or certified mail to the person to be served, with postage or shipping paid by the sender and with evidence of delivery, which may be in an electronic format.

(c) By posting on the site of the improvement if service as provided by paragraph (a) or paragraph (b) cannot be accomplished.

(2) Notwithstanding subsection (1), service of a notice to owner or a preliminary notice to contractor under *this part*, s. 255.05, or s. 337.18, ~~or s. 713.23~~ is effective as of the date of mailing and the requirements for service under this section have been satisfied if:

(a) The notice is mailed by registered, Global Express Guaranteed, or certified mail, with postage prepaid, to the person to be served and addressed as prescribed at any of the addresses set forth in subsection (3);

(b) The notice is mailed within 40 days after the date the lienor first furnishes labor, services, or materials; and

(c)1. The person who served the notice maintains a registered or certified mail log that shows the registered or certified mail number issued by the United States Postal Service, the name and address of the person served, and the date stamp of the United States Postal Service confirming the date of mailing; or

2. The person who served the notice maintains electronic tracking records approved or generated by the United States Postal Service containing the postal tracking number, ~~the name and address of the person served,~~ and verification of the date of receipt by the United States Postal Service.

(3)(a) ~~Notwithstanding subsection (1), service of a document under an instrument pursuant to this section is effective on the date of mailing or shipping, and the requirements for service under this section have been satisfied, the instrument if it:~~

1. The document is sent to the last address shown in the notice of commencement or any amendment thereto or, in the absence of a notice of commencement, to the last address shown in the building permit application, or to the last known address of the person to be served; ~~and~~

2. The document is returned as being "refused," "moved, not forwardable," or "unclaimed," or is otherwise not delivered or deliverable through no fault of the person serving the document ~~item~~.

(b) If the address shown in the notice of commencement or any amendment thereto ~~to the notice of commencement, or, in the absence of a notice of commencement, in the building permit application,~~ is incomplete for purposes of mailing or delivery, the person serving the document ~~item~~ may complete the address and properly format it according to United States Postal Service addressing standards using information obtained from the property appraiser or another public record without affecting the validity of service under this section.

(4) A document notice served by a lienor on one owner or one partner of a partnership owning the real property is deemed served on ~~notice to~~ all owners and partners.

Section 9. Subsections (4), (5), (6), and (8) of section 713.20, Florida Statutes, are amended to read:

713.20 Waiver or release of liens.—

(4) When a lienor is required to execute a waiver or release of lien in exchange for, or to induce payment of, a progress payment, the waiver or release ~~must may~~ be in substantially the following form:

WAIVER AND RELEASE OF LIEN UPON PROGRESS PAYMENT

The undersigned lienor, in consideration of the sum of \$...., hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished through (insert date) to (insert the name of your customer) on the job of (insert the name of the owner) to the following property:

(description of property)

This waiver and release does not cover any retention or labor, services, or materials furnished after the date specified.

DATED on ...., (year). (Lienor)

By: .....

(5) When a lienor is required to execute a waiver or release of lien in exchange for, or to induce payment of, the final payment, the waiver and release ~~must may~~ be in substantially the following form:

WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of \$....., hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to (insert the name of your customer) on the job of (insert the name of the owner) to the following described property:

(description of property)

DATED on ...., (year). (Lienor)

By: .....

(6) A person may not require a lienor to ~~provide furnish~~ a lien waiver or release of lien that is different from the forms in subsection (4) or subsection (5).

~~(8) A lien waiver or lien release that is not substantially similar to the forms in subsections (4) and (5) is enforceable in accordance with the terms of the lien waiver or lien release.~~

Section 10. Section 713.21, Florida Statutes, is amended to read:

713.21 Discharge of lien.—A lien properly perfected under this chapter may be discharged, or released in whole or in part, by any of the following methods:

(1) By entering satisfaction of the lien upon the margin of the record thereof in the clerk's office when not otherwise prohibited by law. This satisfaction shall be signed by the lienor, the lienor's agent or attorney and attested by said clerk. Any person who executes a claim of lien ~~has shall have~~ authority to execute a satisfaction in the absence of actual notice of lack of authority to any person relying on the same.

(2) By the satisfaction or release of the lienor, duly acknowledged and recorded in the clerk's office. The satisfaction or release must include the lienor's notarized signature and set forth the official records' reference numbers and recording date affixed by the recording office on the subject lien. Any person who executes a claim of lien ~~has shall have~~ authority to execute a satisfaction or release in the absence of actual notice of lack of authority to any person relying on the same.

(3) By failure to begin an action to enforce the lien within the time prescribed in this part.

(4) By an order of the circuit court of the county where the property is located, as provided in this subsection. Upon filing a complaint therefor by any interested party the clerk shall issue a summons to the lienor to show cause within 20 days why his or her lien should not be enforced by action or vacated and canceled of record. Upon failure of the lienor to show cause why his or her lien should not be enforced or the lienor's failure to commence such action before the return date of the summons the court shall forthwith order cancellation of the lien.

(5) By recording in the clerk's office the original or a certified copy of a judgment or decree of a court of competent jurisdiction showing a final determination of the action.

Section 11. Paragraph (d) of subsection (1) of section 713.23, Florida Statutes, is amended to read:

713.23 Payment bond.—

(1)

(d) In addition, a lienor who has not received payment for furnishing his or her labor, services, or materials must, as a condition precedent to recovery under the bond, serve a written notice of nonpayment on the contractor and a copy of the notice on the surety. The notice must be under oath and served during the progress of the work or thereafter, but may not be served later than 90 days after the final furnishing of labor, services, or materials by the lienor, or, with respect to rental equipment, later than 90 days after the date the rental equipment was on the job site and available for use. A notice of nonpayment that includes sums for retainage must specify the portion of the amount claimed for retainage. The required notice satisfies this condition precedent with respect to the payment described in the notice of nonpayment, including unpaid finance charges due under the lienor's contract, and with respect to any other payments which become due to the lienor after the date of the notice of nonpayment. The time period for serving a notice of nonpayment is shall be measured from the last day of furnishing labor, services, or materials by the lienor and may not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion. The failure of a lienor to receive retainage sums not in excess of 10 percent of the value of labor, services, or materials furnished by the lienor is not considered a nonpayment requiring the service of the notice provided under this paragraph. If the payment bond is not recorded before commencement of construction, the time period for the lienor to serve a notice of nonpayment may at the option of the lienor be calculated from the date specified in this section or the date the lienor is served a copy of the bond. However, the limitation period for commencement of an action on the payment bond as established in paragraph (e) may not be expanded. The negligent inclusion or omission of any information in the notice of nonpayment that has not prejudiced the contractor or surety does not constitute a default that operates to defeat an otherwise valid bond claim. A lienor who serves a fraudulent notice of nonpayment forfeits his or her rights under the bond. A notice of nonpayment is fraudulent if the lienor has willfully exaggerated the amount unpaid, willfully included a claim for work not performed or materials not furnished for the subject improvement, or prepared the notice with such willful and gross negligence as to amount to a willful exaggeration. However, a minor mistake or error in a notice of nonpayment, or a good faith dispute as to the amount unpaid, does not constitute a willful exaggeration that operates to defeat an otherwise valid claim against the bond. The service of a fraudulent notice of nonpayment is a complete defense to the lienor's claim against the bond. The notice under this paragraph must include the following information, current as of the date of the notice, and must be in substantially the following form:

NOTICE OF NONPAYMENT

To (name of contractor and address)
(name of surety and address)

The undersigned lienor notifies you that:

- 1. The lienor has furnished (describe labor, services, or materials) for the improvement of the real property identified as (property description). The corresponding amount unpaid to date is \$ ..., of which \$ ... is unpaid retainage.
2. The lienor has been paid to date the amount of \$... for previously furnishing (describe labor, services, or materials) for this improvement.
3. The lienor expects to furnish (describe labor, services, or materials) for this improvement in the future (if known), and the corresponding amount expected to become due is \$ ... (if known).

I declare that I have read the foregoing Notice of Nonpayment and that the facts stated in it are true to the best of my knowledge and belief.

DATED on ....., .....

(signature and address of lienor)

STATE OF FLORIDA

COUNTY OF.....

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or sworn to (or affirmed) by online notarization, this ... day of ..., (year), by (name of signatory)

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ..... OR Produced Identification .....

Type of Identification Produced .....

Section 12. Section 713.235, Florida Statutes, is amended to read:

713.235 Waivers of right to claim against payment bond; forms.—

(1) When a person is required to execute a waiver of his or her right to make a claim against a payment bond provided under pursuant to s. 713.23 or s. 713.245, in exchange for, or to induce payment of, a progress payment, the waiver must may be in substantially the following form:

WAIVER OF RIGHT TO CLAIM AGAINST THE PAYMENT BOND (PROGRESS PAYMENT)

The undersigned, in consideration of the sum of \$... hereby waives its right to claim against the payment bond for labor, services, or materials furnished through (insert date), to (insert the name of your customer) on the job of (insert the name of the owner), for improvements to the following described project:

(description of project)

This waiver does not cover any retention or any labor, services, or materials furnished after the date specified.

DATED on ...

(Lienor)

By:.....

(2) When a person is required to execute a waiver of his or her right to make a claim against a payment bond provided under pursuant to s. 713.23 or s. 713.245, in exchange for, or to induce payment of, the final payment, the waiver must may be in substantially the following form:

WAIVER OF RIGHT TO CLAIM AGAINST THE PAYMENT BOND (FINAL PAYMENT)

The undersigned, in consideration of the final payment in the amount of \$..., hereby waives its right to claim against the payment bond for labor, services, or materials furnished to (insert the name of your customer) on the job of (insert the name of the owner), for improvements to the following described project:

(description of project)

DATED on ...

(Lienor)

By:.....

(3) A person may not require a claimant to provide furnish a waiver that is different from the forms in subsections (1) and (2).

(4) A person who executes a waiver in exchange for a check may condition the waiver on payment of the check.

(5) A waiver that is not substantially similar to the forms in this section is enforceable in accordance with its terms.

And the directory clause is amended as follows:

Delete line 48 and insert:

Section 1. Paragraphs (a) through (d) and (f) of subsection (2)

And the title is amended as follows:

Delete lines 6-41 and insert: requiring that specified waivers be in a certain form; requiring that service of documents be made in a specified manner; amending s. 337.18, F.S.; providing that certain waivers apply to certain contracts; requiring that service of documents be made in a specified manner; amending s. 713.01, F.S.; revising definitions; amending s. 713.09, F.S.; authorizing a lienor to record one claim of lien for multiple direct contracts; amending s. 713.10, F.S.; revising the extent of certain liens; amending s. 713.13, F.S.; revising information to be included in a notice of commencement; revising the process for notarizing a notice of commencement; amending s. 713.132, F.S.; revising requirements for a notice of termination; amending s. 713.18, F.S.; requiring that service of documents relating to construction bonds be made in a specified manner; requiring that specified waivers and releases be in a certain form; making technical changes; amending s. 713.20, F.S.; requiring specified waivers or releases be in a certain form; amending s. 713.21, F.S.; authorizing the full or partial release of a lien under specified conditions; amending s. 713.23, F.S.; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment under a payment bond; amending s. 713.235, F.S.; requiring that specified waivers be in a certain form;

On motion by Senator Perry, by two-thirds vote, CS for SB 622, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Name, Cruz, Pizzo. Lists names of senators who voted 'Yeas'.

Nays—None

Consideration of CS for CS for CS for SB 90 was deferred.

SB 770—A bill to be entitled An act relating to military affairs; amending s. 110.205, F.S.; deleting a provision requiring that certain military personnel have the same salary and benefits as career service employees; amending s. 121.055, F.S.; revising the list of positions in the Department of Military Affairs subject to compulsory membership in the Senior Management Service Class of the Florida Retirement System; amending s. 250.10, F.S.; modifying minimum qualifications and duties of the Adjutant General; modifying the minimum qualifications for additional officers appointed by the Adjutant General; amending s. 250.35, F.S.; designating the provisions of ch. 250, F.S., and the Uniform Code of Military Justice as the Florida Code of Military Justice; specifying that a court-martial is an administrative procedure under the executive branch of state government; revising procedures applicable to various court-martial proceedings; revising the types of punishments a person found guilty in a court-martial proceeding is subject to; authorizing certain commanders to suspend punishment, subject to specified limitations; authorizing Florida National Guard regulations to provide for nonjudicial punishment; specifying the authority of certain commanders to reduce grades of enlisted personnel,

subject to specified limitations; modifying procedures governing appeals of a court-martial finding and sentence; amending s. 250.351, F.S.; revising provisions governing the applicability of ch. 250, F.S., and the Florida Code of Military Justice; specifying conditions under which subject matter jurisdiction is established in certain cases; amending s. 250.36, F.S.; authorizing the Adjutant General, the Adjutant General's designee, or a military judge to issue and execute search authorizations under specified circumstances; amending s. 250.375, F.S.; revising authorization for certain physicians serving as medical officers with, or in support of, the Florida National Guard to practice medicine under certain circumstances; amending s. 250.40, F.S.; revising the composition of the Armory Board; authorizing board members to request excusal from an Armory Board meeting; providing for the designation of an alternate board member in the event of an excusal; modifying a provision governing the length of the term of board members; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of SB 770, pursuant to Rule 3.11(3), there being no objection, CS for HB 873 was withdrawn from the Committee on Appropriations.

On motion by Senator Burgess—

CS for HB 873—A bill to be entitled An act relating to military affairs; amending s. 110.205, F.S.; removing requirements for certain military positions to have the same salary and benefits as career service positions; amending s. 121.055, F.S.; revising military positions required to participate in the Senior Management Service Class; amending s. 250.10, F.S.; revising requirements for appointment as Adjutant General, Assistant Adjutant General for Army, and Assistant Adjutant General for Air; requiring the Adjutant General to serve as the Commanding General of the state's organized militia; amending s. 250.35, F.S.; establishing the Florida Code of Military Justice (FCMJ); authorizing courts-martial to try a member of the Florida National Guard for offenses punishable by the FCMJ; specifying that courts-martial are administrative proceedings in the executive branch; revising procedures and personnel qualifications for convening and trial of general, special, and summary courts-martial; prohibiting delegation of the duty of convening such courts-martial; revising punishments that may be adjudged by such courts; revising provisions relating to imposition of nonjudicial punishment; revising punishments that may be adjudged; authorizing and providing requirements for suspension of nonjudicial punishment; specifying types of nonjudicial punishment; authorizing certain commanders to reduce personnel pay grades; authorizing appeal of a specific charge or specification; providing appeal requirements; amending s. 250.36, F.S.; authorizing any military judge to issue pretrial confinement warrants, subpoenas, and subpoenas duces tecum; authorizing the Adjutant General or a military judge to issue and execute search authorizations under certain circumstances; revising provisions related to care required to be provided by a sheriff or jailer to a person convicted by court-martial; amending s. 250.40, F.S.; revising membership, terms, and meeting requirements of the Armory Board; amending s. 250.351, F.S.; providing that members of the Florida National Guard are subject to the FCMJ whether in civilian or military status; providing requirements for establishment of jurisdiction; removing references to a court of inquiry; amending s. 250.375, F.S.; revising circumstances under which a physician may practice medicine during an emergency, a disaster, or federal military training; providing an effective date.

—a companion measure, was substituted for SB 770 and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, CS for HB 873 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Name, Book, Broxson. Lists names of senators who voted 'Yeas'.

Garcia	Passidomo	Stargel
Gibson	Perry	Stewart
Gruters	Pizzo	Taddeo
Harrell	Polsky	Thurston
Hooper	Powell	Torres
Hutson	Rodrigues	Wright
Jones	Rodriguez	
Mayfield	Rouson	

Nays—None

**CS for CS for SB 804**—A bill to be entitled An act relating to substance abuse services; amending s. 397.403, F.S.; providing criminal penalties for making certain false representations or omissions of material facts when applying for service provider licenses; amending s. 397.415, F.S.; requiring the Department of Children and Families to suspend a service provider's license under certain circumstances; amending ss. 397.487 and 397.4871, F.S.; expanding the applicability of certain exemptions for disqualification to applications for certification of a recovery residence or a recovery residence administrator, respectively; amending s. 397.4873, F.S.; revising civil penalties; requiring the department to suspend a service provider's license under certain circumstances; amending s. 553.80, F.S.; specifying that certain dwellings converted to recovery residences do not have a change of occupancy under the Florida Building Code due to such conversion; amending s. 633.208, F.S.; prohibiting the reclassification of certain dwellings certified as recovery residences for purposes of enforcing the Florida Fire Prevention Code; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **CS for CS for SB 804** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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 902** was deferred.

**CS for CS for SB 1070**—A bill to be entitled An act relating to estates and trusts; amending s. 69.031, F.S.; requiring the court to allow an officer to elect to post and maintain a certain bond; requiring the court to vacate or terminate an order under certain circumstances; making technical changes; amending s. 732.507, F.S.; providing that certain provisions of a will are void upon dissolution of marriage; specifying when dissolution of marriage occurs; providing applicability; amending s. 736.0103, F.S.; defining terms; revising the definition of the term "terms of a trust"; amending s. 736.0105, F.S.; revising the exceptions for when the terms of a trust do not prevail over provisions of the Florida Trust Code; amending s. 736.0201, F.S.; authorizing certain proceedings to determine the homestead status of real property owned by a trust to be filed in the probate proceeding for the settlor's estate; requiring that such proceedings be governed by the Florida Probate Rules; amending s. 736.0603, F.S.; transferring provisions that authorize a trustee to follow certain directions; amending s. 736.0703, F.S.; conforming provisions to changes made by the act; repealing s. 736.0808, F.S., relating to powers to direct; amending s. 736.1008, F.S.; specifying that certain claims barred against a trustee or trust director

are also barred against certain persons acting for that trustee or trust director; conforming provisions to changes made by the act; amending s. 736.1017, F.S.; revising the information required to be included in a certification of trust; amending s. 736.1105, F.S.; revising the effects that subsequent marriages, births, adoptions, or dissolutions of marriage have on a revocable trust; providing construction; providing applicability; creating s. 736.1109, F.S.; specifying how title passes for certain devises of homesteads which violate the State Constitution; specifying that certain powers do not subject an interest in a protected homestead to certain claims; providing applicability; creating part XIV of ch. 736, F.S., entitled the "Florida Uniform Directed Trust Act"; creating s. 736.1401, F.S.; providing a short title; creating s. 736.1403, F.S.; providing applicability; providing for the validity of certain terms in a directed trust which designate principal places of administration; creating s. 736.1405, F.S.; defining the term "power of appointment"; providing applicability; specifying the types of powers granted to persons other than trustees; creating s. 736.1406, F.S.; authorizing the terms of a trust to grant a power of direction to a trust director; specifying the powers included in a power of direction; creating s. 736.1407, F.S.; providing for limitations on trust directors; creating s. 736.1408, F.S.; providing duties and liabilities for trust directors; creating s. 736.1409, F.S.; providing duties and liabilities for directed trustees; creating s. 736.141, F.S.; requiring a trustee to provide certain information to a trust director; requiring a trust director to provide certain information to a trustee or another trust director and a qualified beneficiary; providing that a trustee or a trust director acting in reliance on certain information is not liable for a breach of trust in certain circumstances; creating s. 736.1411, F.S.; specifying that trustees and trust directors do not have a duty to monitor, inform, or advise specified persons under certain circumstances; creating s. 736.1412, F.S.; transferring provisions relating to the appointment of trustees; creating s. 736.1413, F.S.; providing limitations on actions against trust directors; creating s. 736.1414, F.S.; authorizing trust directors to assert specified defenses in certain actions; creating s. 736.1415, F.S.; specifying that a trust director submits to specified personal jurisdiction by accepting appointment as a trust director; providing construction; creating s. 736.1416, F.S.; requiring trust directors to be considered a trustee for certain purposes; authorizing certain persons to make a specified written demand to accept or confirm prior acceptance of trust directorships; creating part XV of ch. 736, F.S., entitled the "Community Property Trust Act"; creating s. 736.1501, F.S.; providing a short title; creating s. 736.1502, F.S.; defining terms; creating s. 736.1503, F.S.; providing that an arrangement is a community property trust in certain circumstances; creating s. 736.1504, F.S.; authorizing settlor spouses to agree upon certain terms in an agreement establishing a community property trust; specifying when a community property trust may be amended or revoked; specifying qualified beneficiaries of community property trusts; creating s. 736.1505, F.S.; providing that settlor spouses may classify any property as community property by transferring that property to a community property trust regardless of domicile; providing for enforceability and duration of a community property trust; providing that the right to manage and control certain property is determined by the terms of the trust agreement; providing the effect of distributions from a community property trust; creating s. 736.1506, F.S.; providing for the satisfaction of obligations incurred by one or both spouses from a community property trust; creating s. 736.1507, F.S.; providing for the disposition or distribution of certain property upon the death of a spouse; creating s. 736.1508, F.S.; providing for the termination of a community property trust upon dissolution of marriage; creating s. 736.1509, F.S.; providing that a community property trust does not adversely affect certain rights of a child; creating s. 736.151, F.S.; providing that certain property held in a community property trust qualifies as homestead property; creating s. 736.1511, F.S.; providing for the application of the Internal Revenue Code to a community property trust; creating s. 736.1512, F.S.; providing that a community property trust is not enforceable in certain circumstances; amending ss. 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; amending s. 744.3679, F.S.; conforming a provision to changes made by the act; providing a directive to the Division of Law Revision; providing for severability; providing effective dates.

—was read the second time by title.

Senator Berman moved the following amendment:

**Amendment 1 (215478)**—Delete lines 862-1063 and insert:

(b) *Entry of a decree of legal separation maintenance by a court of competent jurisdiction in another state that recognizes legal separation or maintenance under its laws.*



(5) “During marriage” means a period that begins at marriage and ends upon the dissolution of marriage or upon the death of a spouse.

(6) “Qualified trustee” means either:

- (a) A natural person who is a resident of the state; or
- (b) A company authorized to act as a trustee in the state.

A qualified trustee’s powers include, but are not limited to, maintaining records for the trust on an exclusive or a nonexclusive basis and preparing or arranging for the preparation of, on an exclusive or a non-exclusive basis, any income tax returns that must be filed by the trust.

(7) “Settlor spouses” means a married couple who establishes a community property trust pursuant to this part.

Section 31. Section 736.1503, Florida Statutes, is created to read:

**736.1503 Requirements for community property trust.**—An arrangement is a community property trust if one or both settlor spouses transfer property to a trust that:

- (1) Expressly declares that the trust is a community property trust within the meaning of this part.
- (2) Has at least one trustee who is a qualified trustee, provided that both spouses or either spouse also may be a trustee.
- (3) Is signed by both settlor spouses consistent with the formalities required for the execution of a trust under this chapter.
- (4) Contains substantially the following language in capital letters at the beginning of the community property trust agreement:

**THE CONSEQUENCES OF THIS COMMUNITY PROPERTY TRUST MAY BE VERY EXTENSIVE, INCLUDING, BUT NOT LIMITED TO, YOUR RIGHTS WITH RESPECT TO CREDITORS AND OTHER THIRD PARTIES, AND YOUR RIGHTS WITH YOUR SPOUSE DURING THE COURSE OF YOUR MARRIAGE, AT THE TIME OF A DIVORCE, AND UPON THE DEATH OF YOU OR YOUR SPOUSE. ACCORDINGLY, THIS TRUST AGREEMENT SHOULD BE SIGNED ONLY AFTER CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS ABOUT THIS TRUST AGREEMENT, YOU SHOULD SEEK COMPETENT AND INDEPENDENT LEGAL ADVICE. ALTHOUGH NOT A REQUIREMENT, IT IS STRONGLY ADVISABLE THAT EACH SPOUSE OBTAIN THEIR OWN SEPARATE LEGAL COUNSEL PRIOR TO THE EXECUTION OF THIS TRUST.**

Section 32. Section 736.1504, Florida Statutes, is created to read:

**736.1504 Agreement establishing community property trust; amendments and revocation.**—

- (1) In the agreement establishing a community property trust, the settlor spouses may agree upon:
  - (a) The rights and obligations in the property transferred to the trust, notwithstanding when and where the property is acquired or located.
  - (b) The management and control of the property transferred into the trust.
  - (c) The disposition of the property transferred to the trust on dissolution, death, or the occurrence or nonoccurrence of another event, subject to ss. 736.1507 and 736.1508.
  - (d) Whether the trust is revocable or irrevocable.
  - (e) Any other matter that affects the property transferred to the trust and does not violate public policy or general law imposing a criminal penalty, or result in the property not being treated as community property under the laws of a relevant jurisdiction.
- (2) In the event of the death of a settlor spouse, the surviving spouse may amend a community property trust regarding the disposition of that spouse’s one-half share of the community property, regardless of whether the agreement provides that the community property trust is irrevocable.

(3) A community property trust may be amended or revoked by the settlor spouses unless the agreement itself specifically provides that the community property trust is irrevocable.

(4) Notwithstanding any other provision of this code, the settlor spouses shall be deemed to be the only qualified beneficiaries of a community property trust until the death of one of the settlor spouses, regardless of whether the trust is revocable or irrevocable. After the death of one of the settlor spouses, the surviving spouse shall be deemed to be the only qualified beneficiary as to his or her share of the community property trust.

Section 33. Section 736.1505, Florida Statutes, is created to read:

**736.1505 Classification of property as community property; enforcement; duration; management and control; effect of distributions.**—

- (1) Whether both, one, or neither is domiciled in the state, settlor spouses may classify any or all of their property as community property by transferring that property to a community property trust and providing in the trust that the property is community property pursuant to this part.
- (2) A community property trust is enforceable without consideration.
- (3) All property owned by a community property trust is community property under the laws of the state during the marriage of the settlor spouses.
- (4) The right to manage and control property that is transferred to a community property trust is determined by the terms of the trust agreement.
- (5) When property is distributed from a community property trust, the property shall no longer constitute community property within the meaning of this part, provided that community property as classified by a jurisdiction other than the state retains its character as community property to the extent otherwise provided by ss. 732.216-732.228.

Section 34. Section 736.1506, Florida Statutes, is created to read:

**736.1506 Satisfaction of obligations.**—Except as provided in s. 4, Art. X of the State Constitution:

- (1) An obligation solely incurred by one settlor spouse before or during the marriage may be satisfied from that settlor spouse’s one-half share of a community property trust, unless otherwise provided in the community property trust agreement.
- (2) An obligation incurred by both spouses during the marriage may be satisfied from a community property trust of the settlor spouses.

Section 35. Section 736.1507, Florida Statutes, is created to read:

**736.1507 Death of a spouse.**—Upon the death of a spouse, one-half of the aggregate value of the property held in a community property trust established by the settlor spouses reflects the share of the surviving spouse and is not subject to testamentary disposition by the decedent spouse or distribution under the laws of succession of the state. The other one-half of the value of that property reflects the share of the decedent spouse and is subject to testamentary disposition or distribution under the laws of succession of the state. Unless provided otherwise in the community property trust agreement, the trustee has the power to distribute assets of the trust in divided or undivided interests and to adjust resulting differences in valuation. A distribution in kind may be made on the basis of a non-pro rata division of the aggregate value of the trust assets, on the basis of a pro rata division of each individual asset, or by using both methods. The decedent’s spouse’s one-half share shall not be included in the elective estate.

Section 36. Section 736.1508, Florida Statutes, is created to read:

**736.1508 Dissolution of marriage.**—

- (1) Upon the dissolution of the marriage of the settlor spouses, the community property trust shall terminate and the trustee shall distribute one-half of the trust assets to each spouse in accordance with subsection (3). For purposes of this act, s. 61.075 does not apply to the

disposition of the assets and liabilities held in a community property trust.

(2) The initiation of an action to dissolve the settlor spouses' marriage does not automatically terminate the community property trust unless otherwise agreed to by the settlor spouses in writing or otherwise ordered by the court having jurisdiction over the dissolution proceedings between the settlor spouses. However, if an action to dissolve the settlor spouses' marriage remains pending for 180 days, the trust automatically terminates and the trustee must distribute one-half of the trust assets to each spouse in accordance with subsection (3), unless any of the following apply:

(a) A settlor spouse objects to the termination within 180 days following the filing of the dissolution action. At which time, either party may request that the court having jurisdiction over the dissolution proceedings between the settlor spouses determine if good cause exists to terminate the community property trust during the pendency of the dissolution of marriage action.

(b) The court having jurisdiction over the dissolution proceedings between the settlor spouses enters an order directing otherwise.

(c) The settlor spouses otherwise agree, in writing, while the dissolution of marriage action is pending.

(d) The community property trust agreement provides otherwise.

(3) Unless provided otherwise in the community property trust agreement, the trustee has the power to distribute assets of the trust in divided or undivided interests and to adjust resulting differences in valuation. A distribution in kind may be made on the basis of a non-pro rata division of the aggregate value of the trust assets, on the basis of a pro rata division of each individual asset, or by using both methods. A trustee may not distribute real property or business interests in a manner that would leave the settlor spouses as co-owners of such assets post dissolution of the settlor spouses' marriage or termination of the community property trust, unless otherwise agreed to by the settlor spouses in a separate written agreement executed during the dissolution of marriage action. Notwithstanding any other provision of this section, the community property trust agreement cannot be terminated, and the assets cannot be distributed, in a manner that could cause the trust assets to not be treated as community property.

(4) The court having jurisdiction over the dissolution proceedings between the settlor spouses has personal and subject matter jurisdiction over the settlor spouses and the trustee of the community property trust for the purpose of effectuating the distribution of the community property trust assets consistent with the terms of the community property trust agreement, in a manner ensuring that the trust assets retain their community property character.

Section 37. Section 736.1509, Florida Statutes, is created to read:

**736.1509 Right of child to support.**—A community property trust does not adversely affect the right of a child of the settlor spouses to support, pursuant to s. 61.30 or the applicable law of another jurisdiction, that either spouse would be required to give under the applicable laws of the settlor spouses' state of domicile.

Section 38. Section 736.151, Florida Statutes, is created to read:

**736.151 Homestead property.**—

(1) Property that is transferred to or acquired subject to a community property trust may continue to qualify or may initially qualify as the settlor spouses' homestead within the meaning of s. 4(a)(1), Art. X of the State Constitution and for all purposes of general law, provided that the property would qualify as the settlor spouses' homestead if title was held in one or both of the settlor spouses' individual names.

(2) The settlor spouses shall be deemed to have beneficial title in equity to the homestead property held subject to a community property trust for all purposes, including for purposes of s. 196.031.

Section 39. Section 736.1511, Florida Statutes, is created to read:

**736.1511 Application of Internal Revenue Code; community property classified by another jurisdiction.**—For purposes of the application of s.

1014(b)(6) of the Internal Revenue Code of 1986, 26 U.S.C. s. 1014(b)(6), as of January 1, 2021, a community property trust is considered a trust established under the community property laws of the state. Community property, as classified by a jurisdiction other than this state, which is transferred to a community property trust retains its character as community property while in the trust. If the trust is revoked and property is transferred on revocation of the trust, the community property as classified by a jurisdiction other than the state retains its character as community property to the extent otherwise provided by ss. 732.216-732.228.

Section 40. Section 736.1512, Florida Statutes, is created to read:

**736.1512 Unenforceable trusts.**—

(1) A community property trust executed during marriage is not enforceable if the spouse against whom enforcement is sought proves that:

(a) The trust was unconscionable when made;

(b) The spouse against whom enforcement is sought did not execute the community property trust agreement voluntarily;

(c) The community property trust agreement was the product of fraud, duress, coercion, or overreaching; or

(d) Before execution of the community property trust agreement, the spouse against whom enforcement is sought:

1. Was not given a fair and reasonable disclosure of the property and financial obligations of the other spouse.

2. Did not voluntarily sign a written waiver expressly waiving right to disclosure of the property and financial obligations of the other spouse beyond the disclosure provided.

3. Did not have notice of the property or financial obligations of the other spouse.

(2) Whether a community property trust is unconscionable shall be determined by a court as a matter of law.

(3) A community property trust may not be deemed unenforceable solely on the fact that the settlor spouses did not have separate legal representation when executing the community property trust agreement.

Senator Berman moved the following amendment to **Amendment 1 (215478)** which was adopted:

**Amendment 1A (880488)**—Between lines 119 and 120 insert: a greater amount is

**Amendment 1 (215478)**, as amended, was adopted.

On motion by Senator Berman, by two-thirds vote, **CS for CS for SB 1070**, as amended, was read the third time by title, passed, ordered engrossed, and then 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

CS for 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 direct notices to insureds or subscribers; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for CS for SB 1024, pursuant to Rule 3.11(3), there being no objection, CS for HB 701 was withdrawn from the Committee on Appropriations.

On motion by Senator Brodeur—

CS for HB 701—A bill to be entitled An act relating to behavioral health care services coverage and access; creating s. 624.36, F.S.; requiring the Department of Financial Services to submit a report relating to behavioral health care services and benefits to the Governor and the 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 health insurers and health maintenance organizations, respectively, to disclose specified information on their websites; requiring health insurers and health maintenance organizations, respectively, to annually provide certain direct notices to insureds or subscribers; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 1024 and read the second time by title.

On motion by Senator Brodeur, by two-thirds vote, CS for HB 701 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Mr. President, Cruz, Pizzo, Albritton, Diaz, Polsky, Ausley, Farmer, Powell, Baxley, Gainer, Rodrigues, 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

CS for SB 1934—A bill to be entitled An act relating to health care practitioner discipline; amending s. 456.072, F.S.; subjecting health care practitioners to disciplinary action for specified offenses; amending s. 456.074, F.S.; revising provisions relating to immediate suspension of licensure to apply to all health care practitioners; requiring the Department of Health to issue emergency orders to suspend health care practitioners' licenses if they enter a criminal plea to, or are convicted or found guilty of, a felony relating to homicide or are arrested for committing or attempting, soliciting, or conspiring to commit acts that would constitute violations of specified criminal offenses; providing an effective date.

—was read the second time by title. On motion by Senator Book, by two-thirds vote, CS for SB 1934 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Mr. President, Cruz, Pizzo, Albritton, Diaz, Polsky, Ausley, Farmer, Powell, Baxley, Gainer, Rodrigues, 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

CS for CS for SB 1060—A bill to be entitled An act relating to limitation of liability for voluntary engineering or architectural services; creating s. 768.38, F.S.; defining the term "structures specialist"; exempting engineers, architects, and structures specialists from liability for certain voluntary engineering or architectural services under certain circumstances; providing applicability; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (379306)—Delete lines 41-42 and insert: only to services provided within 90 days of the first declaration of a particular federal, state, or local emergency.

On motion by Senator Bradley, by two-thirds vote, CS for CS for SB 1060, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Mr. President, Cruz, Pizzo, Albritton, Diaz, Polsky, Ausley, Farmer, Powell, Baxley, Gainer, Rodrigues, 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

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.

—was read the second time by title.

Pending further consideration of **CS for SB 1288**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 6077** was withdrawn from the Committee on Rules.

On motion by Senator Boyd—

**CS for HB 6077**—A bill to be entitled An act relating to assets of an estate in administration; amending s. 69.031, F.S.; removing a requirement that assets of an estate in administration may only be placed in a savings and loan association if it meets specified requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 1288** and read the second time by title.

On motion by Senator Boyd, by two-thirds vote, **CS for HB 6077** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for SB 1234**—A bill to be entitled An act relating to false reports of crimes; amending s. 817.49, F.S.; defining the term “public safety agency”; authorizing enhanced fines for the willful making of false reports of crimes under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1234**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 371** was withdrawn from the Committee on Rules.

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

**CS for HB 371**—A bill to be entitled An act relating to false reports of crimes; amending s. 817.49, F.S.; providing a definition; providing enhanced criminal penalties for the willful making of false reports of crimes in certain circumstances; requiring a court to order restitution; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—a companion measure, was substituted for **CS for SB 1234** and read the second time by title.

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

Senator Boyd moved the following amendment which was adopted:

**Amendment 1 (631948)**—Delete lines 35-256 and insert:

1. *Great bodily harm, permanent disfigurement, or permanent disability to any person as a proximate result of lawful conduct arising out of a response, the person making such report commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

2. *Death to any person as a proximate result of lawful conduct arising out of a response, the person making such report commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(3) *A court shall order any person convicted of violating this section to pay restitution, which shall include full payment for any cost incurred by a responding public safety agency.*

Section 2. Paragraphs (c) and (f) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066(3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
379.2431(1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

Florida Statute	Felony Degree	Description	Florida Statute	Felony Degree	Description
379.2431(1)(e)6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.	817.234(8)(b) & (c) 817.234(11)(a)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
379.2431(1)(e)7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.	817.236	3rd	Filing a false motor vehicle insurance application.
400.9935(4)(a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
400.9935(4)(e)	3rd	Filing a false license application or other required information or failing to report information.	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.
440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.	817.49(2)(b)1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
697.08	3rd	Equity skimming.			
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.	860.15(3)	3rd	Overcharging for repairs and parts.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.	870.01(2) 893.13(1)(a)2.	3rd	Riot; inciting or encouraging.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.		3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs).
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.
812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.			
812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.
812.015(8)(b)	3rd	Retail theft with intent to sell; conspires with others.			
815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
817.233	3rd	Burning to defraud insurer.			

Florida Statute	Felony Degree	Description	Florida Statute	Felony Degree	Description
893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.	499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.	499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.	775.0875(1)	3rd	Taking firearm from law enforcement officer.
893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.	784.041	3rd	Felony battery; domestic battery by strangulation.
893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.	784.048(3)	3rd	Aggravated stalking; credible threat.
893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.	784.048(5)	3rd	Aggravated stalking of person under 16.
918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.	784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
944.47(1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.	784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.	784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).	784.081(2)	2nd	Aggravated assault on specified official or employee.
(f) LEVEL 6			784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.	784.083(2)	2nd	Aggravated assault on code inspector.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
			790.164(1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
			790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
			794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
			794.05(1)	2nd	Unlawful sexual activity with specified minor.

Florida Statute	Felony Degree	Description	Florida Statute	Felony Degree	Description																																										
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.																																										
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.																																										
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.																																										
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.																																										
810.145(8)(b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.																																										
812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.																																													
812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.	944.40	2nd	Escapes.																																										
812.015(9)(a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.	944.46	3rd	Harboring, concealing, aiding escaped prisoners.																																										
812.015(9)(b)	2nd	Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.																																										
812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).	951.22(1)(i)	3rd	Firearm or weapon introduced into county detention facility.																																										
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.	<p>On motion by Senator Boyd, by two-thirds vote, <b>CS for HB 371</b>, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:</p> <p>Yeas—40</p> <table border="0"> <tr> <td>Mr. President</td> <td>Cruz</td> <td>Pizzo</td> </tr> <tr> <td>Albritton</td> <td>Diaz</td> <td>Polsky</td> </tr> <tr> <td>Ausley</td> <td>Farmer</td> <td>Powell</td> </tr> <tr> <td>Baxley</td> <td>Gainer</td> <td>Rodrigues</td> </tr> <tr> <td>Bean</td> <td>Garcia</td> <td>Rodriguez</td> </tr> <tr> <td>Berman</td> <td>Gibson</td> <td>Rouson</td> </tr> <tr> <td>Book</td> <td>Gruters</td> <td>Stargel</td> </tr> <tr> <td>Boyd</td> <td>Harrell</td> <td>Stewart</td> </tr> <tr> <td>Bracy</td> <td>Hooper</td> <td>Taddeo</td> </tr> <tr> <td>Bradley</td> <td>Hutson</td> <td>Thurston</td> </tr> <tr> <td>Brandes</td> <td>Jones</td> <td>Torres</td> </tr> <tr> <td>Brodeur</td> <td>Mayfield</td> <td>Wright</td> </tr> <tr> <td>Broxson</td> <td>Passidomo</td> <td></td> </tr> <tr> <td>Burgess</td> <td>Perry</td> <td></td> </tr> </table> <p>Nays—None</p>			Mr. President	Cruz	Pizzo	Albritton	Diaz	Polsky	Ausley	Farmer	Powell	Baxley	Gainer	Rodrigues	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	
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Burgess	Perry																																														
817.49(2)(b)2.	2nd	<i>Willful making of a false report of a crime resulting in death.</i>																																													
817.505(4)(b)	2nd	Patient brokering; 10 or more patients.																																													
825.102(1)	3rd	Abuse of an elderly person or disabled adult.																																													
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.																																													
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.																																													
825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.																																													
827.03(2)(c)	3rd	Abuse of a child.																																													
827.03(2)(d)	3rd	Neglect of a child.																																													
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.	<p><b>CS for CS for SB 716</b>—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 consent; providing that certain health care practitioners and students need only obtain written consent for the initial pelvic examination for certain patients under certain circumstances; requiring such written consent form to inform the patient that multiple pelvic examinations may be conducted during the course of care and treatment; providing an effective date.</p> <p>—was read the second time by title. On motion by Senator Book, by two-thirds vote, <b>CS for CS for SB 716</b> was read the third time by title, passed, and certified to the House. The vote on passage was:</p>																																												
836.05	2nd	Threats; extortion.																																													
836.10	2nd	Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.																																													
843.12	3rd	Aids or assists person to escape.																																													

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for SB 1434**—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.119, F.S.; requiring the Department of Financial Services to provide copies of wills and trusts included in safe-deposit box contents under certain circumstances; amending s. 717.124, F.S.; requiring specified agreements for certain claims; removing provisions requiring the department to deny certain unclaimed property claims; increasing the threshold required to use a different method of identity verification for electronic claims; conforming provisions to changes made by the act; amending ss. 717.12404, 717.1315, and 717.1322, F.S.; conforming provisions to changes made by the act; amending s. 717.135, F.S.; requiring the department to adopt forms for an Unclaimed Property Recovery Agreement and an Unclaimed Property Purchase Agreement; providing requirements for such agreements; providing that the agreements are the exclusive means for a claimant's representative to file a claim or to recover fees and costs; prohibiting a claimant's representative from using or distributing any other form of agreement; providing administrative and civil penalties; authorizing the department to pay additional accounts under certain circumstances; providing applicability; repealing s. 717.1351, F.S., relating to unclaimed property claims; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1434**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 425** was withdrawn from the Committee on Rules.

On motion by Senator Wright—

**CS for HB 425**—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.119, F.S.; requiring the Department of Financial Services to provide copies of certain wills and trusts, and any codicils or amendments of such wills and trusts, to certain persons upon request; amending s. 717.124, F.S.; requiring specified agreements for certain claims; removing provisions requiring the department to deny certain unclaimed property claims; increasing the threshold required to use a different method of identity verification for electronic claims; conforming provisions to changes made by the act; amending ss. 717.12404, 717.1315, and 717.1322, F.S.; conforming provisions to changes made by the act; amending s. 717.135, F.S.; requiring the department to adopt forms for an Unclaimed Property Recovery Agreement and an Unclaimed Property Purchase Agreement; providing requirements for such agreements; providing that the agreements are the exclusive means for a claimant's representative to file a claim or to recover fees and costs; prohibiting a claimant's representative from using or distributing any other form of agreement; providing administrative and civil penalties; authorizing the department to pay additional accounts under certain circumstances; providing applicability; repealing s. 717.1351, F.S., relating to unclaimed property claims; providing an effective date.

—a companion measure, was substituted for **CS for SB 1434** and read the second time by title.

On motion by Senator Wright, by two-thirds vote, **CS for HB 425** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

On motion by Senator Burgess—

**CS for CS for SB 2006**—A bill to be entitled An act relating to emergency management; amending s. 11.90, F.S.; authorizing the Legislative Budget Commission to convene to transfer certain funds to the Emergency Preparedness and Response Fund; amending s. 252.311, F.S.; revising legislative intent with respect to the State Emergency Management Act; amending s. 252.34, F.S.; defining terms; amending s. 252.35, F.S.; requiring that the state comprehensive emergency management plan provide for certain public health emergency communications and include the Department of Health's public health emergency plan; requiring the Division of Emergency Management to cooperate with federal and state health agencies; requiring statewide awareness and education programs to include education on public health emergency preparedness and mitigation; requiring the division to complete and maintain an inventory of personal protective equipment; directing the division to submit a specified annual report to the Governor, the Legislature, and the Chief Justice of the Supreme Court; providing limitations on the timeframe for delegation of certain authorities by the division; requiring the division to submit a specified biennial report to the Chief Justice of the Supreme Court; amending s. 252.355, F.S.; requiring the division to maintain certain information on special needs shelter options during certain public health emergencies; deleting obsolete language; amending s. 252.356, F.S.; requiring state agencies that contract with providers for the care of persons with certain disabilities or limitations to include in such contracts a procedure for providing essential services in preparation for, during, and following public health emergencies; amending s. 252.359, F.S.; redefining the term "essentials" to include personal protective equipment used during public health emergencies; amending s. 252.36, F.S.; limiting the duration of emergency orders, proclamations, and rules issued by the Governor; providing legislative intent; providing a presumption that K-12 public schools should remain open, if possible, during an extended public health emergency; providing a presumption that businesses should remain open, if possible, during an extended public health emergency; requiring the Governor to include specific reasons for closing or restricting in-person attendance at K-12 public schools and for closing or restricting operations of businesses during an extended public health emergency; requiring the Governor to provide specific reasons if such schools or businesses are closed as part of an emergency declaration; requiring the Governor to regularly review and reassess any issued emergency declarations; requiring the Governor to provide notice of declarations of emergencies to the Legislature; expanding the Legislature's authority to terminate states of emergency; requiring that all emergency declarations and orders be filed with the Division of Administrative Hearings within a specified timeframe; specifying that failure to timely file such declarations or orders results in their being voided; requiring the division to index such emergency orders and make them available on its website within a specified timeframe; requiring such orders to be searchable by specified criteria; requiring that the Division of Emergency Management publish a link to the index on its website; providing for retroactive application; directing the Governor to



report certain department and agency activities to the Legislature during a state of emergency; creating s. 252.3611, F.S.; requiring specified information to be included in orders, proclamations, and rules issued by the Governor, the division, or an agency; directing specified entities to submit specified contracts and reports to the Legislature; directing the Auditor General to conduct specified financial audits; amending s. 252.365, F.S.; requiring that disaster-preparedness plans of specified agencies address pandemics and other public health emergencies and include certain increases in public access of government services and availability and distribution of personal protective equipment during an emergency; directing agencies to update disaster preparedness plans by a specified date; amending s. 252.37, F.S.; revising legislative intent; authorizing the Governor to transfer and expend moneys from the Emergency Preparedness and Response Fund; authorizing the Governor to request that additional funds be appropriated to the Emergency Preparedness and Response Fund, subject to approval by the Legislative Budget Commission; providing construction; requiring state agencies to submit to the Legislature a spending plan for certain emergency funds; requiring the Division of Emergency Management to submit to the Legislature a report detailing public assistance requests; amending s. 252.38, F.S.; specifying that a political subdivision has the burden of proving the proper exercise of its police power in the issuance of certain emergency orders; authorizing the Governor or the Legislature to invalidate emergency measures issued by a political subdivision under specified conditions; amending s. 252.385, F.S.; requiring the division's hurricane shelter plan to address projected hurricane shelter needs during public health emergencies; amending s. 252.44, F.S.; requiring emergency mitigation planning by state agencies to include agencies with jurisdiction over public health; amending s. 252.46, F.S.; providing that a failure by a political subdivision to file certain orders and rules with specified entities within a specified timeframe voids the issued orders or rules; requiring that certain orders be available on a dedicated webpage; requiring the division to provide links to such webpage on its website in a specified format; providing for the automatic expiration of emergency orders issued by a political subdivision; authorizing the extension of such orders if certain conditions are met; prohibiting a political subdivision from issuing a subsequent order for the same emergency which is substantially similar to the expired order; providing for the tolling of the automatic expiration of an order if certain conditions exist; requiring that orders issued by a political subdivision which impose a curfew restricting travel or movement allow persons to travel during the curfew to and from their places of employment; amending s. 377.703, F.S.; conforming a cross-reference; amending s. 381.00315, F.S.; revising a definition; directing the Department of Health, in collaboration with specified entities, to develop a specified public health emergency plan; requiring the department to submit the plan to the division; requiring the department to review and update the plan as necessary; directing the State Health Officer to establish methods of reporting certain data; authorizing the State Health Officer to order and request assistance with specified duties; amending s. 406.11, F.S.; requiring district medical examiners to certify deaths and to assist the State Health Officer with certain functions upon request; providing that any emergency orders issued before a specified date will expire but may be reissued if certain conditions exist and a certain requirement is met; requiring the Department of Business and Professional Regulation, by a specified date, to review all executive orders issued under its delegated authority during the COVID-19 pandemic to make recommendations to the Legislature; providing effective dates.

—was read the second time by title.

Senator Burgess moved the following amendment which was adopted:

**Amendment 1 (970074) (with title amendment)**—Delete lines 659-1251 and insert:

*order, proclamation, or rule thereunder. Upon such concurrent resolution, the Governor shall issue an executive order or proclamation consistent with the concurrent resolution.*

(b) *Notwithstanding s. 252.46(2), all emergency declarations and orders, regardless of how titled, issued under the authority of this part by the Governor or any agency, whether by direct, delegated, or sub-delegated authority, before, during, or after a declared emergency, must be immediately filed with the Division of Administrative Hearings. Failure to file any such declaration or order with the division within 5 days after issuance voids the declaration or order. The division shall index all such declarations and orders and make them available in*

*searchable format on its website within 3 days of filing. The searchable format must include, but is not limited to, searches by term, referenced statutes, and rules and must include a search category that specifically identifies emergency orders in effect at any given time. A link to the division's index must be placed in a conspicuous location on the Division of Emergency Management's website. This subsection applies retroactively to all executive emergency declarations and orders in effect on July 1, 2021.*

(6)(5) In addition to any other powers conferred upon the Governor by law, she or he may:

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services. *The transfer of the direction, personnel, or functions of state departments and agencies must be reported monthly on a cumulative basis to the President of the Senate and the Speaker of the House of Representatives.*

Section 9. Section 252.3611, Florida Statutes, is created to read:

252.3611 *Transparency; audits.*—

(1) *Each order, proclamation, or rule issued by the Governor, the division, or any agency must specify the statute or rule being amended or waived, if applicable, and the expiration date for the order, proclamation, or rule.*

(2) *When the duration of an emergency exceeds 90 days:*

(a) *Within 72 hours of executing a contract executed with moneys authorized for expenditure to support the response to the declared state of emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy of such contract to the Legislature. For contracts executed during the first 90 days of the emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy to the Legislature within the first 120 days of the declared emergency.*

(b) *The Executive Office of the Governor or the appropriate agency shall submit monthly reports to the Legislature of all state expenditures, revenues received, and funds transferred by an agency during the previous month to support the declared state of emergency.*

(3) *Once an emergency exceeds 1 year, the Auditor General shall conduct a financial audit of all associated expenditures and a compliance audit of all associated contracts entered into during the declared emergency. The Auditor General must update the audit annually until the emergency is declared to be ended.*

(4) *Following the expiration or termination of a state of emergency, the Auditor General shall conduct a financial audit of all associated expenditures and a compliance audit of all associated contracts entered into during the state of emergency.*

Section 10. Subsection (3) of section 252.365, Florida Statutes, is amended to read:

252.365 *Emergency coordination officers; disaster-preparedness plans.*—

(3) *Emergency coordination officers shall ensure ~~These individuals shall be responsible for ensuring~~ that each state agency and facility, such as a prison, office building, or university, has a disaster preparedness plan that is coordinated with the applicable local emergency-management agency and approved by the division.*

(a) *The disaster-preparedness plan must outline a comprehensive and effective program to ensure continuity of essential state functions under all circumstances, including, but not limited to, a pandemic or other public health emergency. The plan must identify a baseline of preparedness for a full range of potential emergencies to establish a viable capability to perform essential functions during any emergency or other situation that disrupts normal operations. This baseline must consider and include preparedness for rapid and large-scale increases in the public's need to access government services through technology or other means during an emergency, including, but not limited to, a public health emergency.*

(b) The plan must include, at a minimum, the following elements: identification of essential functions, programs, and personnel; procedures to implement the plan and personnel notification and accountability; delegations of authority and lines of succession; identification of alternative facilities and related infrastructure, including those for communications; identification and protection of vital records and databases; *provisions regarding the availability of, and distribution plans for, personal protective equipment*; and schedules and procedures for periodic tests, training, and exercises.

(c) The division shall develop and distribute guidelines for developing and implementing the plan. *By December 31, 2022, each agency must update its plan to include provisions related to preparation for pandemics and other public health emergencies consistent with the plan developed pursuant to s. 381.00315. Each agency plan must be updated as needed to remain consistent with the state public health emergency management plan.*

Section 11. Subsections (7) and (8) are added to section 252.37, Florida Statutes, and subsection (2) of that section is amended, contingent upon SB 1892 or similar legislation creating the Emergency Preparedness and Response Fund taking effect, to read:

252.37 Financing.—

(2)(a) It is the legislative intent that the first recourse be made to funds ~~specifically regularly~~ appropriated to state and local agencies for disaster relief or response.

(b) If the Governor finds that the demands placed upon these funds in coping with a particular disaster declared by the Governor as a state of emergency are unreasonably great, she or he may make funds available by transferring and expending moneys ~~appropriated for other purposes, from the Emergency Preparedness and Response Fund.~~

(c) *If additional funds are needed, the Governor may make funds available by transferring and expending moneys out of any unappropriated surplus funds, or from the Budget Stabilization Fund if the transfers and expenditures are directly related to the declared disaster or emergency. Notice of such action, as provided in s. 216.177, must be delivered at least 7 days before the effective date of the action, unless a shorter period is agreed to in writing by the President of the Senate and the Speaker of the House of Representatives. If the President of the Senate and the Speaker of the House of Representatives timely advise in writing that the parties object to the transfer, the Governor must void such action.*

(d) Following the expiration or termination of the state of emergency, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget authority granted for such emergency. *The transfers and expenditures supporting the amendment must be directly related to the declared disaster or emergency.*

(7) *An agency or political subdivision shall submit in advance a detailed spending plan for any grants, gifts, loans, funds, payments, services, equipment, supplies, or materials in aid of or for the purposes of emergency prevention, recovery, mitigation, preparedness, and management, other than emergency response, received under this section to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees. This paragraph does not apply to the receipt of any funds from an agency, department, or other affiliated entity of the Federal Government as part of an expedited project worksheet in anticipation of emergency response expenditures. If an emergency situation precludes the timely advanced submission of a detailed spending plan, the plan must be submitted as soon as practicable, but not later than 30 days after initiation of any expenditures, and be resubmitted every 30 days as long as the emergency continues and funds continue to be disbursed.*

(8) *For emergency response activities, including an emergency response that includes emergency protective measures or debris removal, the agency or political subdivision is not required to provide a detailed spending plan in advance of expenditures, but must provide notice to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees of all expenditures in aggregate categories incurred in the emergency response no later than 30 days after the expenditure is incurred, and a copy of any*

*project worksheet submitted to the Federal Emergency Management Agency must be submitted to the same parties no later than 7 days after it is submitted to the Federal Emergency Management Agency.*

Section 12. Section 252.38, Florida Statutes, is amended to read:

252.38 Emergency management powers of political subdivisions.—Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state. *However, political subdivisions are given police powers to preserve, not impair, private rights. Therefore, a political subdivision that deprives any person of a constitutional right, a fundamental liberty, a statutory right, or property to address a purported emergency bears the burden of proving that the exercise of police power is narrowly tailored, serves a compelling governmental interest, and accomplishes the intended goal through the use of the least intrusive means.*

(1) COUNTIES.—

(a) In order to provide effective and orderly governmental control and coordination of emergency operations in emergencies within the scope of ss. 252.31-252.90, each county within this state shall be within the jurisdiction of, and served by, the division. Except as otherwise provided in ss. 252.31-252.90, each local emergency management agency shall have jurisdiction over and serve an entire county. Unless part of an interjurisdictional emergency management agreement entered into pursuant to paragraph (3)(b) which is recognized by the Governor by executive order or rule, each county must establish and maintain such an emergency management agency and shall develop a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program. Counties that are part of an interjurisdictional emergency management agreement entered into pursuant to paragraph (3)(b) which is recognized by the Governor by executive order or rule shall cooperatively develop an emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program.

(b) Each county emergency management agency created and established pursuant to ss. 252.31-252.90 shall have a director. The director must meet the minimum training and education qualifications established in a job description approved by the county. The director shall be appointed by the board of county commissioners or the chief administrative officer of the county, as described in chapter 125 or the county charter, if applicable, to serve at the pleasure of the appointing authority, in conformance with applicable resolutions, ordinances, and laws. A county constitutional officer, or an employee of a county constitutional officer, may be appointed as director following prior notification to the division. Each board of county commissioners shall promptly inform the division of the appointment of the director and other personnel. Each director has direct responsibility for the organization, administration, and operation of the county emergency management agency. The director shall coordinate emergency management activities, services, and programs within the county and shall serve as liaison to the division and other local emergency management agencies and organizations.

(c) Each county emergency management agency shall perform emergency management functions within the territorial limits of the county within which it is organized and, in addition, shall conduct such activities outside its territorial limits as are required pursuant to ss. 252.31-252.90 and in accordance with state and county emergency management plans and mutual aid agreements. Counties shall serve as liaison for and coordinator of municipalities' requests for state and federal assistance during postdisaster emergency operations.

(d) During a declared state or local emergency and upon the request of the director of a local emergency management agency, the district school board or school boards in the affected area shall participate in emergency management by providing facilities and necessary personnel to staff such facilities. Each school board providing transportation assistance in an emergency evacuation shall coordinate the use of its vehicles and personnel with the local emergency management agency.

(e) County emergency management agencies may charge and collect fees for the review of emergency management plans on behalf of external agencies and institutions. Fees must be reasonable and may not

exceed the cost of providing a review of emergency management plans in accordance with fee schedules established by the division.

(2) MUNICIPALITIES.—Legally constituted municipalities are authorized and encouraged to create municipal emergency management programs. Municipal emergency management programs shall coordinate their activities with those of the county emergency management agency. Municipalities without emergency management programs shall be served by their respective county agencies. If a municipality elects to establish an emergency management program, it must comply with all laws, rules, and requirements applicable to county emergency management agencies. Each municipal emergency management plan must be consistent with and subject to the applicable county emergency management plan. In addition, each municipality must coordinate requests for state or federal emergency response assistance with its county. This requirement does not apply to requests for reimbursement under federal public disaster assistance programs.

(3) EMERGENCY MANAGEMENT POWERS; POLITICAL SUBDIVISIONS.—

(a) In carrying out the provisions of ss. 252.31-252.90, each political subdivision shall have the power and authority:

1. To appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the federal and state emergency management agencies.

2. To appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers.

3. To establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

4. To assign and make available for duty the offices and agencies of the political subdivision, including the employees, property, or equipment thereof relating to firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency operation purposes, as the primary emergency management forces of the political subdivision for employment within or outside the political limits of the subdivision.

5. To request state assistance or invoke emergency-related mutual-aid assistance by declaring a state of local emergency in the event of an emergency affecting only one political subdivision. The duration of each state of emergency declared locally is limited to 7 days; it may be extended, as necessary, in 7-day increments. Further, the political subdivision has the power and authority to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
- b. Entering into contracts.
- c. Incurring obligations.
- d. Employment of permanent and temporary workers.
- e. Utilization of volunteer workers.
- f. Rental of equipment.
- g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
- h. Appropriation and expenditure of public funds.

(b) Upon the request of two or more adjoining counties, or if the Governor finds that two or more adjoining counties would be better served by an interjurisdictional arrangement than by maintaining separate emergency management agencies and services, the Governor

may delineate by executive order or rule an interjurisdictional area adequate to plan for, prevent, mitigate, or respond to emergencies in such area and may direct steps to be taken as necessary, including the creation of an interjurisdictional relationship, a joint emergency plan, a provision for mutual aid, or an area organization for emergency planning and services. A finding of the Governor pursuant to this paragraph shall be based on one or more factors related to the difficulty of maintaining an efficient and effective emergency prevention, mitigation, preparedness, response, and recovery system on a unijurisdictional basis, such as:

1. Small or sparse population.
2. Limitations on public financial resources severe enough to make maintenance of a separate emergency management agency and services unreasonably burdensome.
3. Unusual vulnerability to emergencies as evidenced by a past history of emergencies, topographical features, drainage characteristics, emergency potential, and presence of emergency-prone facilities or operations.
4. The interrelated character of the counties in a multicounty area.
5. Other relevant conditions or circumstances.

Section 13. Subsections (1), (2), and (3) of section 252.385, Florida Statutes, are amended to read:

252.385 Public shelter space.—

(1) It is the intent of the Legislature that this state not have a deficit of safe public hurricane evacuation shelter space in any region of the state ~~by 1998 and thereafter.~~

(2)(a) The division shall administer a program to survey existing schools, universities, community colleges, and other state-owned, municipally owned, and county-owned public buildings and any private facility that the owner, in writing, agrees to provide for use as a public hurricane evacuation shelter to identify those that are appropriately designed and located to serve as such shelters. The owners of the facilities must be given the opportunity to participate in the surveys. The state university boards of trustees, district school boards, community college boards of trustees, and the Department of Education are responsible for coordinating and implementing the survey of public schools, universities, and community colleges with the division or the local emergency management agency.

(b) By January 31 of each even-numbered year, the division shall prepare and submit a statewide emergency shelter plan to the Governor and Cabinet for approval, subject to the requirements for approval in s. 1013.37(2). ~~The emergency shelter plan must project, for each of the next 5 years, the hurricane shelter needs of the state, including periods of time during which a concurrent public health emergency may necessitate more space for each individual to accommodate physical distancing. In addition to information on the general shelter needs throughout this state, the plan must shall identify the general location and square footage of special needs shelters, by regional planning council region, during the next 5 years. The plan must shall also include information on the availability of shelters that accept pets. The Department of Health shall assist the division in determining the estimated need for special needs shelter space and the adequacy of facilities to meet the needs of persons with special needs based on information from the registries of persons with special needs and other information.~~

(3) The division shall annually provide to the President of the Senate, the Speaker of the House of Representatives, and the Governor a list of facilities recommended to be retrofitted using state funds. State funds should be maximized and targeted to regional planning council regions with hurricane evacuation shelter deficits. ~~Retrofitting facilities in regions with public hurricane evacuation shelter deficits shall be given first priority and should be completed by 2008. All recommended facilities should be retrofitted by 2008.~~ The owner or lessee of a public hurricane evacuation shelter that is included on the list of facilities recommended for retrofitting is not required to perform any recommended improvements.

Section 14. Subsection (1) of section 252.44, Florida Statutes, is amended to read:

## 252.44 Emergency mitigation.—

(1) In addition to prevention measures included in the state and local comprehensive emergency management plans, the Governor shall consider on a continuing basis steps that could be taken to mitigate the harmful consequences of emergencies. At the Governor's direction and pursuant to any other authority and competence they have, state agencies, including, but not limited to, those charged with responsibilities in connection with *protecting and maintaining the public health*, flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land use planning, and construction standards, shall make studies of emergency-mitigation-related matters. The Governor, from time to time, shall make such recommendations to the Legislature, local governments, and other appropriate public and private entities as may facilitate measures for mitigation of the harmful consequences of emergencies.

Section 15. Present subsection (3) of section 252.46, Florida Statutes, is redesignated as subsection (6), a new subsection (3) and subsections (4) and (5) are added to that section, and subsection (2) of that section is amended, to read:

## 252.46 Orders and rules.—

(2) All orders and rules adopted by the division or any political subdivision or other agency authorized by ss. 252.31-252.90 to make orders and rules have full force and effect of law after adoption in accordance with ~~the provisions of~~ chapter 120 in the event of issuance by the division or any state agency or, if ~~adopted promulgated~~ by a political subdivision of the state or agency thereof, when filed in the office of the clerk or recorder of the political subdivision or agency ~~adopting promulgating~~ the same. ~~Failure of a political subdivision to file any such order or rule with the office of the clerk or recorder within 3 days after issuance voids the order or rule.~~ All existing laws, ordinances, and rules inconsistent with ~~the provisions of~~ ss. 252.31-252.90, or any order or rule issued under the authority of ss. 252.31-252.90, ~~must shall~~ be suspended during the period of time and to the extent that such conflict exists.

(3) *Emergency ordinances, declarations, and orders adopted by a political subdivision under the authority of ss. 252.31-252.90, including those enacted by a municipality pursuant to s. 166.041(3)(b), must be available on a dedicated webpage accessible through a conspicuous link on the political subdivision's homepage. The dedicated webpage must identify the emergency ordinances, declarations, and orders currently in effect. Each political subdivision adopting emergency ordinances, declarations, or orders must provide the division with the link to the political subdivision's dedicated webpage. The division must include these links in an easily identifiable format on its website.*

(4)(a) *An emergency order issued by a political subdivision automatically expires 10 days after its issuance; however, such an order may be extended before its expiration for 10-day periods, subject to ratification by a majority vote of the governing body of the political subdivision. In the event the governing body of the political subdivision is unable to convene before the expiration of the emergency order due to the impacts of a hurricane or other weather-related natural disaster, the 10-day period is tolled until the governing body is able to convene. However, an emergency order issued under this section may not be in effect for more than 30 days unless the governing body approves an extension of the order. The governing body must ratify the extension of such order before it expires. Once ratified, the emergency order may not be amended or replaced by the chief elected officer or chief administrative officer, as applicable, without the ratification of the political subdivision's governing body. In the event the governing body fails to ratify the extension of the emergency order, the chief elected officer or chief administrative officer, as applicable, may not reissue the order in response to the same emergency.*

(b) *As used in this subsection, the term:*

1. *"Chief elected officer" means a mayor, chairperson, or other separately elected official designated by a charter provision or ordinance of the political subdivision to exercise emergency management authority.*

2. *"Chief administrative officer" means the county administrator, county manager, or such other individual designated by ordinance of the political subdivision to exercise emergency management authority.*

(c) *When meeting in one physical location is prohibited or not feasible due to the conditions directly related to the declared state of emergency, a public meeting of the governing body of a political subdivision held for the limited purpose of ratifying the extension of an emergency order under this subsection may be conducted via telephone, real-time videoconferencing, or similar real-time electronic or video communication technology. Any communication technology used must be sufficient to permit all interested persons to remotely attend the meeting. Any law, charter provision, or ordinance requiring a quorum to be present in person or requiring the governing body of any political subdivision to meet at a specific public place shall be suspended for purposes of such meeting. If the public meeting will be held via telephone, real-time videoconferencing, or similar real-time electronic or video communication technology, the meeting notice must include information necessary for persons interested in attending the meeting to do so, including the places where facilities necessary to allow attendance will be available.*

(5) *An order issued by a political subdivision pursuant to this section which imposes a curfew restricting the travel or movement of persons during designated times must nonetheless allow persons to travel during the curfew to their places of employment to report for work and to return to their residences after their work has concluded.*

Section 16. Paragraph (a) of subsection (2) of section 377.703, Florida Statutes, is amended to read:

377.703 Additional functions of the Department of Agriculture and Consumer Services.—

(2) DUTIES.—The department shall perform the following functions, unless as otherwise provided, consistent with the development of a state energy policy:

(a) The Division of Emergency Management is responsible for the development of an energy emergency contingency plan to respond to serious shortages of primary and secondary energy sources. Upon a finding by the Governor, implementation of any emergency program shall be upon order of the Governor that a particular kind or type of fuel is, or that the occurrence of an event which is reasonably expected within 30 days will make the fuel, in short supply. The Division of Emergency Management shall then respond by instituting the appropriate measures of the contingency plan to meet the given emergency or energy shortage. The Governor may utilize the provisions of s. 252.36(6) ~~s. 252.36(5)~~ to carry out any emergency actions required by a serious shortage of energy sources.

Section 17. Paragraph (c) of subsection (1) and subsection (2) of section 381.00315, Florida Statutes, are amended to read:

381.00315 Public health advisories; public health emergencies; isolation and quarantines.—The State Health Officer is responsible for declaring public health emergencies, issuing public health advisories, and ordering isolation or quarantines.

(1) As used in this section, the term:

(c) "Public health emergency" means any occurrence, or threat thereof, whether natural or manmade, which results or may result in substantial injury or harm to the public health from infectious disease, chemical agents, nuclear agents, biological toxins, or situations involving mass casualties or natural disasters.

(2)(a) *The department shall prepare and maintain a state public health emergency management plan to serve as a comprehensive guide to public health emergency response in this state. The department shall develop the plan in collaboration with the Division of Emergency Management, other executive agencies with functions relevant to public health emergencies, district medical examiners, and national and state public health experts and ensure that it integrates and coordinates with the public health emergency management plans and programs of the Federal Government. The plan must address each element of public health emergency planning and incorporate public health and epidemiological best practices to ensure that the state is prepared for every foreseeable public health emergency. The plan must include an assess-*

ment of state and local public health infrastructure, including information systems, physical plant, commodities, and human resources, and an analysis of the infrastructure necessary to achieve the level of readiness proposed by the plan for short-term and long-term public emergencies. Beginning July 1, 2022, the department shall submit the plan to the Division of Emergency Management for inclusion in the state comprehensive emergency management plan pursuant to s. 252.35. The department shall review the plan after the declared end of each public health emergency, and, in any event, at least every 5 years, and update its terms as necessary to ensure continuous planning.

(b) Before declaring a public health emergency, the State Health Officer shall, to the extent possible, consult with the Governor and shall notify the Chief of Domestic Security. The declaration of a public health emergency shall continue until the State Health Officer finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and he or she terminates the declaration. However, a declaration of a public health emergency may not continue for longer than 60 days unless the Governor concurs in the renewal of the declaration.

(c) The State Health Officer, upon declaration of a public health emergency, shall establish by order the method and procedure for identifying and reporting cases and deaths involving the infectious disease or other occurrence identified as the basis for the declared public health emergency. The method and procedure must be consistent with any standards developed by the Federal Government specific to the declared emergency or, if federal standards do not exist, must be consistent with public health best practices as identified by the State Health Officer. During the pendency of a public health emergency, the department is the sole entity responsible for the collection and official reporting and publication of cases and deaths. The State Health Officer, by order or emergency rule, may ensure necessary assistance from licensed health care providers in carrying out this function and may request the assistance of district medical examiners in performing this function.

(d) The State Health Officer, upon declaration of a public health emergency, may take actions that are necessary to protect the public health. Such actions include, but are not limited to:

1. Establishing screening protocols consistent with s. 381.00316.
2. Directing manufacturers of prescription drugs or over-the-counter drugs who are permitted under chapter 499 and wholesalers of prescription drugs located in this state who are permitted under chapter 499 to give priority to the shipping of specified drugs to pharmacies and health care providers within geographic areas that have been identified by the State Health Officer. The State Health Officer must identify the drugs to be shipped. Manufacturers and wholesalers located in the state must respond to the State Health Officer's priority shipping directive before shipping the specified drugs.

~~3.2.~~ Notwithstanding chapters 465 and 499 and rules adopted thereunder, directing pharmacists employed by the department to compound bulk prescription drugs and provide these bulk prescription drugs to physicians and nurses of county health departments or any qualified person authorized by the State Health Officer for administration to persons as part of a prophylactic or treatment regimen.

~~4.3.~~ Notwithstanding s. 456.036, temporarily reactivating the inactive license of the following health care practitioners, when such practitioners are needed to respond to the public health emergency: physicians licensed under chapter 458 or chapter 459; physician assistants licensed under chapter 458 or chapter 459; licensed practical nurses, registered nurses, and advanced practice registered nurses licensed under part I of chapter 464; respiratory therapists licensed under part V of chapter 468; and emergency medical technicians and paramedics certified under part III of chapter 401. Only those health care practitioners specified in this paragraph who possess an unencumbered inactive license and who request that such license be reactivated are eligible for reactivation. An inactive license that is reactivated under this paragraph shall return to inactive status when the public health emergency ends or before the end of the public health emergency if the State Health Officer determines that the health care practitioner is no longer needed to provide services during the public health emergency. Such licenses may only be reactivated for a period not to exceed 90 days without meeting the requirements of s. 456.036 or chapter 401, as applicable.

5.4. Ordering an individual to be examined, tested, vaccinated, treated, isolated, or quarantined for communicable diseases that have significant morbidity or mortality and present a severe danger to public health. Individuals who are unable or unwilling to be examined, tested, vaccinated, or treated for reasons of health, religion, or conscience may be subjected to isolation or quarantine.

a. Examination, testing, vaccination, or treatment may be performed by any qualified person authorized by the State Health Officer.

b. If the individual poses a danger to the public health, the State Health Officer may subject the individual to isolation or quarantine. If there is no practical method to isolate or quarantine the individual, the State Health Officer may use any means necessary to vaccinate or treat the individual.

c. Any order of the State Health Officer given to effectuate this paragraph is ~~shall be~~ immediately enforceable by a law enforcement officer under s. 381.0012.

(e)(2) Individuals who assist the State Health Officer at his or her request on a volunteer basis during a public health emergency are entitled to the benefits specified in s. 110.504(2), (3), (4), and (5).

Section 18. Section 381.00316, Florida Statutes, is created to read:

381.00316 COVID-19 vaccine documentation.—

(1) A business entity, as defined in s. 768.38 to include any business operating in this state, may not require patrons or customers to provide any documentation certifying COVID-19 vaccination or post-infection recovery to gain access to, entry upon, or service from the business operations in this state. This subsection does not otherwise restrict businesses from instituting screening protocols in accordance with state or federal law to protect public health.

(2) A governmental entity as defined in s. 768.38 may not require persons to provide any documentation certifying COVID-19 vaccination or post-infection recovery to gain access to, entry upon, or service from the governmental entity's operations in this state. This subsection does not otherwise restrict governmental entities from instituting screening protocols in accordance with state or federal law to protect public health.

(3) An educational institution as defined in s. 768.38 may not require students or residents to provide any documentation certifying COVID-19 vaccination or post-infection recovery for attendance or enrollment, or to gain access to, entry upon, or service from such educational institution in this state. This subsection does not otherwise restrict educational institutions from instituting screening protocols in accordance with state or federal law to protect public health.

(4) The department may impose a fine not to exceed \$5,000 per violation.

(5) This section does not apply to a health care provider as defined in s. 768.38; a service provider licensed or certified under s. 393.17, part III of chapter 401, or part IV of chapter 468; or a provider with an active health care clinic exemption under s. 400.9935.

(6) The department may adopt rules pursuant to ss. 120.536 and 120.54 to implement this section.

And the title is amended as follows:

Delete lines 87-136 and insert: Preparedness and Response Fund, surplus funds, or the Budget Stabilization Fund under specified conditions; requiring notice of certain actions within a specified timeframe unless specific conditions exist; requiring the Governor to void such action if the Legislature timely objects to such transfer in writing; authorizing the Governor to transfer additional moneys, subject to approval by the Legislative Budget Commission, if specified conditions exist; requiring an agency or political subdivision to submit in advance a detailed spending plan for certain emergency funds to the Legislature; providing an exception; requiring an agency or political subdivision to submit a certain notice and a project worksheet to the Legislature under specified conditions within a specified timeframe; amending s. 252.38, F.S.; specifying that a political subdivision has the burden of proving the proper exercise of its police power in the issuance of certain emergency orders; amending s. 252.385, F.S.; requiring the division's hur-

ricane shelter plan to address projected hurricane shelter needs during public health emergencies; amending s. 252.44, F.S.; requiring emergency mitigation planning by state agencies to include agencies with jurisdiction over public health; amending s. 252.46, F.S.; providing that a failure by a political subdivision to file certain orders and rules with specified entities within a specified timeframe voids the issued orders or rules; requiring that certain orders be available on a dedicated webpage; requiring the division to provide links to such webpage on its website in a specified format; providing for the automatic expiration of emergency orders issued by a political subdivision; providing for the tolling of the expiration of such orders under certain conditions for a specified time; authorizing the extension of an emergency order by a majority vote of the governing body of the political subdivision; requiring the political subdivision to ratify the emergency order; prohibiting the chief elected officer or chief administrative officer from amending or replacing such order once ratified without approval from the governing body; prohibiting the chief elected officer or chief administrative officer from issuing a subsequent order in response to the same emergency unless ratified by the governing body; defining terms; authorizing the governing body of a political subdivision to convene, for a limited purpose, by specified means; suspending quorum requirements under specified conditions; requiring the meeting notice to contain specified information; requiring that orders issued by a political subdivision which impose a curfew restricting travel or movement allow persons to travel during the curfew to and from their places of employment; amending s. 377.703, F.S.; conforming a cross-reference; amending s. 381.00315, F.S.; revising a definition; directing the Department of Health, in collaboration with specified entities, to develop a specified public health emergency plan; requiring the department to submit the plan to the division; requiring the department to review and update the plan as necessary; directing the State Health Officer to establish methods of reporting certain data; authorizing the State Health Officer to order and request assistance with specified duties; revising the duties of the State Health Officer during a declared public health emergency; creating s. 381.00316, F.S.; prohibiting a business entity from requiring patrons or customers to provide documentation certifying vaccination against or recovery from COVID-19; prohibiting governmental entities from requiring persons to provide documentation certifying vaccination against or recovery from COVID-19; prohibiting educational institutions from requiring students or residents to provide documentation certifying vaccination against or recovery from COVID-19; authorizing specified screening protocols; providing application; providing noncriminal penalties; authorizing the department to adopt rules; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 2006**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz—

**CS for CS for SB 1892**—A bill to be entitled An act relating to the Emergency Preparedness and Response Fund; creating s. 252.3711, F.S.; creating the Emergency Preparedness and Response Fund within the Executive Office of the Governor; providing for the deposit and use of funds; providing for future review and termination of the fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1892** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1906** was deferred.

On motion by Senator Baxley—

**CS for SB 1728**—A bill to be entitled An act relating to an out-of-state fee waiver for nonresident students; amending s. 1009.26, F.S.; requiring a state university to waive the out-of-state fee for a nonresident student who meets certain requirements; providing applicability; requiring each state university to report specified information regarding such out-of-state fee waivers to the Board of Governors annually; requiring that a student who is granted such out-of-state fee waiver be excluded from the limitation on the systemwide total enroll-

ment of nonresident students; requiring the Board of Governors to adopt regulations; creating s. 1009.261, F.S.; enacting the Grandchild Out-of-State Fees Waiver Compact; providing the purposes of the compact; defining terms; requiring postsecondary educational institutions located within member states to waive out-of-state fees for students who meet specified criteria; providing that the waiver is applicable for up to a specified amount of credits; requiring member-state postsecondary educational institutions to require a student, or the student's parent if the student is a dependent child, to provide a written declaration verifying eligibility; requiring the executive, legislative, and judicial branches of member state governments to enforce the compact; providing that the provisions of the compact have standing as statutory law; providing for the implementation, withdrawal, and amendment of the compact; providing construction; providing an effective date.

—was read the second time by title.

Senator Baxley moved the following amendment which was adopted:

**Amendment 1 (198412) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (18) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(18)(a) A state university shall waive the out-of-state fee for a nonresident student from a state in compliance with s. 1009.261 and who:

1. Is a United States citizen.

2. Has a grandparent who is a legal resident as defined in s. 1009.21(1)(d); has been residing in Florida for at least five years; and is an honorably discharged veteran of the United States Armed Forces, the United States Reserve Forces, or the National Guard.

3. Earns a high school diploma comparable to a standard Florida high school diploma, or its equivalent, or completes a home education program.

4.a. Achieves an SAT combined score no lower than the 89th national percentile on the SAT;

b. Achieves an ACT score concordant to the required SAT score in sub-subparagraph a., using the latest published national concordance table developed jointly by the College Board and ACT, Inc.; or

c. If a state university accepts the Classic Learning Test (CLT) for admission purposes, achieves a CLT score concordant to the required SAT score in sub-subparagraph a., using the latest published scoring comparison developed by Classic Learning Initiatives.

5. Enrolls as a full-time undergraduate student at a state university in the fall academic term immediately following high school graduation.

(b) The waiver under this subsection is applicable for up to 110 percent of the number of required credit hours of the degree program for which the student is enrolled.

(c) Prior to waiving the out-of-state fee, the state university shall require:

1. The student, or the student's parent if the student is a dependent child, to provide a written declaration pursuant to s. 92.525(2) verifying the student's familial relationship to a grandparent who is a legal resident; and

2. The eligible grandparent to provide proof of Florida residency and proof of honorable discharge.

(d) Each state university shall report to the Board of Governors the number and value of all fee waivers granted annually under this subsection.

(e) A nonresident student granted an out-of-state fee waiver under this subsection shall be excluded from the limitation on systemwide total enrollment of nonresident students established by regulation of the Board of Governors.

(f) *The Board of Governors shall adopt regulations to administer this subsection.*

Section 2. Section 1009.261, Florida Statutes, is created to read:

*1009.261 Grandchild Out-of-State Fees Waiver Compact.—The Grandchild Out-of-State Fees Waiver Compact is enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:*

**GRANDCHILD OUT-OF-STATE  
FEES WAIVER COMPACT**

**ARTICLE I  
DECLARATION OF PURPOSE**

*The general purposes of this compact are to:*

- (1) *Increase access to postsecondary education to students whose families are split between two or more states by reducing costs associated with out-of-state fees.*
- (2) *Encourage students to exercise their rights to travel and to choose the postsecondary education that best suits their needs.*
- (3) *Increase postsecondary educational choices.*
- (4) *Decrease the economic burden posed by postsecondary out-of-state fees.*

**ARTICLE II  
DEFINITIONS**

*As used in this compact, the term:*

- (1) *“Grandparent” means a person who has a legal relationship to a student’s parent as the natural or adopted parent or legal guardian of the student’s parent.*
- (2) *“Member state” means a state that has enacted this compact.*
- (3) *“Out-of-state fees” means any additional fee for instruction, which is charged to a student who does not qualify for the in-state tuition rate pursuant to the laws of a member state, imposed by a public postsecondary educational institution located within the member state. A charge for any other purpose may not be included within this fee.*
- (4) *“Postsecondary educational institution” means a public university or college located within a member state.*
- (5) *“State” includes the District of Columbia and any state, territory, or possession of the United States which oversees one or more public postsecondary educational institutions.*
- (6) *“Student’s parent” means a person who has a legal relationship to a student as the natural or adopted parent or legal guardian of the student.*

**ARTICLE III  
OUT-OF-STATE FEES WAIVER**

- (1) *Postsecondary educational institutions located within each member state shall waive out-of-state fees for a nonresident student who:*
  - (a) *Is a United States citizen.*
  - (b) *Has a grandparent who is a legal resident under the applicable laws of the member state; has been residing in that state for at least five years; and is an honorably discharged veteran of the United States Armed Forces, the United States Reserve Forces, or the National Guard.*
  - (c) *Achieves an SAT combined score no lower than the 89th national percentile on the SAT;*
    - 2. *Achieves an ACT score concordant to the SAT score required in subparagraph 1., as designated in the latest published national concordance table developed jointly by the College Board and ACT, Inc.; or*
    - 3. *Achieves a Classic Learning Test (CLT) score concordant to the required SAT score in subparagraph 1., as designated in the latest*

*published scoring comparison developed by Classic Learning Initiatives, but only if the member state postsecondary educational institution accepts the CLT for admission purposes.*

(d) *Enrolls as a full-time undergraduate student at a member state postsecondary educational institution in the fall academic term immediately following high school graduation.*

(2) *The waiver under this compact is applicable for up to 110 percent of the number of required credit hours of the degree program in which the student is enrolled.*

(3) *Prior to waiving any out-of-state fees, a member state postsecondary educational institution shall require:*

- (a) *The student, or the student’s parent if the student is a dependent child, to provide a written declaration verifying the student’s familial relationship to a grandparent who is a legal resident of the member state; and*
- (b) *The eligible grandparent to provide proof of residency and proof of honorable discharge.*

**ARTICLE IV  
OVERSIGHT**

*The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact’s purposes and intent. The provisions of this compact have standing as statutory law.*

**ARTICLE V  
DATE OF IMPLEMENTATION, WITHDRAWAL, AND AMENDMENT**

- (1) *The compact shall take effect on the date on which it is enacted into law by two states. Thereafter it is effective as to any state upon its enactment by that state.*
- (2) *A member state may withdraw from this compact by repealing the statute in which it is enacted. A member state’s withdrawal may not take effect until 6 months after enactment of the repeal.*
- (3) *This compact may not be construed to invalidate or prohibit any law of a member state that does not conflict with the provisions of this compact.*
- (4) *This compact may be amended by the member states. An amendment to this compact is effective and binding after it is enacted into the laws of all member states.*

**ARTICLE VI  
CONSTRUCTION AND SEVERABILITY**

*This compact shall be liberally construed so as to effectuate its purposes. The provisions of this compact are severable, and if any phrase, clause, sentence, or provision thereof is declared to be contrary to the constitution of any state or to the Constitution of the United States, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance is not affected thereby. If this compact is held to be contrary to the constitution of any state participating therein, it remains in full force and effect as to the state affected as to all severable provisions.*

Section 3. This act shall take effect July 1, 2021.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to an out-of-state fee waiver for nonresident students; amending s. 1009.26, F.S.; requiring a state university to waive the out-of-state fee for a nonresident student who meets certain requirements; providing applicability; requiring each state university to report specified information regarding such out-of-state fee waivers to the Board of Governors annually; requiring that a student who is granted such out-of-state fee waiver be excluded from the limitation on the systemwide total enrollment of nonresident students; requiring the Board of Governors to adopt regulations; creating s. 1009.261, F.S.; enacting the Grandchild Out-of-State Fees Waiver Compact; providing



the purposes of the compact; defining terms; requiring postsecondary educational institutions located within member states to waive out-of-state fees for students who meet specified criteria; providing that the waiver is applicable for up to a specified amount of credits; requiring member-state postsecondary educational institutions to require a student, or the student's parent if the student is a dependent child, to provide a written declaration verifying eligibility; requiring the eligible grandparent to provide proof of residency and honorable discharge; requiring the executive, legislative, and judicial branches of member state governments to enforce the compact; providing that the provisions of the compact have standing as statutory law; providing for the implementation, withdrawal, and amendment of the compact; providing construction; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1728**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1946**, **CS for CS for SB 1086**, and **CS for CS for SB 48** was deferred.

**CS for SB 470**—A bill to be entitled An act relating to public records; amending s. 943.0586, F.S.; providing an exemption from public records requirements for specified expunged criminal history records; providing exceptions; providing criminal penalties; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title. On motion by Senator Bracy, by two-thirds vote, **CS for SB 470** 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	Rodrigues
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

**CS for SB 964**—A bill to be entitled An act relating to environmental compliance costs; amending s. 366.8255, F.S.; redefining the term “environmental compliance costs” to include costs or expenses prudently incurred by an electric utility in complying with specified reclaimed water reuse requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 964**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1051** was withdrawn from the Committee on Rules.

On motion by Senator Diaz—

**CS for HB 1051**—A bill to be entitled An act relating to environmental compliance costs; amending s. 366.8255, F.S.; redefining the term “environmental compliance costs” to include costs or expenses prudently incurred by an electric utility in complying with specified reclaimed water reuse requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 964** and read the second time by title.

On motion by Senator Diaz, by two-thirds vote, **CS for HB 1051** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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 **SB 952** was deferred.

**CS for SB 1540**—A bill to be entitled An act relating to maternal health outcomes; amending s. 381.7353, F.S.; revising the Department of Health's duties under the Closing the Gap grant program; amending s. 381.7355, F.S.; revising the requirements for Closing the Gap grant proposals; creating s. 383.2163, F.S.; requiring the department to establish telehealth minority maternity care pilot programs in Duval County and Orange County by a specified date; defining terms; providing program purposes; requiring the pilot programs to provide specified telehealth services, or coordinate with prenatal home visiting programs to provide specified services, to eligible pregnant women for a specified period; requiring pilot programs to train participating health care practitioners and perinatal professionals on specified topics; providing for funding for the pilot programs; requiring the department's Division of Community Health Promotion and Office of Minority Health and Health Equity to apply for certain federal funding; authorizing the department to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1540**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1381** was withdrawn from the Committee on Appropriations.

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

**CS for HB 1381**—A bill to be entitled An act relating to maternal health outcomes; amending s. 381.7353, F.S.; revising the Department of Health's duties under the Closing the Gap grant program; amending s. 381.7355, F.S.; revising the requirements for Closing the Gap grant proposals; creating s. 383.2163, F.S.; requiring the department to establish telehealth minority maternity care pilot programs in Duval County and Orange County by a specified date; defining terms; providing program purposes; requiring the pilot programs to provide specified telehealth services to eligible pregnant women for a specified period; requiring pilot programs to train participating health care practitioners and perinatal professionals on specified topics; providing for funding for the pilot programs; requiring the department's Division of Community Health Promotion and Office of Minority Health and Health Equity to apply for certain federal funding; authorizing the department to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 1540** and, by two-thirds vote, read the second time by title.

On motion by Senator Gibson, by two-thirds vote, **CS for HB 1381** was read the third time by title, passed, 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

**CS for CS for SB 768**—A bill to be entitled An act relating to the administration of vaccines; amending s. 465.189, F.S.; revising the specified immunizations or vaccines that certified pharmacists and registered interns may administer to adults; authorizing certain pharmacists to administer influenza vaccines to individuals 7 years of age or older under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Baxley, by two-thirds vote, **CS for CS for SB 768** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—29

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

Nays—11

Ausley	Jones	Taddeo
Berman	Polsky	Thurston
Bracy	Powell	Torres
Cruz	Rouson	

**CS for CS for SB 1086**—A bill to be entitled An act relating to operation and safety of motor vehicles and vessels; amending ss. 316.1932 and 316.1939, F.S.; revising conditions under which a person’s driving privilege is suspended and under which the person commits a misdemeanor relating to tests for alcohol, chemical substances, or controlled substances; specifying that such misdemeanor is a misdemeanor of the first degree; amending s. 327.02, F.S.; defining the term “human-powered vessel”; revising the definition of the term “navigation rules”; amending s. 327.04, F.S.; providing additional rulemaking authority to the Fish and Wildlife Conservation Commission; creating s. 327.462, F.S.; defining terms; authorizing heads of certain entities to establish temporary protection zones in certain water bodies for certain purposes; providing protection zone requirements; prohibiting the restriction of vessel movement within the Florida Intracoastal Waterway except under certain circumstances; requiring the heads of certain entities to report the establishment of such protection zones to the commission and to the appropriate United States Coast Guard Sector Command; providing requirements for the report; providing applicability; providing criminal penalties; amending s. 327.352, F.S.; revising conditions under which a person commits a misdemeanor of the first degree for refusing to submit to certain tests; amending s. 327.35215, F.S.; requiring the clerk of the court to notify the Department of

Highway Safety and Motor Vehicles of certain final dispositions by electronic transmission; requiring the department to enter such disposition on a person’s driving record; amending s. 327.359, F.S.; revising conditions under which a person commits a misdemeanor of the first degree for refusing to submit to certain tests; creating s. 327.371, F.S.; providing circumstances under which a person may operate a human-powered vessel within the boundaries of the marked channel of the Florida Intracoastal Waterway; providing a penalty; amending s. 327.391, F.S.; conforming cross-references; amending s. 327.395, F.S.; revising the types of documentation that a person may use to comply with certain boating safety requirements; removing the authority of the commission to appoint certain entities to administer a boating safety education course or temporary certificate examination and issue certain credentials; exempting certain persons from the requirement to possess certain documents aboard a vessel; removing the specified service fee amount that certain entities that issue boating safety identification cards and temporary certificates may charge and keep; amending s. 327.4107, F.S.; revising the conditions under which officers may determine a vessel is at risk of becoming derelict; authorizing certain officers to provide notice that a vessel is at risk of becoming derelict via body camera recordings; authorizing the commission or certain officers to relocate at-risk vessels to a certain distance from mangroves or vegetation; providing that the commission or officers are not liable for damages to such vessels; providing an exception; authorizing the commission to establish a derelict vessel prevention program consisting of certain components; authorizing the commission to adopt rules; providing that such program is subject to appropriation by the Legislature; providing for funding; amending s. 327.4108, F.S.; designating Monroe County as an anchoring limitation area subject to certain requirements; requiring the commission to adopt rules; providing construction; requiring the commission to designate a specified area as a priority for the removal of derelict vessels until certain conditions are met; deleting obsolete language; amending s. 327.4109, F.S.; prohibiting the anchoring or mooring of a vessel or floating structure within a certain distance of certain facilities; providing exceptions; amending s. 327.45, F.S.; authorizing the commission to establish protection zones where certain activities are prohibited in or near springs; amending s. 327.46, F.S.; authorizing a county or municipality to establish a boating-restricted area within and around a public mooring field and within certain portions of the Florida Intracoastal Waterway; creating s. 327.463, F.S.; specifying conditions under which a vessel is and is not operating at slow speed, minimum wake; prohibiting a person from operating a vessel faster than slow speed, minimum wake within a certain distance from other specified vessels; providing requirements for construction vessel or barge flags; exempting a person from being cited for a violation under certain circumstances; providing civil penalties; providing applicability; amending s. 327.50, F.S.; authorizing the commission to exempt vessel owners and operators from certain safety equipment requirements; amending s. 327.53, F.S.; requiring the owner or operator of a live-aboard vessel or houseboat equipped with a marine sanitation device to maintain a record of the date and location of each pumpout of the device for a certain period; providing an exception; conforming a cross-reference; making technical changes; amending s. 327.54, F.S.; prohibiting a livery from leasing, hiring, or renting a vessel to a person required to complete a commission-approved boating safety education course unless such person presents certain documentation indicating compliance; amending s. 327.60, F.S.; authorizing a local government to enact and enforce regulations allowing the local law enforcement agency to remove an abandoned or lost vessel affixed to a public mooring; amending s. 327.73, F.S.; providing additional violations that qualify as noncriminal infractions; providing civil penalties; prohibiting conviction of a person cited for a violation relating to possessing proof of boating safety education under certain circumstances; increasing certain civil penalties; providing that certain vessels shall be declared a public nuisance subject to certain statutory provisions; authorizing the commission or certain officers to relocate or remove public nuisance vessels from the waters of this state; providing that the commission or officers are not liable for damages to such vessels; providing an exception; amending s. 328.09, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a certificate of title to an applicant for a vessel that has been deemed derelict pursuant to certain provisions; authorizing the department, at a later date, to reject an application for a certificate of title for such a vessel; amending s. 376.15, F.S.; revising unlawful acts relating to derelict vessels; defining the term “leave”; prohibiting an owner or operator whose vessel becomes derelict due to specified accidents or events from being charged with a violation under certain circumstances; providing applicability; con-

forming provisions to changes made by the act; authorizing a governmental subdivision that has received authorization from a law enforcement officer or agency to direct a contractor to perform vessel storage, destruction, and disposal activities; authorizing the commission to provide local government grants for the storage, destruction, and disposal of derelict vessels; providing for funding; amending s. 705.103, F.S.; providing notice procedures for when a law enforcement officer ascertains that a derelict or public nuisance vessel is present on the waters of this state; requiring a mailed notice to the owner or party responsible for the vessel to inform him or her of the right to a hearing; providing hearing requirements; authorizing a law enforcement agency to take certain actions if a hearing is not requested or a vessel is determined to be derelict or otherwise in violation of law; revising provisions relating to liability for vessel removal costs and notification of the amount owed; providing criminal penalties for a person who is issued a registration for a vessel or motor vehicle before such costs are paid; requiring persons whose vessel registration and motor vehicle privileges have been revoked for failure to pay certain costs to be reported to the department; prohibiting issuance of a certificate of registration to such persons until such costs are paid; amending s. 823.11, F.S.; revising application of definitions; revising the definition of the term “derelict vessel”; specifying requirements for a vessel to be considered wrecked, junked, or substantially dismantled; providing construction; revising unlawful acts relating to derelict vessels; defining the term “leave”; prohibiting an owner or operator whose vessel becomes derelict due to specified accidents or events from being charged with a violation under certain circumstances; providing applicability; providing that relocation or removal costs incurred by a governmental subdivision are recoverable against the vessel owner or the party determined to be legally responsible for the vessel being derelict; providing criminal penalties for a person who is issued a registration for a vessel or motor vehicle before such costs are paid; authorizing a governmental subdivision that has received authorization from a law enforcement officer or agency to direct a contractor to perform vessel relocation or removal activities; providing effective dates.

—was read the second time by title.

Senator Hutson moved the following amendment which was adopted:

**Amendment 1 (189384) (with title amendment)**—Between lines 1180 and 1181 insert:

Section 19. Section 327.521, Florida Statutes, is created to read:

327.521 *No-discharge zones.*—

(1) *Effective immediately upon approval by the United States Environmental Protection Agency of a no-discharge zone determination for the waters of the United States within the boundaries of aquatic preserves identified in s. 258.39, all waters of this state within such areas are designated no-discharge zones within which a person may not discharge sewage of any type, whether treated or untreated, from any vessel or floating structure.*

(2) *A person who violates this section commits a noncriminal infraction, punishable by a civil penalty of up to \$250. If any discharge prohibited by this section is ongoing or continuous, the person may be assessed a penalty of up to \$250 for each day the violation continues.*

(3)(a) *The owner or operator of a vessel or floating structure convicted a second time for violating this section shall, within 30 days after the conviction, remove the vessel or floating structure from the waters of this state. For purposes of this paragraph, the term “conviction” means a disposition other than acquittal or dismissal.*

(b) *If the vessel or floating structure remains on the waters of this state in violation of this subsection, law enforcement officers charged with the enforcement of this chapter under s. 327.70 shall apply to the appropriate court in the county in which the vessel or floating structure is located to order or otherwise cause the removal of such vessel or floating structure from the waters of this state at the owner’s expense.*

(c) *If the owner cannot be found or otherwise fails to pay the removal costs, s. 328.17 shall apply. If the proceeds under s. 328.17 are not sufficient to pay all removal costs, funds appropriated from the Marine Resources Conservation Trust Fund pursuant to s. 327.53(6)(b) or s. 328.72(15)(c) may be used.*

(4) *The commission shall maintain a list of marine sewage pumpout facilities throughout this state, make the list available on its website, and provide the list with information about the Department of Environmental Protection’s Clean Marina Program to all counties for distribution to public and private marinas.*

And the title is amended as follows:

Delete line 96 and insert: equipment requirements; creating s. 327.521, F.S.; designating waters of this state within aquatic preserves as no-discharge zones upon approval by the United States Environmental Protection Agency; prohibiting discharge of sewage from a vessel or floating structure into such waters; providing civil penalties; providing increased penalties for each day the violation continues; requiring the owner or operator to remove such vessel or structure within a specified timeframe from the waters of this state upon a second conviction; defining the term “conviction”; providing requirements for removal and sale of such vessel or structure under certain circumstances; requiring the commission to maintain and make available to the public a list of marine sewage pumpout facilities; amending s. 327.53, F.S.;

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

Senator Rodriguez moved the following amendment which was adopted:

**Amendment 2 (765050)**—Delete lines 1104-1109 and insert:

- a. Designated as a public bathing beach or swim area.
- b. Within 300 feet of a dam, spillway, or flood control structure.

*Vessel exclusion zones created pursuant to this subparagraph must be marked with uniform waterway markers permitted by the commission in accordance with this chapter. Such zones may not be marked by ropes.*

On motion by Senator Hutson, by two-thirds vote, **CS for CS for SB 1086**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Brandes

**CS for CS for SB 838**—A bill to be entitled An act relating to clerks of the circuit court; amending s. 28.222, F.S.; requiring certain service charges to be distributed in a specified manner; amending s. 28.24, F.S.; defining the term “court record”; specifying the amount of charges for certain services rendered by, and instruments filed with, the clerk of the circuit court which are not court records; amending s. 28.241, F.S.; revising the distribution of revenue from filing fees from the institution of certain appellate proceedings; 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.; conforming cross-references and provi-

sions to changes made by the act; amending s. 28.36, F.S.; conforming a cross-reference and a provision to changes made by the act; 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 s. 40.29, F.S.; requiring the clerks of the court to submit requests for reimbursement for jury-related costs to the Florida Clerks of Court Operations Corporation within specified timeframes; requiring the corporation to review such requests for reimbursement; requiring the corporation to submit certain information to the Justice Administrative Commission; requiring the commission to review the information and submit a request for payment to the Chief Financial Officer under certain circumstances; removing a provision authorizing the commission to apportion funds among the counties for certain purposes; 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; amending ss. 27.52, 28.22205, 28.246, 45.035, 55.141, 57.082, 197.502, 197.532, 197.542, 197.582, 569.23, and 712.06, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **CS for CS for SB 838** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for CS for CS for SB 1946**—A bill to be entitled An act relating to anchoring limitation areas; amending s. 327.4108, F.S.; providing that certain areas are grandfathered-in anchoring limitation areas; authorizing counties to establish anchoring limitation areas that meet certain requirements; defining the term “navigable-in-fact waterways”; 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 counties to provide notice to the Fish and Wildlife Conservation Commission within a specified timeframe before establishing an anchoring limitation area; requiring the commission to publish notice of the proposed ordinance on its website and distribute an e-mail notice; prohibiting Monroe County from establishing an anchoring limitation area until the county meets certain requirements; requiring the commission to designate a specified area as a priority for the investigation and removal of derelict vessels until certain conditions are met; requiring owners or operators in certain anchoring limitation areas to be allowed to provide specified proof of compliance with certain provisions; authorizing law

enforcement officers or agencies to issue citations for violations under certain circumstances; providing that vessels with a specified number of repeat offenses within a specified timeframe shall be declared public nuisances and subject to certain provisions; 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.

—was read the second time by title.

Senator Polsky moved the following amendment:

**Amendment 1 (555226) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 327.4108, Florida Statutes, is amended to read:

327.4108 Anchoring of vessels in anchoring limitation areas.—

(1)(a) The following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, are designated as *and shall be considered to be grandfathered-in* anchoring limitation areas:

1. ~~(a)~~ The section of Middle River lying between Northeast 21st Court and the Intracoastal Waterway in Broward County.

2. ~~(b)~~ Sunset Lake in Miami-Dade County.

3. ~~(c)~~ The sections of Biscayne Bay in Miami-Dade County lying between:

a. ~~1.~~ Rivo Alto Island and Di Lido Island.

b. ~~2.~~ San Marino Island and San Marco Island.

c. ~~3.~~ San Marco Island and Biscayne Island.

(b)(2) To promote the public’s use and enjoyment of the designated waterway, except as provided in subsections (4) ~~(3)~~ and (5) ~~(4)~~, a person may not anchor a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise in an anchoring limitation area *designated under this subsection*.

(2)(a) *Notwithstanding s. 327.60(2)(f), a county, except for a county included in an area of critical state concern, may establish, in accordance with this subsection, an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic. The aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county’s delineated navigable-in-fact waterways. As used in this subsection, the term “navigable-in-fact waterways” means waterways that are navigable in their natural or unimproved condition over which useful commerce or public recreation of a substantial and permanent character is or may be conducted in the customary mode of trade and travel on water. The term does not include lakes or streams that are theoretically navigable; have a potential for navigability; or are temporary, precarious, and unprofitable, but the term does include lakes or streams that have practical usefulness to the public as highways for transportation. Each anchoring limitation area must meet all of the following requirements:*

1. *Be less than 100 acres in size. For purposes of this subsection, the calculated size of the anchoring limitation area does not include any portion of the marked channel of the Florida Intracoastal Waterway contiguous to the anchoring limitation area;*

2. *Not include any mooring field or marina; and*

3. *Be clearly marked with all of the following:*

a. *Signs that provide reasonable notice to boaters identifying the duration of time beyond which anchoring is limited and identifying the county ordinance by which the anchoring limitation area was created.*

b. *Buoys. The county that has created an anchoring limitation area shall install and maintain buoys marking the boundary of the anchoring limitation area.*

The signs and buoys must be permitted and installed in accordance with ss. 327.40 and 327.41 and commission rule.

(b) Except as provided in subsections (4) and (5), a person may not anchor a vessel for more than 45 consecutive days in any 6-month period in an anchoring limitation area established pursuant to this subsection.

(c) A county proposing establishment of an anchoring limitation area in accordance with this subsection shall provide notice to the commission at least 30 days before introducing an ordinance to establish the anchoring limitation area. The commission shall publish notice of the proposed ordinance on its website and distribute such notice through the commission's Boating and Waterways Section e-mail distribution list for ordinances.

(3)(a) Any coastal waterways within the jurisdiction of a county that is included in an area of critical state concern are designated as anchoring limitation areas. Within such areas, a vessel on waters of the state may be anchored in the same location only for a maximum of 90 days. The commission shall adopt rules to implement this subsection.

(b) The anchoring limitations in this subsection do not apply to approved and permitted moorings or mooring fields.

(c) Notwithstanding the commission rules adopted pursuant to this subsection, this section is not effective for Monroe County until the county approves, permits, and opens new moorings for public use, including at least 250 moorings within 1 mile of the Key West Bight City Dock and at least 50 moorings within the Key West Garrison Bight Mooring Field. Until such time, the commission shall designate the area within 1 mile of the Key West Bight City Dock as a priority for the investigation and removal of derelict vessels.

(4)(~~3~~) Notwithstanding subsections (1), ~~subsection (2)~~, and (3), a person may anchor a vessel in an anchoring limitation area:

(a) If the vessel suffers a mechanical failure that poses an unreasonable risk of harm to the vessel or the persons onboard unless the vessel anchors. The vessel may anchor for 3 business days or until the vessel is repaired, whichever occurs first.

(b) If imminent or existing weather conditions in the vicinity of the vessel pose an unreasonable risk of harm to the vessel or the persons onboard unless the vessel anchors. The vessel may anchor until weather conditions no longer pose such risk. During a hurricane or tropical storm, weather conditions are deemed to no longer pose an unreasonable risk of harm when the hurricane or tropical storm warning affecting the area has expired.

(c) During events described in s. 327.48 or other special events, including, but not limited to, public music performances, local government waterfront activities, or fireworks displays. A vessel may anchor for the lesser of the duration of the special event or 3 days.

(5)(~~4~~) This section does not apply to:

(a) Vessels owned or operated by a governmental entity for law enforcement, firefighting, military, or rescue purposes.

(b) Construction or dredging vessels on an active job site.

(c) Vessels actively engaged in commercial fishing.

(d) Vessels engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.

(6)(a)(~~5~~)(~~a~~) As used in this subsection, the term "law enforcement officer or agency" means an officer or agency authorized to enforce this section pursuant to s. 327.70.

(b)1. For a vessel in an anchoring limitation area established pursuant to subsection (2), upon an inquiry by a law enforcement officer or agency, a vessel owner or operator must be given an opportunity to provide proof that the vessel has not exceeded the limitations described in subsection (2). Such proof may include any of the following:

a. Documentation showing that the vessel was in another location at least 1 mile away within a period of less than 45 days before the inquiry.

b. Electronic evidence, including, but not limited to, navigational devices or tracking devices that show the vessel was in another location at least 1 mile away within a period of less than 45 days before the inquiry.

2. If a vessel owner or operator fails or refuses to provide proof that the vessel has not exceeded the limitations described in subsection (2), the law enforcement officer or agency may issue a citation for a violation of this section.

(c)(~~b~~) A law enforcement officer or agency may remove a vessel from an anchoring limitation area designated under subsection (1) or established pursuant to subsection (2) and impound the vessel for up to 48 hours, or cause such removal and impoundment, if the vessel operator, after being issued a citation for a violation of this section:

1. Anchors the vessel in violation of this section within 12 hours after being issued the citation; or

2. Refuses to leave the anchoring limitation area after being directed to do so by a law enforcement officer or agency.

(d) A vessel that is the subject of more than three violations within 12 months which result in dispositions other than acquittal or dismissal shall be declared to be a public nuisance and subject to s. 705.103, or for a derelict vessel, subject to s. 823.11.

(e)(~~e~~) A law enforcement officer or agency acting under this subsection to remove or impound a vessel, or to cause such removal or impoundment, shall be held harmless for any damage to the vessel resulting from such removal or impoundment unless the damage results from gross negligence or willful misconduct.

(f)(~~d~~) A contractor performing removal or impoundment services at the direction of a law enforcement officer or agency pursuant to this subsection must:

1. Be licensed in accordance with United States Coast Guard regulations, as applicable.

2. Obtain and carry a current policy issued by a licensed insurance carrier in this state to insure against any accident, loss, injury, property damage, or other casualty caused by or resulting from the contractor's actions.

3. Be properly equipped to perform such services.

(g)(~~e~~) In addition to the civil penalty imposed under s. 327.73(1)(z), the operator of a vessel that is removed and impounded pursuant to paragraph (c) (~~b~~) must pay all removal and storage fees before the vessel is released. A vessel removed pursuant to paragraph (c) (~~b~~) may not be impounded for longer than 48 hours.

(7)(~~6~~) A violation of this section is punishable as provided in s. 327.73(1)(z).

~~(7) This section shall remain in effect notwithstanding the Legislature's adoption of the commission's recommendations for the regulation of mooring vessels outside of public mooring fields pursuant to s. 327.4105.~~

Section 2. For the purpose of incorporating the amendment made by this act to section 327.4108, Florida Statutes, in a reference thereto, paragraph (z) of subsection (1) of section 327.73, Florida Statutes, is reenacted to read:

327.73 Noncriminal infractions.—

(1) Violations of the following provisions of the vessel laws of this state are noncriminal infractions:

(z) Section 327.4108, relating to the anchoring of vessels in anchoring limitation areas, for which the penalty is:

1. For a first offense, up to a maximum of \$50.

2. For a second offense, up to a maximum of \$100.

3. For a third or subsequent offense, up to a maximum of \$250.

Any person cited for a violation of any provision of this subsection shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided in this section. Any person who fails to appear or otherwise properly respond to a uniform boating citation shall, in addition to the charge relating to the violation of the boating laws of this state, be charged with the offense of failing to respond to such citation and, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A written warning to this effect shall be provided at the time such uniform boating citation is issued.

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to anchoring limitation areas; amending s. 327.4108, F.S.; providing that certain areas are grandfathered-in anchoring limitation areas; authorizing certain counties to establish anchoring limitation areas that meet certain requirements; defining the term "navigable-in-fact waterways"; 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 counties to provide notice to the Fish and Wildlife Conservation Commission within a specified timeframe before introducing an ordinance to establish an anchoring limitation area; requiring the commission to publish notice of the proposed ordinance on its website and distribute an e-mail notice; designating coastal waterways within counties in areas of critical state concern as anchoring limitation areas; providing requirements for such areas; requiring the commission to adopt rules; providing applicability; prohibiting Monroe County from establishing an anchoring limitation area until the county meets certain requirements; requiring the commission to designate a specified area as a priority for the investigation and removal of derelict vessels until certain conditions are met; requiring owners or operators in certain anchoring limitation areas to be allowed to provide specified proof of compliance with certain provisions; authorizing law enforcement officers or agencies to issue citations for violations under certain circumstances; providing that vessels with a specified number of repeat offenses within a specified timeframe shall be declared public nuisances and subject to certain provisions; 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.

Senator Polsky moved the following amendment to **Amendment 1 (555226)** which was adopted:

**Amendment 1A (331560) (with title amendment)**—Delete lines 28-78 and insert:

(2)(a) *Notwithstanding s. 327.60(2)(f), a county, except for Monroe County, may establish, in accordance with this subsection, an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic. The aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county's delineated navigable-in-fact waterways. As used in this subsection, the term "navigable-in-fact waterways" means waterways that are navigable in their natural or unimproved condition over which useful commerce or public recreation of a substantial and permanent character is or may be conducted in the customary mode of trade and travel on water. The term does not include lakes or streams that are theoretically navigable; have a potential for navigability; or are temporary, precarious, and unprofitable, but the term does include lakes or streams that have practical usefulness to the public as highways for transportation. Each anchoring limitation area must meet all of the following requirements:*

1. *Be less than 100 acres in size. For purposes of this subsection, the calculated size of the anchoring limitation area does not include any portion of the marked channel of the Florida Intracoastal Waterway contiguous to the anchoring limitation area;*
2. *Not include any mooring field or marina; and*

3. *Be clearly marked with all of the following:*

- a. *Signs that provide reasonable notice to boaters identifying the duration of time beyond which anchoring is limited and identifying the county ordinance by which the anchoring limitation area was created.*
- b. *Buoys. The county that has created an anchoring limitation area shall install and maintain buoys marking the boundary of the anchoring limitation area.*

*The signs and buoys must be permitted and installed in accordance with ss. 327.40 and 327.41 and commission rule.*

(b) *Except as provided in subsections (4) and (5), a person may not anchor a vessel for more than 45 consecutive days in any 6-month period in an anchoring limitation area established pursuant to this subsection.*

(c) *A county proposing establishment of an anchoring limitation area in accordance with this subsection shall provide notice to the commission at least 30 days before introducing an ordinance to establish the anchoring limitation area. The commission shall publish notice of the proposed ordinance on its website and distribute such notice through the commission's Boating and Waterways Section e-mail distribution list for ordinances.*

(3)(a) *Monroe County is designated as an anchoring limitation area within which a*

And the title is amended as follows:

Delete lines 234-236 and insert: designating Monroe County as an anchoring limitation area; providing requirements for such area;

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

Senator Polsky moved the following amendment to **Amendment 1 (555226)** which was adopted:

**Amendment 1B (439588)**—Delete lines 142-143 and insert: vessel from an anchoring limitation area and

**Amendment 1 (555226)**, as amended, was adopted.

On motion by Senator Polsky, by two-thirds vote, **CS for CS for CS for SB 1946**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Boyd—

**CS for CS for CS for SB 426**—A bill to be entitled An act relating to state preemption of seaport regulations; creating s. 311.25, F.S.; prohibiting a local ballot initiative or referendum from restricting maritime commerce in the seaports of this state; providing that such a local ballot initiative, referendum, or action adopted therein is prohibited, void, and expressly preempted to the state; prohibiting local governments and their political subdivisions and special districts from restricting mar-

itime commerce in a seaport located in or adjoining an area of critical state concern with respect to any federally authorized passenger cruise vessel; providing that certain actions relating to such restrictions are prohibited, void, and expressly preempted to the state; providing applicability; clarifying remaining authority of certain local entities; providing for severability; providing a directive to the Division of Law Revision; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 426** was placed on the calendar of Bills on Third Reading.

**CS for SB 358**—A bill to be entitled An act relating to water safety and swimming certification for K-12 students; providing a short title; creating s. 1003.225, F.S.; defining the term “water safety”; requiring public schools to provide specified information to certain parents or students; providing an effective date.

—was read the second time by title. On motion by Senator Berman, by two-thirds vote, **CS for SB 358** was read the third time by title, passed, 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

**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.

—was read the second time by title.

Senator Hooper moved the following amendment which was adopted:

**Amendment 1 (472820) (with title amendment)**—Delete lines 17-40 and insert:

(1) *A private passenger motor vehicle policy may exclude the following coverages for all claims or suits resulting from the operation of a motor vehicle by an identified individual who is not a named insured, provided the identified individual is named on the declarations page or by endorsement and the named insured consents in writing to such exclusion:*

(a) *Notwithstanding the Florida Motor Vehicle No-Fault Law, the personal injury protection coverage specifically applicable to the identified individual's injuries, lost wages, and death benefits.*

(b) *Property damage liability coverage.*

(c) *Bodily injury liability coverage, if required by law and purchased by the named insured.*

(d) *Uninsured motorist coverage for any damages sustained by the identified excluded individual, if the named insured has purchased such coverage.*

(e) *Any coverage the named insured is not required by law to purchase.*

(2) *A private passenger motor vehicle policy may not exclude coverage when:*

(a) *The identified individual is injured while not operating a motor vehicle;*

(b) *The identified individual is being excluded solely because of his or her race, color, religion, sex, national origin, age, handicap, pregnancy, or marital status; or*

And the title is amended as follows:

Delete lines 5-6 and insert: certain coverages for claims resulting from the operation of motor vehicles by identified individuals under certain circumstances; requiring

On motion by Senator Hooper, by two-thirds vote, **CS for SB 420**, as amended, was read the third time by title, passed, ordered engrossed, and then 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

On motion by Senator Baxley—

**HB 529**—A bill to be entitled An act relating to moments of silence in public schools; amending s. 1003.45, F.S.; providing legislative findings; requiring that public school principals require certain teachers to set aside time for a moment of silence at the beginning of each school day; specifying the duration of the required moment of silence; prohibiting teachers from making suggestions as to the nature of any reflection that a student may engage in during the moment of silence; deleting a provision authorizing district school boards to provide a brief period of silent prayer or meditation; requiring certain teachers to encourage parents or guardians to discuss the moment of silence with their children and to make suggestions as to the best use of this time; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **HB 529** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 366** was deferred.

**CS for SB 468**—A bill to be entitled An act relating to expunction of criminal history records relating to certain cannabis offenses; creating s. 943.0586, F.S.; providing for eligibility; requiring a petitioner to obtain a certificate of eligibility from the Department of Law Enforcement; requiring the department to adopt rules; providing application requirements and contents of a certificate of eligibility for expunction;

requiring the department to issue a certificate of eligibility for expunction if a person meets specified criteria; providing contents of a petition; providing court procedures for expungement; providing that the subject of an expungement order may lawfully deny or fail to acknowledge the arrest and notice to appear; providing exceptions; providing that a petition for expunction of certain cannabis offenses does not foreclose the petitioner from applying to seal or expunge other criminal arrests; providing an effective date.

—was read the second time by title. On motion by Senator Bracy, by two-thirds vote, **CS for SB 468** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—2

Boyd	Gainer
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**CS for SB 418**—A bill to be entitled An act relating to public records; amending s. 252.385, F.S.; creating an exemption from public records requirements for the addresses and telephone numbers of persons provided public emergency shelter during a storm or catastrophic event and held by the agency that provided the emergency shelter; 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.

Pending further consideration of **CS for SB 418**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 327** was withdrawn from the Committee on Rules.

On motion by Senator Burgess—

**CS for CS for HB 327**—A bill to be entitled An act relating to public records; amending s. 252.385, F.S.; creating an exemption from public records requirements for the address and telephone number of persons provided public emergency shelter and held by the agency that provided the emergency shelter; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 418** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **CS for CS for HB 327** 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—39

Mr. President	Bradley	Gainer
Albritton	Brandes	Garcia
Ausley	Brodeur	Gibson
Baxley	Broxson	Gruters
Bean	Burgess	Harrell
Book	Cruz	Hooper
Boyd	Diaz	Hutson
Bracy	Farmer	Jones

Mayfield	Powell	Stewart
Passidomo	Rodrigues	Taddeo
Perry	Rodriguez	Thurston
Pizzo	Rouson	Torres
Polsky	Stargel	Wright

Nays—1

Berman

**CS for SB 616**—A bill to be entitled An act relating to public accountancy; amending s. 473.308, F.S.; requiring that certain applicants not be licensed in any state or territory in order to be licensed by endorsement; amending s. 473.311, F.S.; providing license renewal requirements for nonresident licensees; amending s. 473.312, F.S.; requiring that a majority of the hours required for continuing education include specific content; amending s. 473.313, F.S.; authorizing certain Florida certified public accountants to apply to the Department of Business and Professional Regulation to have their license placed in a retired status; providing requirements for such conversion; imposing requirements and prohibitions on retired licensees; authorizing retired licensees to use a specified title under certain circumstances; providing that retired licensees are not required to maintain continuing education requirements; authorizing retired licensees to reactivate their licenses if certain conditions are met; defining the term “retired licensee”; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **CS for SB 616** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Cruz	Pizzo
Albritton	Diaz	Polsky
Ausley	Farmer	Powell
Baxley	Gainer	Rodrigues
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

**CS for CS for SB 582**—A bill to be entitled An act relating to parental rights; creating ch. 1014, F.S.; creating s. 1014.01, F.S.; providing a short title; creating s. 1014.02, F.S.; providing legislative findings; defining the term “parent”; creating s. 1014.03, F.S.; prohibiting the state, its political subdivisions, other governmental entities, or other institutions from infringing on parental rights unless specified conditions are met; creating s. 1014.04, F.S.; prohibiting the state, its political subdivisions, other governmental entities, or other institutions from obstructing or interfering with specified parental rights; providing construction; authorizing discipline of state employees who encourage or coerce, or attempt to encourage or coerce, a minor child to withhold information from his or her parent; providing construction; creating s. 1014.05, F.S.; requiring each district school board to develop and adopt a policy to promote parental involvement in the public school system; specifying requirements for such policy; defining the term “instructional materials”; authorizing a district school board to provide such policy electronically or on its website; authorizing a parent to request certain information in writing from a district school superintendent; requiring the district school superintendent to provide requested information in a specified timeframe; authorizing a parent to appeal a district school superintendent’s denial of, or failure to provide, requested information; requiring a district school board to place such appeal on the agenda for its next public meeting, or the subsequent meeting if it is too late to

place such appeal on the next agenda; creating s. 1014.06, F.S.; prohibiting health care practitioners and their employees from providing health care services or prescribing medicinal drugs to a minor child without a parent's written consent; prohibiting a provider from allowing a medical procedure to be performed on a minor child in its facility without a parent's written consent; providing exceptions; providing applicability; providing for disciplinary action and criminal penalties; amending s. 408.813, F.S.; authorizing the Agency for Health Care Administration to impose an administrative fine on providers that violate certain parental consent requirements; amending s. 456.072, F.S.; authorizing the Department of Health to take disciplinary action against health care practitioners who fail to comply with certain parental consent requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 582**, pursuant to Rule 3.11(3), there being no objection, **HB 241** was withdrawn from the Committee on Rules.

On motion by Senator Rodrigues—

**HB 241**—A bill to be entitled An act relating to Parents' Bill of Rights; creating chapter 1014, F.S.; creating s. 1014.01, F.S.; providing a short title; creating s. 1014.02, F.S.; providing legislative findings; defining the term "parent"; creating s. 1014.03, F.S.; providing that the state, its political subdivisions, other governmental entities, or other institutions may not infringe on parental rights without demonstrating specified information; creating s. 1014.04, F.S.; providing that a parent of a minor child has specified rights relating to his or her minor child; prohibiting the state from infringing upon specified parental rights; providing that certain actions by specified individuals are grounds for disciplinary actions against such individuals; prohibiting specified parental rights from being denied or abridged; providing construction; creating s. 1014.05, F.S.; requiring each district school board to develop and adopt a policy to promote parental involvement in the public school system; providing requirements for such policy; defining the term "instructional materials"; authorizing a district school board to provide such policy electronically or on its website; authorizing a parent to request certain information in writing; providing a procedure for the denial of such information; creating s. 1014.06, F.S.; prohibiting certain health care practitioners and their employees from taking specified actions without a parent's written permission; prohibiting a health care facility from allowing certain actions without a parent's written permission; providing exceptions; providing for disciplinary actions and criminal penalties; amending s. 408.813, F.S.; providing that certain violations relating to parental consent are grounds for administrative fines for health care facilities; amending s. 456.072, F.S.; providing that failure to comply with certain parental consent requirements is grounds for disciplinary action for health care practitioners; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 582** and read the second time by title.

Pursuant to Rule 4.19, **HB 241** was placed on the calendar of Bills on Third Reading.

**CS for SB 950**—A bill to be entitled An act relating to bicycle and pedestrian safety; amending s. 316.003, F.S.; defining the terms "bicycle lane" and "separated bicycle lane"; amending s. 316.083, F.S.; revising and providing requirements for the driver of a motor vehicle overtaking a bicycle or other nonmotorized vehicle, an electric bicycle, or a pedestrian; providing exceptions; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide an annual awareness and safety campaign regarding certain safety precautions; amending s. 316.0875, F.S.; exempting a motor vehicle driver from certain provisions relating to no-passing zones when overtaking a bicycle or other nonmotorized vehicle, an electric bicycle, or a pedestrian; making a technical change; amending s. 316.151, F.S.; revising requirements for vehicles turning at intersections; providing turn signaling and distance requirements for a motor vehicle driver when overtaking and passing a bicycle; making a technical change; amending s. 316.2065, F.S.; providing requirements for persons riding bicycles on a substandard-width lane; prohibiting persons riding bicycles in a bicycle lane from riding more than two abreast; providing requirements for riding in a bicycle lane; providing requirements for persons riding

bicycles in groups when stopping at a stop sign; making a technical change; amending s. 322.12, F.S.; requiring a minimum number of questions in the test bank for a Class E driver license to address bicycle and pedestrian safety; amending ss. 212.05, 316.306, and 655.960, F.S.; conforming cross-references; 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 Book moved the following amendment:

**Amendment 1 (793004) (with title amendment)**—Delete lines 57-237 and insert:

Section 2. Section 316.083, Florida Statutes, is amended to read:

316.083 Overtaking and passing a vehicle, a bicycle or other nonmotorized vehicle, or an electric bicycle.—The following rules shall govern the overtaking and passing of vehicles, bicycles and other nonmotorized vehicles, and electric bicycles, ~~proceeding in the same direction~~, subject to those limitations, exceptions, and special rules herein-after stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction ~~must shall~~ give an appropriate signal as provided for in s. 316.156, ~~must shall~~ pass to the left thereof at a safe distance, and ~~must shall~~ not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) *The driver of a vehicle overtaking a bicycle or other nonmotorized vehicle or an electric bicycle occupying the same travel lane must pass the bicycle or other nonmotorized vehicle or electric bicycle at a safe distance of not less than 3 feet or, if such movement cannot be safely accomplished, must remain at a safe distance behind the bicycle or other nonmotorized vehicle or electric bicycle until the driver can safely pass at a distance of not less than 3 feet and must safely clear the overtaken bicycle or other nonmotorized vehicle or electric bicycle.*

(3) The driver of a vehicle overtaking a bicycle or other nonmotorized vehicle, or an electric bicycle, *occupying a bicycle lane* must pass the bicycle, other nonmotorized vehicle, or electric bicycle at a safe distance of not less than 3 feet between the vehicle and the bicycle, other nonmotorized vehicle, or electric bicycle.

(4) *Subsections (2) and (3) do not apply when a bicycle or other nonmotorized vehicle, or an electric bicycle, occupies a separated bicycle lane.*

(5)(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle ~~must shall~~ give way to the right in favor of the overtaking vehicle, on audible signal or upon the visible blinking of the headlamps of the overtaking vehicle if such overtaking is being attempted at nighttime, and ~~must shall~~ not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

(6)(3) A person who violates ~~violation of~~ this section ~~commits is~~ a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

(7) *The department must provide an annual awareness and safety campaign informing the public about the safety precautions to be taken when overtaking a bicycle or other nonmotorized vehicle or an electric bicycle.*

Section 3. Section 316.0875, Florida Statutes, is amended to read:

316.0875 No-passing zones.—

(1) The Department of Transportation and local authorities ~~may are~~ authorized to determine those portions of any highway under their respective ~~jurisdictions jurisdiction~~ where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, ~~and~~ When such signs or markings are in place and clearly visible to an ordinarily observant person, ~~every~~ driver of a vehicle ~~must shall~~ obey the directions thereof.



(2) Where signs or markings are in place to define a no-passing zone as set forth in subsection (1), ~~a no driver may not, shall~~ at any time, drive on the left side of the roadway ~~within~~ with such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(3) This section does not apply to a driver who safely and briefly drives to the left of the center of the roadway only to the extent necessary to:

(a) Avoid ~~when~~ an obstruction;

(b) Turn ~~exists making it necessary to drive to the left of the center of the highway, nor to the driver of a vehicle turning left into or from an alley, a private road, or a driveway; or~~

(c) Overtake and pass a bicycle or other nonmotorized vehicle or an electric bicycle pursuant to s. 316.083(2) or (3).

(4) A person who violates ~~violation of~~ this section commits ~~is~~ a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 4. Section 316.151, Florida Statutes, is amended to read:

316.151 Required position and method of turning at intersections.—

(1)(a) *Right turn.*—The driver of a vehicle intending to turn right at an intersection onto a highway, public or private roadway, or driveway must ~~shall do so as follows:~~

1.(a) *Make Right turn.*—both the approach for a right turn and a right turn ~~shall be made~~ as close as practicable to the right-hand curb or edge of the roadway.

2. *When overtaking and passing a bicycle proceeding in the same direction, give an appropriate signal as provided for in s. 316.156 and make the right turn only if the bicycle is at least 20 feet from the intersection, and is of such a distance that the driver of a vehicle may safely turn.*

(b) *Left turn.*—

1. The driver of a vehicle intending to turn left at an ~~any~~ intersection onto a highway, public or private roadway, or driveway must ~~shall~~ approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle; and ~~must make, after entering the intersection, the left turn shall be made~~ so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered.

2. A person riding a bicycle and intending to turn left in accordance with this section is entitled to the full use of the lane from which the turn may legally be made. *The person must:*

a. Whenever practicable, *make* the left turn ~~shall be made~~ in that portion of the intersection to the left of the center of the intersection; or-

(c) *Left turn by bicycle.*—~~In addition to the method of making a left turn described in paragraph (b), a person riding a bicycle and intending to turn left has the option of following the course described hereafter. The rider shall~~

b. Approach the turn as close as practicable to the right curb or edge of the roadway; after proceeding across the intersecting roadway, ~~make the turn shall be made~~ as close as practicable to the curb or edge of the roadway on the far side of the intersection; and, before proceeding, ~~the bicyclist shall~~ comply with any official traffic control device or police officer regulating traffic on the highway along which the ~~person bicyclist~~ intends to proceed.

(2) The state, county, and local authorities in their respective jurisdictions may cause official traffic control devices to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection. When such devices are so placed, a ~~no~~ driver of a vehicle may *not* turn a vehicle at an intersection other than as directed and required by such devices.

(3) A ~~person who violates violation of~~ this section ~~commits is~~ a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 5. Subsections (5), (6), and (19) of section 316.2065, Florida Statutes, are amended to read:

316.2065 Bicycle regulations.—

(5)(a) A ~~Any~~ person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing ~~must shall~~ ride in the ~~bicycle lane marked for bicycle use or, if there is no bicycle lane on the roadway is marked for bicycle use,~~ as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.

2. When preparing for a left turn at an intersection or into a private road or driveway.

3. When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. *On roads that contain a substandard-width lane, persons operating bicycles must ride single-file to maintain the minimum 3 feet of space for motor vehicles to pass persons operating a bicycle as provided in s. 316.083.* For the purposes of this subsection, a “substandard-width lane” is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) A ~~Any~~ person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(6)(a) Persons riding bicycles upon a roadway or in a bicycle lane may not ride more than two abreast except on a ~~bicycle path paths or parts of roadways set aside for the exclusive use of bicycles.~~ Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and ~~must shall~~ ride within a single lane. *Where bicycle lanes exist, persons riding bicycles may ride two abreast if both are able to remain within the bicycle lane. If the bicycle lane is too narrow to allow two persons riding bicycles to ride two abreast, the persons must ride single-file and within the bicycle lane. On roads that contain a substandard-width lane as defined in subparagraph (5)(a)3., persons riding bicycles may temporarily ride two abreast only to avoid hazards in the roadway or to overtake another person riding a bicycle.*

(b) *When stopping at a stop sign, persons riding bicycles in groups, after coming to a full stop and obeying all traffic laws, may proceed through the stop sign in a group of 10 or fewer at a time. Motor vehicle operators must allow one such group to travel through the intersection before moving forward.*

And the title is amended as follows:

Delete lines 7-15 and insert: other nonmotorized vehicle or an electric bicycle; providing exceptions; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide an annual awareness and safety campaign regarding certain safety precautions; amending s. 316.0875, F.S.; exempting a motor vehicle driver from certain provisions relating to no-passing zones when overtaking a bicycle or other nonmotorized vehicle or an electric bicycle; making

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

Senator Book moved the following amendment to **Amendment 1 (793004)** which was adopted:

**Amendment 1A (318542) (with title amendment)**—Delete lines 155-159 and insert: edge or within a bicycle lane. For the purposes of this subsection, a “substandard-

And the title is amended as follows:

Delete lines 188-198 and insert: Delete lines 7 - 23 and insert: other nonmotorized vehicle or an electric bicycle; providing exceptions; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide an annual awareness and safety campaign regarding certain safety precautions; amending s. 316.0875, F.S.; exempting a motor vehicle driver from certain provisions relating to no-passing zones when overtaking a bicycle or other nonmotorized vehicle or an electric bicycle; making a technical change; amending s. 316.151, F.S.; revising requirements for vehicles turning at intersections; providing turn signaling and distance requirements for a motor vehicle driver when overtaking and passing a bicycle; making a technical change; amending s. 316.2065, F.S.; providing requirements for persons riding bicycles on a substandard-width lane; prohibiting persons riding

**Amendment 1 (793004)**, as amended, was adopted.

On motion by Senator Book, by two-thirds vote, **CS for SB 950**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Harrell

Consideration of **CS for CS for CS for SB 750** and **SB 826** was deferred.

**CS for SB 1126**—A bill to be entitled An act relating to the Department of Transportation; 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. 201.15, F.S.; clarifying that the Department of Revenue is responsible for a certain transfer from the State Treasury to the General Revenue Fund of a portion of documentary stamp tax distributions credited to the State Transportation Trust Fund; amending s. 206.46, F.S.; revising a limitation on an annual transfer from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund; amending ss. 206.606, 206.608, and 212.0501, F.S.; removing a requirement for the deduction of certain service charges before the distribution of certain moneys; amending s. 316.126, F.S.; requiring drivers to change lanes when approaching a road and bridge maintenance or construction vehicle displaying warning lights on the roadside without advance signs and channelizing devices; amending s. 316.545, F.S.; deleting a requirement that the department provide space and video conference capability at each of the department's district offices as an alternative to physical appearance by a person requesting a hearing before the Commercial Motor Vehicle Review Board within the department; requiring the department to allow a person requesting a hearing to appear remotely via communications media technology authorized by a specified rule; amending s. 319.32, F.S.; removing a requirement for the deduction of certain service charges before depositing fees for a certificate of title into the State Transportation Trust Fund; creating s. 333.15, F.S.; requiring the department to adopt rules to implement ch. 333, relating to airport zoning; amending

s. 334.044, F.S.; revising the powers and duties of the Department of Transportation relating to the workforce development program; amending s. 335.199, F.S.; requiring the department, when proposing any project on the State Highway System which will close or modify an existing access to an abutting property owner, to provide notice to affected property owners, municipalities, and counties at least 180 days before the design phase of the project is completed; requiring the department to hold at least one public meeting before completing the design phase of the project; making a technical change; 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; amending s. 339.135, F.S.; revising the date by which a metropolitan planning organization must annually submit project priorities to the appropriate department district for purposes of developing department district work programs; removing the expiration of provisions relating to approval of department work program amendments when a meeting of the Legislative Budget Commission cannot be held within a specified timeframe; repealing s. 339.1373, F.S., relating to funding of the Multi-use Corridors of Regional Economic Significance Program; amending s. 339.175, F.S.; revising the date by which a metropolitan planning organization must annually submit a list of project priorities to the appropriate department district for purposes of developing department district work programs and developing metropolitan planning organization transportation improvement programs; 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; 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; reenacting s. 318.18(2)(d), F.S., relating to the amount of certain penalties, to incorporate the amendment made to s. 316.126, F.S., in a reference thereto; 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.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **CS for SB 1126** was read the third time by title, passed, 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

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator Stargel, the rules were waived and the Committee on Appropriations was granted permission to meet this day from 4:30 p.m. until 6:30 p.m.

**SPECIAL ORDER CALENDAR, continued**

**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 read the second time by title.

Pending further consideration of **CS for SB 490**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1553** was withdrawn from the Committee on Appropriations.

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

**CS for HB 1553**—A bill to be entitled An act relating to “Victims of Communism Day”; creating s. 683.334, F.S.; requiring the Governor to proclaim November 7 of each year as “Victims of Communism Day”; requiring the day to be observed in public schools; requiring certain high school students to receive specified instruction; providing an effective date.

—a companion measure, was substituted for **CS for SB 490** and read the second time by title.

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

Senator Bracy moved the following amendment which was adopted:

**Amendment 1 (133526) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Present paragraphs (k) through (m), (n) through (p), and (q) through (u) of subsection (1) of section 683.01, Florida Statutes, are redesignated as paragraphs (l) through (n), (p) through (r), and (t) through (x), respectively, and new paragraphs (k), (o), and (s) are added to that subsection, to read:

683.01 Legal holidays.—

(1) The legal holidays, which are also public holidays, are the following:

(k) *Emancipation Day, May 20.*

(o) *Juneteenth Day, June 19.*

(s) *Victims of Communism Day, November 7.*

Section 2. *Section 683.21, Florida Statutes, is repealed.*

Section 3. *On the final day of each regular legislative session, the Legislature shall, in recognition of “Victims of Communism Day,” engage in a moment of silence.*

Section 4. *Beginning in the 2022-2023 school year, high school students enrolled in the United States Government class required by s. 1003.4282, Florida Statutes, must receive at least 45 minutes of instruction on “Victims of Communism Day” on topics such as Mao Zedong in China, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Ho Chi Minh in Vietnam, and Nicolas Maduro in Venezuela and how the victims suffered under these regimes through suppression of speech, poverty, starvation, migration, and systemic lethal violence against civilians. High school students enrolled in the United States Government class required by s. 1003.4282, Florida Statutes, must receive at least 45 minutes of instruction on the significance of “Emancipation Day” as it relates to the State of Florida.*

Section 5. This act shall take effect July 1, 2021.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to legal holidays; amending s. 683.01, F.S.; designating Emancipation Day, Juneteenth Day, and Victims of Communism Day as legal holidays; 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; requiring the Legislature to annually observe a moment of silence in recognition of the victims of communism; requiring high school students in a required United States Government course to receive certain instruction regarding Victims of Communism Day; requiring high school students to receive certain instruction on the significance of Emancipation Day; providing an effective date.

WHEREAS, on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, which afforded free status under federal law to the millions of enslaved African Americans who resided in states that had seceded from the Union, including Florida, and

WHEREAS, despite the issuance of the Emancipation Proclamation, it was not fully enforced in certain regions of the United States for more than 2 years afterward, and

WHEREAS, on or about June 19, 1865, federal authorities arrived in Galveston, Texas, to enforce the Emancipation Proclamation and further inform slaves that the Civil War had ended and that the enslaved were now free, and

WHEREAS, thereafter, former slaves and their descendants continued to commemorate each June 19 to celebrate freedom and the emancipation of all slaves in the United States, and

WHEREAS, emancipation in Florida was proclaimed in Tallahassee on May 20, 1865, and for this reason Floridians traditionally celebrate Emancipation Day on May 20 of each year, and

WHEREAS, in 1991, the Florida Legislature officially designated June 19 of each year as “Juneteenth Day” to commemorate the freeing of slaves, but did not designate the day as an official legal holiday, and

WHEREAS, this act designates Emancipation Day and Juneteenth Day as legal holidays in this state to commemorate the announcement of the abolition of slavery and to recognize the significant contributions of African Americans to this state and our nation, and

WHEREAS, over 100 years have passed since the Bolshevik Revolution in Russia and the formation of the first communist government under Vladimir Lenin, leading to decades of oppression and violence under communist regimes throughout the world, and

WHEREAS, based on the economic philosophies of Karl Marx, communism has proven incompatible with the ideals of liberty, prosperity,

and dignity of human life and has given rise to such infamous totalitarian dictators as Joseph Stalin, Mao Zedong, Hồ Chí Minh, and Pol Pot, and

WHEREAS, communist regimes worldwide have killed more than 100 million people and subjected countless others to exploitation and unspeakable atrocities, with victims representing many ethnicities, creeds, and backgrounds, and

WHEREAS, many victims of communism were persecuted as political prisoners for speaking out against these regimes, and others were killed in genocidal state-sponsored purges of undesirable groups, and

WHEREAS, in addition to violating basic human rights, communist regimes have suppressed intellectual freedom, cultural life, and self-determination movements in more than 40 nations, and

WHEREAS, slavery robbed individuals of their most basic human rights, just as communism continues to deprive hundreds of millions of people worldwide of the rights of freedom of worship, freedom of speech, and freedom of association, through coercion, brutality, and fear, NOW, THEREFORE,

On motion by Senator Bracy, by two-thirds vote, **CS for HB 1553**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Harrell

**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.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote, **CS for SB 1526** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Brandes	Gruters
Albritton	Brodeur	Harrell
Ausley	Broxson	Hooper
Baxley	Burgess	Hutson
Bean	Cruz	Jones
Berman	Diaz	Mayfield
Book	Farmer	Passidomo
Boyd	Gainer	Perry
Bracy	Garcia	Pizzo
Bradley	Gibson	Polsky

Powell	Stargel	Thurston
Rodrigues	Stewart	Torres
Rodriguez	Taddeo	Wright

Nays—None

Vote after roll call:

Yea—Rouson

Consideration of **CS for CS for SB 1568, SB 848, and CS for SB 7004** was deferred.

**SB 7014**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 624.4212, F.S.; adding the Office of Insurance Consumer Advocate to the list of entities to which the Office of Insurance Regulation may disclose confidential and exempt information; removing the scheduled repeal of an exemption from public records requirements for certain proprietary business information and information that is confidential and held by the Office of Insurance Regulation; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **SB 7014** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Berman

Consideration of **SB 7026** was deferred.

**SB 7036**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 570.077, F.S., which provides an exemption from public records requirements for criminal or civil intelligence or investigative information or any other information held by the Department of Agriculture and Consumer Services as part of an examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7036**, pursuant to Rule 3.11(3), there being no objection, **HB 7007** was withdrawn from the Committee on Rules.

On motion by Senator Rouson—

**HB 7007**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 570.077, F.S., which provides an exemption from public records requirements for information held by the Department of Agriculture and Consumer Services as part of an examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7036** and read the second time by title.

On motion by Senator Rouson, by two-thirds vote, **HB 7007** was read the third time by title, passed, 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

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**SB 7050**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 255.065, F.S., which provides exemptions from public records and public meetings requirements for unsolicited proposals received by a responsible public entity and portions of meetings at which such proposals are discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title. On motion by Senator Bradley, by two-thirds vote, **SB 7050** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Berman

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Consideration of **SB 7066** was deferred.

**CS for SB 7004**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 339.55, F.S., relating to an exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of a certain application process; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7004**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7037** was withdrawn from the Committee on Rules.

On motion by Senator Harrell—

**CS for HB 7037**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 339.55, F.S., relating to an exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of a certain application process; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 7004** and read the second time by title.

On motion by Senator Harrell, by two-thirds vote, **CS for HB 7037** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—2

Berman Burgess

Vote after roll call:

Nay to Yea—Burgess

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**SB 7066**—A bill to be entitled An act relating to public records and public meetings; amending s. 286.0113, F.S.; exempting discussions of certain confidential information by the Public Service Commission during certain hearings from public meetings requirements; requiring such hearings to be recorded by a certified court reporter; providing that only redacted transcripts are subject to public records requirements; requiring certain parties to request, within a specified timeframe, that portions of the transcript remain exempt from disclosure; providing that failure to timely file a redacted version of the transcript and a request for confidentiality constitutes a waiver of a claim of confidentiality to that portion of the transcript; providing requirements for the redacted transcripts; providing for future legislative review and repeal of the exemptions; amending s. 350.01, F.S.; exempting certain closed hearings or portions of hearings of the Public Service Commission from the requirement that each hearing of the commission be streamed live and made available on the commission's website; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7066**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1311** was withdrawn from the Committee on Rules.

On motion by Senator Hutson, the rules were waived and, by two-thirds vote—

**CS for HB 1311**—A bill to be entitled An act relating to public records and public meetings; amending s. 350.01, F.S.; providing an exemption from public meetings requirements for portions of hearings before the Public Service Commission wherein proprietary confidential

business information is discussed; requiring recording and transcription of exempt portions of such hearings; providing an exemption from public records requirements for such recordings and transcripts; providing an exception; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **SB 7066** and, by two-thirds vote, read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **CS for HB 1311** 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—39

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

Nays—1

Berman

**SB 7026**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 548.062, F.S., relating to an exemption from public records requirements for proprietary confidential business information obtained through an audit of a promoter's books and records or provided by a promoter to the Florida State Boxing Commission; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7026**, pursuant to Rule 3.11(3), there being no objection, **HB 7003** was withdrawn from the Committee on Rules.

On motion by Senator Hutson—

**HB 7003**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 548.062, F.S., which provides an exemption from public records requirements for certain proprietary confidential business information provided to or obtained by the Florida State Boxing Commission; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7026** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **HB 7003** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bracy	Farmer
Albritton	Bradley	Gainer
Ausley	Brandes	Garcia
Baxley	Brodeur	Gibson
Bean	Broxson	Gruters
Berman	Burgess	Harrell
Book	Cruz	Hooper
Boyd	Diaz	Hutson

Jones	Powell	Taddeo
Mayfield	Rodrigues	Thurston
Passidomo	Rodriguez	Torres
Perry	Rouson	Wright
Pizzo	Stargel	
Polsky	Stewart	

Nays—None

**CS for CS for SB 366**—A bill to be entitled An act relating to educational opportunities leading to employment; creating s. 446.54, F.S.; providing that certain individuals enrolled in work-based learning are deemed to be employees of the state for purposes of receiving certain medically necessary care under workers' compensation coverage; amending s. 1007.23, F.S.; requiring that the statewide articulation agreement specify three mathematics pathways that meet a certain requirement upon which degree-seeking students must be placed; amending s. 1007.263, F.S.; requiring admissions counseling to use certain tests or alternative methods to measure achievement of college-level communication and computation by students entering college programs; requiring that such counseling measure achievement of certain basic skills; revising requirements for admission to associate degree programs; amending s. 1007.271, F.S.; revising eligibility requirements for initial enrollment in college-level dual enrollment courses; revising requirements for home education students seeking dual enrollment in certain postsecondary institutions; amending s. 1008.30, F.S.; requiring the State Board of Education to adopt, by a specified date, rules establishing alternative methods for assessing communication and computation skills of certain students; authorizing Florida College System institutions to use such alternative methods in lieu of the common placement test to assess a student's readiness to perform college-level work in communication and computation; deleting obsolete provisions; requiring Florida College System institutions to use placement test results or alternative methods to determine the extent to which certain students demonstrate sufficient communication and computation skills to indicate readiness for their meta-major; requiring Florida College System institutions to counsel and place certain students in specified college courses; limiting students' developmental education to content needed for success in their meta-major; conforming provisions to changes made by the act; making technical changes; amending s. 1009.25, F.S.; authorizing the State Board of Education to adopt specified rules and the Board of Governors to adopt specified regulations; providing an appropriation; authorizing positions; 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 amendments was allowed:

Senator Hutson moved the following amendments which were adopted:

**Amendment 1 (291458) (with title amendment)**—Between lines 50 and 51 insert:

Section 1. Section 445.06, Florida Statutes, is amended to read:

445.06 Florida Ready to Work ~~Credential Certification~~ Program.—

(1) There is created the Florida Ready to Work ~~Credential Certification~~ Program to enhance the *employability workplace* skills of Floridians *and* to better prepare them for successful employment ~~in specific occupations~~.

(2) *Training required to be eligible for a credential under the Florida Ready to Work Certification* program may be conducted in public middle and high schools, Florida College System institutions, technical centers, one-stop career centers, vocational rehabilitation centers, *Department of Corrections facilities*, and Department of Juvenile Justice educational facilities. *Such training may also be made available at* ~~The program may be made available to~~ other entities that provide job training. The Department of Economic Opportunity, in coordination with the Department of Education, shall establish institutional readiness criteria for program implementation.

(3) The ~~Florida Ready to Work Certification~~ program shall be composed of:

(a) A comprehensive identification *by the Department of Economic Opportunity and the Department of Education of employability skills currently in demand by employers, including, but not limited to, professionalism, time management, communication, problem-solving, collaboration, resilience, digital literacy skills, and academic skills such as mathematics and reading of workplace skills for each occupation identified for inclusion in the program by the Department of Economic Opportunity and the Department of Education.*

(b) A preinstructional assessment that delineates an individual's mastery level ~~for on the employability on the~~ specific workplace skills identified pursuant to paragraph (a) ~~for that occupation.~~

(c) ~~An A-targeted~~ instructional program *targeting the limited to those identified employability workplace skills in which the individual is not proficient as measured by the preinstructional assessment. Instruction must utilize a web-based program and be customizable customized* to meet identified specific needs of ~~local~~ employers.

(d) ~~An employability A Florida Ready to Work Credential and~~ portfolio *to be awarded to individuals upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the individual as evidence of the individual's preparation for employment.*

(4) ~~An employability A Florida Ready to Work~~ credential shall be awarded to an individual who successfully passes assessments *which measure the skills identified in paragraph (3)(a) in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each individual receives is based on the following:*

~~(a) A bronze level credential requires a minimum score of 3 or above on each of the assessments.~~

~~(b) A silver level credential requires a minimum score of 4 or above on each of the assessments.~~

~~(c) A gold level credential requires a minimum score of 5 or above on each of the assessments.~~

(5) The Department of Economic Opportunity, in consultation with the Department of Education, *shall may* adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

And the title is amended as follows:

Delete line 3 and insert: to employment; amending s. 445.06, F.S.; renaming the Florida Ready to Work Certification Program as the Florida Ready to Work Credential Program; providing where the program training may be conducted; providing the components of the program; requiring, rather than authorizing, the Department of Economic Opportunity, in consultation with the Department of Education, to adopt rules for the program; creating s. 446.54, F.S.; providing

**Amendment 2 (141986) (with title amendment)**—Between lines 352 and 353 insert:

Section 7. Subsection (2) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(2)~~(a)~~ Florida postsecondary student assistance grants may be made ~~only to full-time degree-seeking~~ students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida postsecondary student assistance grant.

~~Recipients of such grants must~~ (a) Awards may be made to full-time degree-seeking students who have been accepted at a postsecondary institution that is located in this state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or

2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

(b) Awards may be made to full-time certificate-seeking students who have been accepted at an aviation maintenance school that is located in this state, certified by the Federal Aviation Administration, and licensed by the Commission for Independent Education. Such student's eligibility for the renewal of an award shall be evaluated at the end of the completion of 900 clock hours and, as a condition of renewal, the student shall meet the requirements under s. 1009.40(1)(b).

(c) If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester, or equivalent, of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3). A student specified in paragraph (b) is eligible for an award of up to 110 percent of the number of clock hours required to complete the program in which the student is enrolled.

~~(d)(b)~~ A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

~~(e)(c)~~ Priority in the distribution of grant moneys may be given to students who are within one semester, or equivalent, of completing a degree or certificate program. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

~~(f)(d)~~ Each participating institution shall report to the department by the established date the students eligible for the program for each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

And the title is amended as follows:

Delete line 45 and insert: Governors to adopt specified regulations; amending s. 1009.52, F.S.; revising the eligibility requirements for Florida postsecondary student assistance grants; providing an

**Amendment 3 (832462) (with title amendment)**—Delete lines 57-68 and insert:

*is unpaid is deemed to be an employee of the state for purposes of workers' compensation coverage.*

(2) An individual 18 years of age or younger who is enrolled in a preapprenticeship program as defined in s. 446.021(5) which requires work-based learning is deemed to be an employee of the state for purposes of workers' compensation coverage.

And the title is amended as follows:

Delete lines 6-7 and insert: purposes of workers' compensation coverage; amending s.

On motion by Senator Hutson, by two-thirds vote, **CS for CS for SB 366**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Baxley	Book
Albritton	Bean	Boyd
Ausley	Berman	Bracy

Bradley	Gruters	Rodrigues
Brandes	Harrell	Rodriguez
Brodeur	Hooper	Rouson
Broxson	Hutson	Stargel
Burgess	Jones	Stewart
Cruz	Mayfield	Taddeo
Diaz	Passidomo	Thurston
Farmer	Perry	Torres
Gainer	Pizzo	Wright
Garcia	Polsky	
Gibson	Powell	

Nays—None

## RECESS

The President declared the Senate in recess at 1:31 p.m. to reconvene at 2:30 p.m.

## AFTERNOON SESSION

The Senate was called to order by President Simpson at 2:30 p.m. A quorum present—36:

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 64, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for SB 64**—A bill to be entitled An act relating to reclaimed water; amending s. 403.064, F.S.; requiring certain domestic wastewater utilities to submit to the Department of Environmental Protection by a specified date a plan for eliminating nonbeneficial surface water discharge within a specified timeframe; providing requirements for the plan; requiring the department to approve plans that meet certain requirements; requiring the department to make a determination regarding a plan within a specified timeframe; requiring the utilities to implement approved plans by specified dates; providing for administrative and civil penalties; requiring certain utilities to submit updated annual plans until certain conditions are met; requiring domestic wastewater utilities applying for permits for new or expanded surface water discharges to prepare a specified plan for eliminating nonbeneficial discharges as part of its permit application; requiring the department to submit an annual report to the Legislature by a specified date; providing applicability; providing construction; authorizing the department to convene and lead one or more technical advisory groups; providing that potable reuse is an alternative water supply and that projects relating to such reuse are eligible for alternative water supply funding; requiring the department and the water management districts to develop and execute, by a specified date, a memorandum of agreement for the coordinated review of specified permits; providing that potable reuse projects are eligible for certain expedited permitting and priority funding; providing construction; creating s. 403.892, F.S.; defining terms; requiring counties, municipalities, and special districts to

authorize graywater technologies under certain circumstances and to provide incentives for the implementation of such technologies; providing requirements for the use of graywater technologies; providing that the installation of residential graywater systems meets certain public utility water conservation measure requirements; providing for the applicability of specified reclaimed water aquifer storage and recovery well requirements; providing a declaration of important state interest; providing an effective date.

**House Amendment 1 (101923) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Subsection (17) of section 403.064, Florida Statutes, is renumbered as subsection (18) and amended, and a new subsection (17) is added to that section, to read:

403.064 Reuse of reclaimed water.—

(17) *By November 1, 2021, domestic wastewater utilities that dispose of effluent, reclaimed water, or reuse water by surface water discharge shall submit to the department for review and approval a plan for eliminating nonbeneficial surface water discharge by January 1, 2032, subject to the requirements of this section. The plan must include the average gallons per day of effluent, reclaimed water, or reuse water that will no longer be discharged into surface waters and the date of such elimination, the average gallons per day of surface water discharge which will continue in accordance with the alternatives provided for in subparagraphs (a)2. and 3., and the level of treatment that the effluent, reclaimed water, or reuse water will receive before being discharged into a surface water by each alternative.*

(a) *The department shall approve a plan that includes all of the information required under this subsection as meeting the requirements of this section if one or more of the following conditions are met:*

1. *The plan will result in eliminating the surface water discharge.*
2. *The plan will result in meeting the requirements of s. 403.086(10).*
3. *The plan does not provide for a complete elimination of the surface water discharge but does provide an affirmative demonstration that any of the following conditions apply to the remaining discharge:*
  - a. *The discharge is associated with an indirect potable reuse project;*
  - b. *The discharge is a wet weather discharge that occurs in accordance with an applicable department permit;*
  - c. *The discharge is into a stormwater management system and is subsequently withdrawn by a user for irrigation purposes;*
  - d. *The utility operates domestic wastewater treatment facilities with reuse systems that reuse a minimum of 90 percent of a facility's annual average flow, as determined by the department using monitoring data for the prior 5 consecutive years, for reuse purposes authorized by the department; or*
  - e. *The discharge provides direct ecological or public water supply benefits, such as rehydrating wetlands or implementing the requirements of minimum flows and minimum water levels or recovery or prevention strategies for a waterbody.*

*The plan may include conceptual projects under sub-subparagraphs 3.a. and 3.e.; however, such inclusion does not extend the time within which the plan must be implemented.*

(b) *The department shall approve or deny a plan within 9 months after receiving the plan. A utility may modify the plan by submitting such modification to the department; however, the plan may not be modified such that the requirements of this subsection are not met, and the department may not extend the time within which a plan will be implemented. The approval of the plan or a modification by the department does not constitute final agency action.*

(c) *A utility shall fully implement the approved plan by January 1, 2032.*

(d) *If a plan is not timely submitted by a utility or approved by the department, the utility's domestic wastewater treatment facilities may*



not dispose of effluent, reclaimed water, or reuse water by surface water discharge after January 1, 2028. A violation of this paragraph is subject to administrative and civil penalties pursuant to ss. 403.121, 403.131, and 403.141.

(e) A domestic wastewater utility applying for a permit for a new or expanded surface water discharge shall prepare a plan in accordance with this subsection as part of that permit application. The department may not approve a permit for a new or expanded surface water discharge unless the plan meets one or more of the conditions provided in paragraph (a).

(f) By December 31, 2021, and annually thereafter, the department shall submit a report to the President of the Senate and the Speaker of the House of Representatives which provides the average gallons per day of effluent, reclaimed water, or reuse water that will no longer be discharged into surface waters by the utility and the dates of such elimination; the average gallons per day of surface water discharges that will continue in accordance with the alternatives provided in subparagraphs (a)2. and 3., and the level of treatment that the effluent, reclaimed water, or reuse water will receive before being discharged into a surface water by each alternative and utility; and any modified or new plans submitted by a utility since the last report.

(g) This subsection does not apply to any of the following:

1. A domestic wastewater treatment facility that is located in a fiscally constrained county as described in s. 218.67(1).

2. A domestic wastewater treatment facility that is located in a municipality that is entirely within a rural area of opportunity as designated pursuant to s. 288.0656.

3. A domestic wastewater treatment facility that is located in a municipality that has less than \$10 million in total revenue, as determined by the municipality's most recent annual financial report submitted to the Department of Financial Services in accordance with s. 218.32.

4. A domestic wastewater treatment facility that is operated by an operator of a mobile home park as defined in s. 723.003 and has a permitted capacity of less than 300,000 gallons per day.

(h) This subsection does not prohibit the inclusion of a plan for backup discharges under s. 403.086(8)(a).

(i) This subsection may not be deemed to exempt a utility from requirements that prohibit the causing of or contributing to violations of water quality standards in surface waters, including groundwater discharges that affect water quality in surface waters.

(18)(a)(17) By December 31, 2020, the department shall initiate rule revisions based on the recommendations of the Potable Reuse Commission's 2020 report "Advancing Potable Reuse in Florida: Framework for the Implementation of Potable Reuse in Florida." Rules for potable reuse projects must address contaminants of emerging concern and meet or exceed federal and state drinking water quality standards and other applicable water quality standards. Reclaimed water is deemed a water source for public water supply systems.

(b) The Legislature recognizes that sufficient water supply is imperative to the future of the state and that potable reuse is a source of water which may assist in meeting future demand for water supply.

(c) The department may convene and lead one or more technical advisory groups to coordinate the rulemaking and review of rules for potable reuse as required under this section. The technical advisory group, which shall assist in the development of such rules, must be composed of knowledgeable representatives of a broad group of interested stakeholders, including, but not limited to, representatives from the water management districts, the wastewater utility industry, the water utility industry, the environmental community, the business community, the public health community, the agricultural community, and the consumers.

(d) Potable reuse is an alternative water supply as defined in s. 373.019, and potable reuse projects are eligible for alternative water supply funding. The use of potable reuse water may not be excluded from regional water supply planning under s. 373.709.

(e) The department and the water management districts shall develop and execute, by December 31, 2023, a memorandum of agreement providing for the procedural requirements of a coordinated review of all permits associated with the construction and operation of an indirect potable reuse project. The memorandum of agreement must provide that the coordinated review will occur only if requested by a permittee. The purpose of the coordinated review is to share information, avoid the redundancy of information requested from the permittee, and ensure consistency in the permit for the protection of the public health and the environment.

(f) To encourage investment in the development of potable reuse projects by private entities, a potable reuse project developed as a qualifying project under s. 255.065 is:

1. Beginning January 1, 2026, eligible for expedited permitting under s. 403.973.

2. Consistent with s. 373.707, eligible for priority funding in the same manner as other alternative water supply projects from the Drinking Water State Revolving Fund, under the Water Protection and Sustainability Program, and for water management district cooperative funding.

(g) This subsection is not intended and may not be construed to supersede s. 373.250(3).

Section 2. Section 403.892, Florida Statutes, is created to read:

403.892 Incentives for the use of graywater technologies.—

(1) As used in this section, the term:

(a) "Developer" has the same meaning as in s. 380.031(2).

(b) "Graywater" has the same meaning as in s. 381.0065(2)(e).

(2) To promote the beneficial reuse of water in the state, a county, municipality, or special district shall:

(a) Authorize the use of residential graywater technologies in their respective jurisdictions which meet the requirements of this section, the Florida Building Code, and applicable requirements of the Department of Health and for which a developer or homebuilder has received all applicable regulatory permits or authorizations.

(b) Provide a 25 percent density or intensity bonus to a developer or homebuilder if at least 75 percent of a proposed or existing development will have a graywater system installed or a 35 percent bonus if 100 percent of a proposed or an existing development will have a graywater system installed. The bonus under this paragraph is in addition to any bonus provided by a county, municipality, or special district ordinance in effect on July 1, 2021.

(3) To qualify for the incentives under subsection (2), the developer or homebuilder must certify to the applicable governmental entity as part of its application for development approval or amendment of a development order that all of the following conditions are met:

(a) The proposed or existing development has at least 25 single-family residential homes that are either detached or multifamily dwellings. This paragraph does not apply to multifamily projects over five stories in height.

(b) Each single-family residential home or residence will have its own residential graywater system that is dedicated for its use.

(c) The developer or homebuilder has submitted a manufacturer's warranty or data providing reasonable assurance that the residential graywater system will function as designed and includes an estimate of anticipated potable water savings for each system. A submission of the manufacturer's warranty or data from a building code official, governmental entity, or research institute that has monitored or measured the residential graywater system that is proposed to be installed for such development shall be accepted as reasonable assurance and no further information or assurance is needed.

(d) The required maintenance of the graywater system will be the responsibility of the residential homeowner.

(e) An operation and maintenance manual for the graywater system will be supplied to the initial homeowner of each home. The manual shall provide a method of contacting the installer or manufacturer and shall include directions to the residential homeowner that the manual shall remain with the residence throughout the life cycle of the system.

(4) If the requirements of subsection (3) have been met, the county or municipality must include the incentives provided for in subsection (2) when it approves the development or amendment of a development order. The approval must also provide for the process that the developer or homebuilder will follow to verify that such systems have been purchased. Proof of purchase must be provided within 180 days after the issuance of a certificate of occupancy for single-family residential homes that are either detached or multifamily projects under five stories in height.

(5) The installation of residential graywater systems in a county or municipality in accordance with this section shall qualify as a water conservation measure in a public water utility's water conservation plan under s. 373.227. The efficiency of such measures shall be commensurate with the amount of potable water savings estimated for each system provided by the developer or homebuilder under paragraph (3)(c).

Section 3. To further promote the reuse of reclaimed water for irrigation purposes, the rules that apply when reclaimed water is injected into a receiving groundwater that has 1,000 to 3,000 mg/L total dissolved solids are applicable to reclaimed water aquifer storage and recovery wells injecting into a receiving groundwater of less than 1,000 mg/L total dissolved solids if the applicant demonstrates that it is injecting into a confined aquifer, that there are no potable water supply wells within 3,500 feet of the aquifer storage and recovery wells, that it has implemented institutional controls to prevent the future construction of potable water supply wells within 3,500 feet of the aquifer storage and recovery wells, and that the recovered water is being used for irrigation purposes. The injection of reclaimed water that meets the requirements of this section is not potable reuse. This section may not be construed to exempt the reclaimed water aquifer storage and recovery wells from requirements that prohibit the causing of or contribution to violations of water quality standards in surface waters, including groundwater discharges that flow by interflow and affect water quality in surface waters.

Section 4. The Legislature determines and declares that this act fulfills an important state interest.

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to reclaimed water; amending s. 403.064, F.S.; requiring certain domestic wastewater utilities to submit to the Department of Environmental Protection by a specified date a plan for eliminating nonbeneficial surface water discharge within a specified timeframe; providing requirements for the plan; requiring the department to approve plans that meet certain requirements; requiring the department to make a determination regarding a plan within a specified timeframe; requiring the utilities to implement approved plans by specified dates; providing for administrative and civil penalties; requiring certain utilities to submit updated annual plans until certain conditions are met; requiring domestic wastewater utilities applying for permits for new or expanded surface water discharges to prepare a specified plan for eliminating nonbeneficial discharges as part of its permit application; requiring the department to submit an annual report to the Legislature by a specified date; providing applicability; providing construction; authorizing the department to convene and lead one or more technical advisory groups; providing that potable reuse is an alternative water supply and that projects relating to such reuse are eligible for alternative water supply funding; requiring the department and the water management districts to develop and execute, by a specified date, a memorandum of agreement for the coordinated review of specified permits; providing that potable reuse projects are eligible for certain expedited permitting and priority funding; providing construction; creating s. 403.892, F.S.; providing definitions; requiring counties, municipalities, and special districts to authorize graywater technologies under certain circumstances and to provide certain incentives for the implementation of such technologies; providing requirements for the use of graywater technologies; providing that the installation of residential graywater systems meets certain public utility water conservation measure requirements; providing for the ap-

plicability of specified reclaimed water aquifer storage and recovery well requirements; providing a declaration of important state interest; providing an effective date.

On motion by Senator Albritton, the Senate concurred in **House Amendment 1 (101923)**.

**CS for SB 64** passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Albritton	Cruz	Passidomo
Ausley	Diaz	Perry
Baxley	Gainer	Pizzo
Berman	Garcia	Polsky
Book	Gibson	Powell
Boyd	Gruters	Rodrigues
Bradley	Harrell	Rouston
Brandes	Hooper	Stewart
Brodeur	Hutson	Torres
Broxson	Jones	Wright
Burgess	Mayfield	

Nays—None

Vote after roll call:

Yea—Mr. President, Bean, Rodriguez, Taddeo

### SPECIAL ORDER CALENDAR, continued

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

**CS for CS for SB 1598**—A bill to be entitled An act relating to consumer protection; amending 501.0051, F.S.; deleting authorization for consumer reporting agencies to charge a fee for reissuing or providing a new unique personal identifier to a consumer; amending s. 624.307, F.S.; revising a requirement for persons licensed or authorized by the Department of Financial Services or the Office of Insurance Regulation to respond to the department's Division of Consumer Services regarding consumer complaints; amending s. 624.501, F.S.; deleting a fee for adjusting firm licenses; amending s. 626.112, F.S.; deleting an obsolete provision; prohibiting unlicensed activity by an adjusting firm; providing an exemption; providing an exemption from licensure for branch firms that meet certain criteria; providing an administrative penalty for failing to apply for certain licensure; providing a criminal penalty for aiding or abetting unlicensed activity; amending s. 626.602, F.S.; authorizing the department to disapprove the use of insurance agency names containing the word "Medicare" or "Medicaid"; providing an exception for certain insurance agencies for a certain period; providing for expiration of certain licenses on a certain date; amending s. 626.621, F.S.; adding grounds on which the department may take certain actions against a license, appointment, or application of certain insurance representatives; amending ss. 626.782 and 626.783, F.S.; revising the definitions of the terms "industrial class insurer" and "ordinary-combination class insurer," respectively, to conform to changes made by the act; repealing s. 626.796, F.S., relating to the representation of multiple insurers in the same industrial debit territory; amending s. 626.854, F.S.; revising the timeframes in which an insured or a claimant may cancel a public adjuster's contract to adjust a claim without penalty or obligation; requiring that a public adjuster's contract include a specified disclosure; specifying requirements for written estimates of loss provided by public adjusters to claimants or insureds; revising a prohibition against certain contractors or subcontractors providing insureds with specified services; providing an exception; revising services a person is prohibited from performing unless the person meets specified requirements; authorizing the department to take administrative actions and impose fines against persons performing specified activities without licensure; prohibiting specified persons from charging insureds or third-party claimants or receiving payments under certain circumstances; amending s. 626.916, F.S.; revising disclosure requirements for certain classes of insurance before being eligible for export under the Surplus Lines Law; amending s. 626.9541, F.S.; add-

ing certain acts or practices to the definition of sliding; amending s. 626.9741, F.S.; requiring an insurer to include certain additional information when providing an applicant or insured with certain credit report or score information; amending ss. 626.9953, 626.9957, and 627.062, F.S.; conforming cross-references; amending s. 627.502, F.S.; prohibiting life insurers from writing new policies of industrial life insurance beginning on a certain date; making technical changes; amending s. 627.70131, F.S.; providing that a communication made to or by an insurer’s representative, rather than to or by an insurer’s agent, constitutes communication to or by the insurer; defining the term “representative”, rather than “agent”; revising the timeframe for insurers to begin certain investigations; requiring an insurer-assigned licensed adjuster to provide the policyholder with certain information in certain investigations; requiring insurers to maintain certain records and provide certain lists upon request; requiring insurers to include specified notices when providing preliminary or partial damage estimates or claim payments; providing applicability; conforming provisions to changes made by the act; amending s. 627.7142, F.S.; revising information contained in the Homeowner Claims Bill of Rights; conforming provisions to changes made by the act; amending s. 631.57, F.S.; deleting a deductible on the obligation of the Florida Insurance Guaranty Association, Incorporated, as to certain covered claims; amending s. 631.904, F.S.; revising the definition of the term “covered claim”; deleting a requirement that a policy be in force on the date of the final order of liquidation; providing effective dates.

—which was previously considered this day.

Senator Farmer moved the following amendment which failed:

**Amendment 1 (332786) (with title amendment)**—Between lines 568 and 569 insert:

Section 19. Section 627.7031, Florida Statutes, is created to read:

*627.7031 Foreign venue clauses prohibited.—After July 1, 2021, a personal residential property insurance policy sold in this state, insuring only real property located in this state, may not require an insured to pursue dispute resolution through litigation, arbitration, or mediation outside this state. This section also applies to surplus lines insurers and surplus lines insurance authorized under ss. 626.913-626.937.*

And the title is amended as follows:

Delete line 79 and insert: provisions to changes made by the act; creating s. 627.7031, F.S.; prohibiting foreign venue clauses in certain property insurance policies; providing applicability; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 1598** was placed on the calendar of Bills on Third Reading.

**SB 1476**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; removing from Schedule V certain drug products in finished dosage formulation which have been approved by the United States Food and Drug Administration; amending s. 893.02, F.S.; conforming a provision to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1476**, pursuant to Rule 3.11(3), there being no objection, **HB 6095** was withdrawn from the Committee on Rules.

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

**HB 6095**—A bill to be entitled An act relating to scheduling of drug products containing cannabidiol; amending s. 893.03, F.S.; removing provisions concerning the scheduling of certain drug products containing cannabidiol; amending s. 893.02, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 1476** and, by two-thirds vote, read the second time by title.

On motion by Senator Brodeur, by two-thirds vote, **HB 6095** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SB 826**—A bill to be entitled An act relating to Child Protection Teams; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” as it applies to immunity from personal liability in certain actions to include any member of a Child Protection Team established by the Department of Health in certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 826**, pursuant to Rule 3.11(3), there being no objection, **HB 871** was withdrawn from the Committee on Rules.

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

**HB 871**—A bill to be entitled An act relating to sovereign immunity for Child Protection Teams; amending s. 768.28, F.S.; revising the definition of the term “officer, employee, or agent” as it applies to immunity from personal liability in certain actions to include any member of a Child Protection Team established by the Department of Health in certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 826** and, by two-thirds vote, read the second time by title.

On motion by Senator Baxley, by two-thirds vote, **HB 871** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**MOTIONS**

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.

On motion by Senator Passidomo, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for

filing amendments to Bills on Third Reading to be considered Thursday, April 22, 2021.

## 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 Wednesday, April 21, 2021: SB 794, SB 1456, CS for SB 7060, CS for SB 168, CS for SB 260, CS for CS for SB 184, CS for CS for SB 1598, CS for SB 7076, CS for SB 7078, CS for SB 7080, SB 1476, SB 1470, CS for SB 1404, SB 518, CS for CS for SB 130, CS for CS for SB 694, CS for SB 622, CS for CS for CS for SB 90, SB 770, CS for CS for SB 804, CS for SB 902, CS for CS for SB 1070, CS for CS for SB 1024, CS for SB 1934, CS for CS for SB 1060, CS for SB 1288, CS for SB 1234, CS for CS for SB 716, CS for SB 1434, CS for CS for SB 2006, CS for CS for SB 1892, CS for CS for SB 1906, CS for SB 1728, CS for CS for CS for SB 1946, CS for SB 1086, CS for CS for SB 48, CS for SB 470, CS for SB 964, SB 952, CS for SB 1540, CS for CS for SB 768, CS for CS for SB 838, CS for CS for CS for SB 426, CS for SB 358, CS for SB 420, HB 529, CS for CS for SB 366, CS for SB 468, CS for SB 418, CS for SB 616, CS for CS for SB 582, CS for SB 950, CS for CS for CS for SB 750, SB 826, CS for SB 1126, CS for SB 490, CS for SB 1526, CS for CS for SB 1568, SB 848, CS for SB 7004, SB 7014, SB 7026, SB 7036, SB 7050, SB 7066.

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

## REPORTS OF COMMITTEES

The Committee on Rules recommends the following pass: CS for SB 220; CS for SB 410; CS for SB 506; CS for CS for SB 856; SB 7002; SB 7022; SB 7024; SB 7028; SB 7030; SB 7032; SB 7034

### The bills were placed on the Calendar.

The Committee on Rules recommends committee substitutes for the following: CS for SB 896; CS for SB 954; CS for CS for SB 1128; CS for CS for SB 1146; CS for SB 1274; SB 1294; SB 1324; CS for SB 1876; SB 7070

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Rules; and Regulated Industries; and Senators Brodeur and Hutson—

**CS for CS for SB 896**—A bill to be entitled An act relating to renewable energy; creating s. 163.3205, F.S.; providing legislative intent; defining the term “solar facility”; providing that solar facilities are a permitted use in local government comprehensive plan agricultural land use categories and certain agricultural zoning districts; requiring solar facilities to comply with specified criteria; authorizing counties to adopt ordinances that meet certain requirements; amending s. 366.91, F.S.; defining and redefining terms; authorizing the Florida Public Service Commission to approve cost recovery by a gas public utility for certain contracts for the purchase of renewable natural gas; amending ss. 366.92, 373.236, and 403.973, F.S.; conforming cross-references; reenacting s. 288.9606(7), F.S., relating to the issuance of revenue bonds, to incorporate the amendment made to s. 366.91, F.S., in a reference thereto; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Bean—

**CS for CS for SB 954**—A bill to be entitled An act relating to attorney compensation; amending s. 733.6171, F.S.; requiring an attorney representing a personal representative in an estate administration who intends to charge a certain fee to make specified written disclosures;

requiring the attorney to obtain a certain signature; prohibiting an attorney who does not make such disclosures from being paid for legal services except in certain circumstances; providing that the complexity of an estate may be considered when determining what is an extraordinary service; requiring a court to consider certain agreements and written disclosures when determining reasonable compensation of an attorney upon petition of an interested person; amending s. 736.1007, F.S.; requiring an attorney representing a trustee in the initial administration of a trust who intends to charge a certain fee to make specified written disclosures; requiring the attorney to obtain a certain signature; prohibiting an attorney who does not make such disclosures from being paid for legal services except in certain circumstances; providing that the complexity of a trust may be considered when determining what is an extraordinary service; requiring a court to consider certain agreements and written disclosures when determining reasonable compensation of an attorney upon petition of an interested person; providing applicability; providing an effective date.

By the Committees on Rules; Community Affairs; and Regulated Industries; and Senator Hutson—

**CS for CS for CS for SB 1128**—A bill to be entitled An act relating to preemption over restriction of utility services; creating s. 366.032, F.S.; prohibiting municipalities, counties, special districts, or other political subdivisions from restricting or prohibiting the types or fuel sources of energy production used, delivered, converted, or supplied by certain entities to serve customers; providing construction; voiding existing specified documents and policies that are preempted by the act; providing an effective date.

By the Committees on Rules; Appropriations; and Community Affairs; and Senators Brodeur and Perry—

**CS for CS for CS for SB 1146**—A bill to be entitled An act relating to the Florida Building Code; amending s. 163.3202, F.S.; prohibiting certain regulations relating to building design elements from being applied to certain dwellings; providing exceptions; defining terms; providing construction; amending s. 381.0065, F.S.; authorizing fee owners or fee owners’ contractors to select private providers to provide inspection services for onsite sewage treatment and disposal systems if certain requirements are met; providing legislative intent; requiring the Department of Health to reduce certain permit fees; prohibiting the department from charging inspection fees if the fee owner or contractor hires a private provider to perform an inspection; providing requirements for private providers or duly authorized representatives of private providers performing such inspections; requiring fee owners or contractors to provide specified notice to the department when using a private provider for such inspections; providing requirements for the contents of such notice; prohibiting the department from charging a fee for changing the duly authorized representative named in a permit application; authorizing the department to audit the performance of private providers; providing requirements relating to work on a building, a structure, or an onsite sewage treatment and disposal system relating to such audits; amending s. 514.0115, F.S.; prohibiting the Department of Health from requiring that pools serving assisted living facilities be compliant with rules relating to swimming pool lifeguards; amending s. 553.73, F.S.; authorizing a substantially affected person to file a petition with the Florida Building Commission to review certain local government regulations, laws, ordinances, policies, amendments, or land use or zoning provisions; defining the term “local government”; providing requirements for the petition and commission; requiring the commission to issue a nonbinding advisory opinion within a specified timeframe; prohibiting a municipality, county, or special district from using preliminary maps issued by the Federal Emergency Management Agency for certain purposes relating to land use changes; authorizing the commission to issue errata to the code; defining the term “errata to the code”; making technical changes; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 553.79, F.S.; prohibiting a local government from requiring certain contracts for the application for or issuance of a building permit; prohibiting local governments from taking certain actions relating to building permits to demolish and replace single-family residential dwellings located in certain flood zones; pro-

viding requirements for such permits; amending s. 553.791, F.S.; revising and defining terms; providing requirements for qualified private providers; requiring local jurisdictions to reduce permit fees under certain circumstances; deleting legislative intent; specifying that contractors using private providers to provide building code inspections services must notify local building officials in writing; revising notice requirements; deleting a provision requiring fee owners or fee owners' contractors to post certain information at a project site before commencing construction; authorizing certain affidavits to be signed with electronic signatures and be submitted to local building officials electronically; authorizing certain inspections to be performed in-person or virtually; authorizing certain reports to be signed with electronic signatures; authorizing certain notices to be electronically posted; authorizing private providers to perform certain replacements and repairs without first notifying local building officials under certain circumstances; authorizing certain forms to be signed with electronic signatures; authorizing certain inspection records to be electronically posted and electronically submitted to local building officials; authorizing certificates of compliance to be electronically transmitted to local building officials; specifying that a certain registry must be distinct from the registry of qualified private providers; conforming provisions to changes made by the act; authorizing a county, a municipality, a school district, or an independent special district to use a private provider to provide building code inspection services for certain purposes; amending s. 553.842, F.S.; requiring evaluation entities that meet certain criteria to comply with certain standards; revising rulemaking requirements relating to suspensions and revocations by the commission; specifying that suspensions are governed by specified provisions; amending s. 553.80, F.S.; revising requirements for the expenditure of certain unexpended revenue relating to enforcing the Florida Building Code; amending ss. 125.01 and 125.56, F.S.; conforming cross-references; making technical changes; providing an effective date.

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By the Committees on Rules; and Community Affairs; and Senator Perry—

**CS for CS for SB 1274**—A bill to be entitled An act relating to growth management; amending s. 163.01, F.S.; providing an exception to a prohibition against legal entities and their members exercising the power of eminent domain over or acquiring title to certain facilities or property; amending s. 163.3167, F.S.; authorizing landowners with development orders existing before the incorporation of a municipality to elect to abandon such orders and develop the vested density and intensity contained therein under specified conditions; amending s. 163.3187, F.S.; revising the required acreage thresholds under which a small scale development amendment may be adopted; providing an effective date.

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By the Committee on Rules; and Senator Brodeur—

**CS for SB 1294**—A bill to be entitled An act relating to cottage food operations; providing a short title; amending s. 500.03, F.S.; revising the definition of the term “cottage food operation”; amending s. 500.80, F.S.; increasing the annual gross sales limitation for exempting cottage food operations from certain food and building permitting requirements; authorizing the sale, offer for sale, acceptance of payment, and delivery of cottage food products by mail; preempting the regulation of cottage food operations to the state; prohibiting local governments from prohibiting cottage food operations or regulating cottage food products by cottage food operations; requiring cottage food operations to comply with certain applicable county and municipal laws and ordinances; providing an effective date.

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By the Committee on Rules; and Senator Harrell—

**CS for SB 1324**—A bill to be entitled An act relating to digital driver licenses and identification cards; amending s. 322.032, F.S.; defining terms; requiring the Department of Highway Safety and Motor Vehicles to establish a secure and uniform system for issuing optional digital proofs of driver licenses and identification cards; authorizing the department to contract with one or more private entities to develop an electronic credentialing system; prohibiting such electronic credential-

ing system from retaining certain information; revising requirements for digital proofs of driver licenses and providing requirements for digital proofs of identification cards; revising the department's rulemaking authority; revising requirements for the issuance of digital proofs of driver licenses and identification cards; authorizing the department to use telephone numbers submitted by licensees and cardholders for specified purposes only; authorizing the department to enter into contracts with private entities for a specified purpose; prohibiting entities from storing, selling, or sharing personal information collected from scanning the digital proofs of driver licenses and identification cards; providing an exception by authorizing individuals to consent to allow private entities to collect and store such personal information; requiring that an individual be informed what information is collected in such scans and the purposes for which the information will be used; authorizing private entities to manually collect personal information from individuals under certain circumstances; providing a civil penalty; providing applicability; conforming provisions to changes made by the act; amending s. 322.14, F.S.; conforming a provision to changes made by the act; amending s. 322.15, F.S.; conforming a provision to changes made by the act; requiring a licensee to present or submit his or her printed driver license to a law enforcement officer or an authorized representative of the department under specified circumstances; re-enacting s. 322.121(2), F.S., relating to periodic reexamination of all drivers, to incorporate the amendment made to s. 322.15, F.S., in a reference thereto; providing an effective date.

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By the Committees on Rules; and Judiciary; and Senator Albritton—

**CS for CS for SB 1876**—A bill to be entitled An act relating to relief from burdens on real property rights; amending s. 70.001, F.S.; revising the definitions of the terms “action of a governmental entity” and “real property”; revising notice of claim requirements for property owners; creating a presumption that certain settlement offers protect the public interest; specifying that property owners retain the option to have a court determine awards of compensation; authorizing property owners to bring claims against governmental entities in certain circumstances; providing that property owners are not required to submit formal development applications or proceed through formal application processes to bring claims in specified circumstances; amending s. 70.45, F.S.; defining the terms “imposed” or “imposition”; authorizing property owners to bring actions to declare prohibited exactions invalid; providing applicability; amending s. 70.51, F.S.; revising the definition of the terms “land” or “real property”; providing an effective date.

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By the Committees on Rules; and Education—

**CS for SB 7070**—A bill to be entitled An act relating to the impact of COVID-19 on educational institutions; amending s. 464.019, F.S.; requiring the Board of Nursing to extend an approved program's probationary status under certain circumstances; creating s. 768.39, F.S.; providing legislative findings; defining the term “educational institution”; prohibiting an educational institution that has taken certain reasonably necessary actions to diminish the impact or spread of COVID-19 from being civilly liable for such actions; specifying that the provision of certain services by educational institutions was impossible during certain periods of time; providing that certain reasonably necessary actions are deemed justified; providing that certain publications of educational institutions are not evidence of an express or implied contract to provide specified services during the COVID-19 public health emergency; providing exceptions; providing severability; specifying conditions for an action against an educational institution; providing an effective date.

## EXECUTIVE BUSINESS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Jacksonville Aviation Authority Appointee: Connell, William, Jacksonville	09/30/2023
Board of Trustees of Eastern Florida State College Appointee: Scott, Winston E., Melbourne	05/31/2023
Board of Trustees of St. Petersburg College Appointee: Stonecipher, Nathan M., St. Petersburg	05/31/2022
Education Practices Commission Appointees: Henry, Benjamin, Plant City Shaw, Charles, Greenacres	09/30/2023 09/30/2022
Tampa-Hillsborough County Expressway Authority Appointee: Weatherford, John, Tampa	07/01/2022
Board of Massage Therapy Appointee: Groover-Skipper, Dorothy, Tampa	10/31/2024
Board of Orthotists and Prosthetists Appointee: Esparza, Waldo, Tampa	10/31/2023
Florida Prepaid College Board Appointee: Rood, John Darrell, St. Augustine	06/30/2023
Board of Trustees, University of North Florida Appointee: Barrett, Jason, St. Augustine	01/06/2026

**Referred to the Committee on Ethics and Elections.**

## 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/CS/HB 3 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Education & Employment Committee, PreK-12 Appropriations Subcommittee and Representative(s) Trabulsy, Bartleman, Chambliss, Fetterhoff, Grieco, Harding, Hawkins, McClain, Nixon, Snyder, Valdés, Woodson, Zika—

**CS for CS for HB 3**—A bill to be entitled An act relating to home book delivery for elementary students; providing legislative findings; creating ss. 211.0252 and 212.1833, F.S.; providing credits against oil and gas production taxes and sales taxes payable by direct pay permitholders, respectively, under the New Worlds Reading Initiative Tax Credit; specifying requirements and procedures for, and limitations on, the credits; amending s. 220.02, F.S.; revising the order in which tax credits against the corporate income tax credit or the franchise tax are applied; amending s. 220.13, F.S.; revising the definition of the term "adjusted federal income"; amending s. 220.186, F.S.; revising the calculation of the corporate income tax credit for the Florida alternative minimum tax; creating s. 220.1876, F.S.; providing a credit against the corporate income tax under the New Worlds Reading Initiative Tax Credit; specifying requirements and procedures for, and limitations on, the credit; creating ss. 561.1212 and 624.51056, F.S.; providing credits against excise taxes on certain alcoholic beverages and the insurance premium tax, respectively, under the New Worlds Initiative Tax Credit; specifying requirements and procedures for, and limitations on, the credits; creating s. 1003.485 F.S.; providing definitions; establishing the New Worlds Reading Initiative under the Department of Education; requiring the department to contract with a state university to administer the initiative; providing duties of the department and administrator; requiring the administrator, in consultation with a specified entity, to develop a selection of books; requiring the administrator to facilitate distribution of books; requiring the administrator to assist

with local implementation of the initiative; requiring the administrator to maintain a clearinghouse of specified information; requiring the administrator to develop and disseminate certain training materials by specified means; requiring the administrator to annually submit an audit report; requiring the administrator to maintain specified accounts for program funds; providing spending requirements; requiring the administrator to provide a certificate of contribution in certain circumstances; establishing reporting requirements; establishing a tax credit cap amount; authorizing a taxpayer to apply for a tax credit; providing requirements for the application; specifying a limitation on, and application procedures for, the tax credit; specifying requirements and procedures for, and restrictions on, the carryforward, conveyance, transfer, assignment, and rescindment of credits; specifying requirements and procedures for the Department of Revenue; establishing student eligibility requirements; requiring school districts to identify eligible students and notify parents; requiring school districts to coordinate with the administrator to initiate book delivery; providing requirements for book delivery; requiring that students be offered certain options relating to books; specifying when student eligibility ends; requiring school districts raise awareness of the initiative; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Education to develop a cooperative agreement and adopt rules; amending s. 1008.25, F.S.; requiring that a certain notification include information about the initiative; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 37 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Infrastructure & Tourism Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) Driskell, Bartleman, Benjamin, Chambliss, Daley, Eskamani, Fischer, Hart, Hunschofsky, Jenne, Joseph, Learned, Morales, Nixon, Overdorf, Rayner, Slosberg, Smith, D., Thompson, Valdés, Williams, Woodson, Zika—

**CS for CS for HB 37**—A bill to be entitled An act relating to abandoned cemeteries; creating the Task Force on Abandoned African-American Cemeteries; specifying the purpose of the task force; requiring the Department of State to provide administrative and staff support; specifying the composition of the task force; providing meeting requirements; prescribing duties of the task force; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing for expiration of the task force; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 77 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee and Representative(s) Overdorf—

**CS for HB 77**—A bill to be entitled An act relating to diesel exhaust fluid; creating s. 330.401, F.S.; requiring the governing body of each public airport that meets certain criteria to create a diesel exhaust fluid safety mitigation and exclusion plan for submission to the Department of Transportation; providing plan requirements; authorizing the governing body to delegate creation and implementation of the plan to a fixed-based operator; requiring an annual certification of compliance; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 139 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Tourism, Infrastructure & Energy Subcommittee and Representative(s) Fernandez-Barquin—

**CS for HB 139**—A bill to be entitled An act relating to motor vehicle and vessel registration data; amending s. 320.03, F.S.; requiring tax collectors, third parties contracted with tax collectors, and license tag agents to enter into a memorandum of understanding with the Department of Highway Safety and Motor Vehicles and make certain determinations regarding registration applicants; requiring the department to ensure that certain technology used by tax collectors protects customer privacy and data; authorizing the department to provide certain technology to tax collectors upon request in order to provide data access and uniform interface functionalities for registration renewal transactions; providing requirements; authorizing use of such data and functionality for certain purposes; requiring development of data access and uniform interface functionalities by a certain date; defining the term "registration renewal transactions"; amending s. 328.73, F.S.; authorizing the department to provide certain technology to tax collectors upon request in order to provide data access and uniform interface functionalities for registration renewal transactions; providing requirements; authorizing use of such data and functionality for certain purposes; requiring development of data access and uniform interface functionalities by a certain date; defining the term "registration renewal transactions"; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 169 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Maggard, Roth—

**HB 169**—A bill to be entitled An act relating to the purchase of commodities and services by water management districts; creating s. 373.6075, F.S.; authorizing water management districts to purchase certain commodities and contractual services from the purchasing contracts of specified entities; providing conditions for such purchases; 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/CS/HB 173 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Education & Employment Committee, Secondary Education & Career Development Subcommittee and Representative(s) Tant, Arrington, Bartleman, Benjamin, Brown, Bush, Chambliss, Daley, Eskamani, Goff-Marcil, Grieco, Hart, Hunschofsky, Learned, Morales, Robinson, F., Salzman, Skidmore, Slosberg, Stevenson, Thompson, Toledo, Trabulsky, Valdés, Woodson—

**CS for CS for HB 173**—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 transition services for a student with disabilities to a postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education and career opportunities; requiring certain information be provided at IEP meetings; revising when

a certain statement of intent must be included in the IEP; providing requirements for such statements; requiring a specified party to provide a signed statement relating to the deferment of a standard high school diploma; 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.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 195 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Government Operations Subcommittee and Representative(s) Persons-Mulicka, Beltran, Grieco, Roach—

**CS for CS for HB 195**—A bill to be entitled An act relating to fiscal accountability for nongovernmental entities; amending s. 215.971, F.S.; revising the required contents of agency agreements that provide state financial assistance or federal financial assistance to certain entities; specifying that certain nonstate entities that enter into agency agreements funded with federal or state financial assistance funds must comply with specified audit requirements at specified intervals; providing an exception; amending s. 215.985, F.S.; defining the term "nongovernmental entity"; requiring nongovernmental entities that have received specified revenues from governmental entities to provide a report to the Department of Management Services; requiring the report to be verified; requiring the department to post the report information received on its website; requiring the nongovernmental entity to post the report information on its website; requiring certain entities to verify submission of the report before receiving government funds; creating s. 215.986, F.S.; providing definitions; providing a limitation on the amount of state-appropriated funds a nongovernmental entity may expend on administrative expenses; requiring a nongovernmental entity to use private entity funds before using state-appropriated funds for certain purposes; 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 311 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Post-Secondary Education & Lifelong Learning Subcommittee and Representative(s) Silvers—

**CS for HB 311**—A bill to be entitled An act relating to public records; amending s. 1008.23, F.S.; expanding the examination and assessment instruments which are confidential and exempt from public record requirements; providing that provisions governing access, maintenance, and destruction of certain instruments and related materials shall be prescribed by rules of the State Board of Education and regulations of the Board of Governors, respectively; providing for future legislative review and repeal of the exemption; providing legislative findings; providing a statement of public necessity; 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/CS/CS/HB 337 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Ways & Means Committee, Local Administration & Veterans Affairs Subcommittee and Representative(s) DiCeglie, Beltran, Buchanan, Fischer, Grieco, Hage, Melo, Sabatini, Truenow—

**CS for CS for CS for HB 337**—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; defining the terms "infrastructure" and "public facilities"; requiring local governments and special districts to credit against the collection of impact fees any contribution related to public facilities or infrastructure; providing conditions under which credits may not be applied; providing limitations on impact fee increases; providing for retroactive operation; requiring specified entities to submit an affidavit attesting that impact fees were appropriately collected and expended; providing that impact fee credits are assignable and transferable regardless of when they the credits were established; requiring school districts to report specified information regarding impact fees; providing a directive to the Division of Law Revision; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 367 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Environment, Agriculture & Flooding Subcommittee and Representative(s) Mooney, Morales—

**CS for CS for HB 367**—A bill to be entitled An act relating to construction and maintenance of water systems; amending s. 153.04, F.S.; providing requirements for independent special districts that choose to exercise certain powers; providing an exception for certain entities to construct or maintain water supply or sewage disposal systems; amending s. 403.928, F.S.; requiring the Office of Economic and Demographic Research to include an analysis of certain expenditures in its annual assessment; creating s. 403.9301, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide wastewater services to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; creating s. 403.9302, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide stormwater management to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing a determination and declaration of important state interest; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 403 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee and Representative(s) Giallombardo, Beltran, Benjamin, Gregory, Harding, Melo, Roach—

**CS for HB 403**—A bill to be entitled An act relating to home-based businesses; creating s. 559.955, F.S.; specifying conditions under which a business is considered a home-based business; authorizing a home-based business to operate in a residential zone under certain circumstances; prohibiting a local government from certain actions relating to the licensure and regulation of home-based businesses; authorizing

specified business owners to challenge certain local government actions; authorizing the prevailing party to recover specified attorney fees and costs; providing that certain existing and future residential association declarations and documents are not superseded by this act; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS for HB 421 & HB 1101, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Judiciary Committee, Local Administration & Veterans Affairs Subcommittee and Representative(s) Tuck, Persons-Mulicka, Beltran, McClain—

**CS for CS for HB 421 & HB 1101**—A bill to be entitled An act relating to relief from burdens on real property rights; amending s. 70.001, F.S.; revising the definitions of the terms "action of a governmental entity" and "real property"; revising notice of claim requirements for property owners; creating a presumption that certain settlement offers protect the public interest; specifying that property owners retain the option to have a court determine awards of compensation; authorizing property owners to bring claims against governmental entities in certain circumstances; providing that property owners are not required to submit formal development applications or proceed through formal application processes to bring claims in specified circumstances; amending s. 70.45, F.S.; defining the terms "imposed" or "imposition"; authorizing property owners to bring actions to declare prohibited exactions invalid; providing applicability; amending s. 70.51, F.S.; revising the definition of the terms "land" or "real property"; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 441, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Judiciary Committee, Civil Justice & Property Rights Subcommittee and Representative(s) Hage—

**CS for CS for HB 441**—A bill to be entitled An act relating to an elder-focused dispute resolution process; creating s. 44.407, F.S.; providing legislative findings; defining terms; authorizing the courts to appoint an eldercaring coordinator and refer certain parties and elders to eldercaring coordination; prohibiting the courts from referring certain parties to eldercaring coordination without the consent of the elder and other parties to the action; specifying the duration of eldercaring coordinator appointments; requiring the courts to conduct intermittent review hearings regarding the conclusion or extension of such appointments; specifying mechanisms by which a court appointment is terminated or extended; providing qualifications and disqualifications for eldercaring coordinators; requiring prospective eldercaring coordinators to meet certain qualifications for background screening, unless otherwise exempt; requiring prospective eldercaring coordinators to submit fingerprints for purposes of criminal history background screening; requiring prospective eldercaring coordinators to pay the fees for state and federal fingerprint processing; providing for the disqualification and removal of certain eldercaring coordinators; requiring that notice of hearing on removal of an eldercaring coordinator be timely served; authorizing the courts to award reasonable attorney fees and costs under certain circumstances; requiring the court to appoint successor eldercaring coordinators under certain circumstances; specifying the courts' authority to make certain determinations based on the parties' ability to pay the eldercaring coordination fees and costs; providing that certain communications between the parties, participants, and eldercaring coordinators are confidential; providing exceptions; providing requirements for emergency reporting to courts under certain circumstances; providing immunity from liability for el-



decaring coordinators under specified circumstances; requiring the Florida Supreme Court to establish certain minimum standards and procedures for eldercaring coordinators; authorizing a court to address procedures governing complaints against appointed eldercaring coordinators under certain circumstances; authorizing the Florida Supreme Court to appoint or employ personnel for specified purposes; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 463 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Professions & Public Health Subcommittee and Representative(s) Roach, Benjamin—

**CS for HB 463**—A bill to be entitled An act relating to community association pools; amending s. 514.0115, F.S.; exempting certain homeowners' and other property association pools from supervision by the Department of Health; providing an exception; providing that such pools are subject to certain civil enforcement; amending s. 553.77, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 483 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Altman, Benjamin, Morales—

**HB 483**—A bill to be entitled An act relating to electronic legal documents; amending s. 117.201, F.S.; revising the definition of the term "online notarization"; amending s. 117.285, F.S.; clarifying that supervising the witnessing of an electronic record by an online notary public is a notarial act; specifying applicability of online notarization procedures to supervision of the witnessing of an electronic record; modifying witnessing procedures; revising applicability; amending s. 709.2119, F.S.; revising the statutory form for an affidavit for acceptance of and reliance upon a power of attorney to reflect means of notarization; amending s. 732.401, F.S.; revising the statutory form for the notice of election relating to the descent of homestead property to reflect means of notarization; amending s. 732.503, F.S.; revising the statutory form for the self-proof of a will or codicil to reflect means of notarization; amending s. 732.521, F.S.; conforming a cross-reference; amending s. 732.703, F.S.; revising statutory forms relating to the disposition of certain assets at death to reflect means of notarization; amending s. 747.051, F.S.; revising the form for a petition of summary relief for the sale or transfer of certain property owned by an absentee to reflect means of notarization; providing for construction and retroactive application; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 535 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Busatta Cabrera—

**HB 535**—A bill to be entitled An act relating to electronic dissemination of commercial recordings and audiovisual works; amending s. 501.155, F.S.; revising the definition of the term "electronic dissemination"; 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 575 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Education & Employment Committee and Representative(s) Omphroy, Hart, Valdés, Woodson—

**CS for HB 575**—A bill to be entitled An act relating to the Gold Seal Quality Care program; amending ss. 39.604, 212.08, and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; transferring, renumbering, and amending s. 402.281, F.S.; revising the requirements of the Gold Seal Quality Care program; requiring the State Board of Education to adopt specified rules; specifying requirements for an accrediting association to be approved for participation in such program; requiring the Department of Education to establish a specified process and providing requirements therefor; deleting a provision requiring consultation with certain entities for specified purposes; authorizing certain entities to participate as an accrediting association; authorizing the Department of Education to recommend the maintenance of Gold Seal Quality Care designation for certain child care facilities; providing an exemption from ad valorem taxation and rate differentials for certain child care facilities; providing for a type two transfer of the Gold Seal Quality Care program within the Department of Children and Families to the Department of Education; providing for the continuation of certain contracts and agreements; amending ss. 402.315, 1002.55, 1002.69, and 1002.895, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 597 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Local Administration & Veterans Affairs Subcommittee, Ways & Means Committee and Representative(s) Woodson, Bartleman, Benjamin, Fabricio, Hart, Hunschofsky, Joseph, Morales, Rizo, Robinson, F.—

**CS for CS for HB 597**—A bill to be entitled An act relating to homestead exemption for seniors 65 and older; amending s. 196.075, F.S.; revising provisions to require certain taxpayers to submit a claim for homestead exemption only one time if certain conditions are met; deleting a provision related to the submission of supporting documentation for an exemption renewal; requiring the property appraiser to provide specified information related to income limitations on an annual basis; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 625 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Judiciary Committee and Representative(s) Yarborough, Benjamin, Morales—

**CS for HB 625**—A bill to be entitled An act relating to attorney compensation; amending s. 733.6171, F.S.; requiring an attorney representing a personal representative in an estate administration who intends to charge a certain fee to make specified written disclosures; requiring the attorney to obtain a certain signature; prohibiting an attorney who does not make such disclosures from being paid for legal services except in certain circumstances; providing that the complexity of an estate may be considered when determining what is an extraordinary service; requiring a court to consider certain agreements and written disclosures when determining reasonable compensation of an attorney upon petition of an interested person; amending s. 736.1007,

F.S.; requiring an attorney representing a trustee in the initial administration of a trust who intends to charge a certain fee to make specified written disclosures; requiring the attorney to obtain a certain signature; prohibiting an attorney who does not make such disclosures from being paid for legal services except in certain circumstances; providing that the complexity of a trust may be considered when determining what is an extraordinary service; requiring a court to consider certain agreements and written disclosures when determining reasonable compensation of an attorney upon petition of an interested person; providing applicability; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 667 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Local Administration & Veterans Affairs Subcommittee, Regulatory Reform Subcommittee and Representative(s) Mooney, Benjamin, McClain—

**CS for CS for HB 667**—A bill to be entitled An act relating to building inspections; amending s. 125.56, F.S.; requiring that certain counties allow requests for inspections to be submitted electronically; providing acceptable methods of electronic submission; amending s. 553.79, F.S.; requiring that local enforcement agencies allow requests for inspections to be submitted electronically; providing acceptable methods of electronic submission; authorizing enforcement agencies to perform virtual inspections; providing an exception; providing a definition; requiring a refund of certain fees in certain circumstances; requiring certain surcharges be recalculated under certain conditions; amending ss. 440.103 and 553.80, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 781, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Government Operations Subcommittee and Representative(s) Robinson, W.—

**CS for CS for HB 781**—A bill to be entitled An act relating to public records; amending s. 28.222, F.S.; deleting obsolete language; amending s. 28.2221, F.S.; deleting obsolete language; prohibiting a county recorder from removing a grantor name, grantee name, or party name from the register of the Official Records and the index on the publicly available website unless the information is subject to a specified public records exemption; prohibiting a county recorder from placing certain information on the publicly available website; prescribing requirements for a person claiming a public records exemption to request removal of information from a publicly available website, subject to penalty of perjury; prescribing the release of restricted information to the individual whose information was removed, subject to penalty of perjury; authorizing specified parties to access information recorded in the Official Records of a county which is otherwise exempt pursuant to a specified public records exemption, for a specific purpose, if specified conditions are met; requiring a sworn affidavit, subject to penalty of perjury; providing criminal penalties for the unlawful use of any official record; amending s. 119.071, F.S.; requiring that a request for maintenance of an exemption be notarized and confirm the individual's status; prescribing procedures for the removal of exempt information for a county property appraiser and county tax collector; requiring the release of information restricted from public display to the individual whose information was removed; providing disclosure of exempt information under specified circumstances to specified entities; providing that the exempt status of a home address contained in the Official Records is maintained only during a certain period; requiring the em-

ployee to submit a written request to release removed information upon the conveyance of his or her dwelling location; prescribing procedures to release certain information for a decedent under specified conditions; specifying that such release is not subject to a fee; amending s. 695.22, F.S.; deleting obsolete language; requiring the daily schedule of deeds and conveyances to include notification of any information therein which is subject to a request for removal; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 827 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Hawkins, Bartleman, Rizo, Valdés—

**HB 827**—A bill to be entitled An act relating to school district funding; amending s. 1011.62, F.S.; requiring school districts to allocate a certain amount of specified funds to certain programs that prepare prospective students to enroll in Advanced International Certificate of Education courses; requiring such funds to be spent on specified costs; requiring school districts to distribute specified bonuses to certain classroom teachers providing International General Certificate of Secondary Education instruction; requiring bonuses based on a student's specified score on the Advanced International Certificate of Education examination to be paid to all Advanced International Certificate of Education teachers instead of only full-credit Advanced International Certificate of Education teachers; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 839 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Local Administration & Veterans Affairs Subcommittee, Tourism, Infrastructure & Energy Subcommittee and Representative(s) Fabricio, Botana, Fernandez-Barquin, Garrison, Harding, Rizo, Roach, Sabatini—

**CS for CS for HB 839**—A bill to be entitled An act relating to the express preemption of fuel retailers and related transportation infrastructure; creating s. 377.707, F.S.; defining terms; prohibiting a municipality, county, special district, or political subdivision from taking certain actions to prohibit the siting, development, or redevelopment of fuel retailers and the related transportation infrastructure and from requiring fuel retailers to install or invest in a particular kind of fueling infrastructure; providing construction; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 845, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Post-Secondary Education & Lifelong Learning Subcommittee and Representative(s) Smith, D., Bartleman, Caruso, Gottlieb, Persons-Mulicka, Salzman—

**CS for HB 845**—A bill to be entitled An act relating to the State University Free Seat Program; amending s. 1009.26, F.S.; creating the State University Free Seat Program; providing a purpose; providing a limitation on fee waivers under the program; providing an exemption from tuition and fees for one online course at a state university for certain resident students; prohibiting a state university from charging such students more than a specified percentage of the tuition rate and

the tuition differential under certain circumstances; providing a limitation on the application of such tuition discount; requiring each state university to report certain information regarding waivers under the program to the Board of Governors annually; requiring the board to adopt regulations; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 847 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Education & Employment Committee and Representative(s) Byrd, Silvers—

**CS for HB 847**—A bill to be entitled An act relating to the Florida Postsecondary Academic Library Network; amending ss. 257.02 and 295.22, F.S.; conforming provisions to changes made by the act; amending s. 1004.013, F.S.; revising provisions relating to the awareness of certain postsecondary education programs and initiatives; amending s. 1006.73, F.S.; deleting provisions relating to the Florida Academic Library Services Cooperative; providing responsibilities for the Florida Postsecondary Academic Library Network; providing that the Board of Governors and the Department of Education will oversee a host entity chosen to deliver certain services; providing the services to be provided by the host entity; transferring responsibility for the statewide Internet-based catalog of distance learning courses to the host entity; providing requirements for such catalog; transferring responsibility for certain statewide online student advising services to the host entity; providing requirements for such services; requiring the host entity to submit a certain report by a specified date, annually; providing requirements for such report; requiring the Chancellors of the State University System and the Florida College System to provide a certain report; providing that specified entities have responsibility for the governance and administration of the provided services; requiring specified entities to issue a recommendation and report on expanding organizations who may access the provided services; repealing s. 1006.735, F.S., relating to the Complete Florida Plus Program; amending 1007.01, F.S.; conforming a cross-reference; amending 1007.27, F.S.; conforming a provision to changes made by the act; amending ss. 1009.23 and 1009.24, F.S.; revising a requirement to include a certain graphic on specified websites; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 871 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Representative(s) Snyder, Garrison, Salzman—

**HB 871**—A bill to be entitled An act relating to sovereign immunity for Child Protection Teams; amending s. 768.28, F.S.; revising the definition of the term "officer, employee, or agent" as it applies to immunity from personal liability in certain actions to include any member of a Child Protection Team established by the Department of Health in certain circumstances; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 885 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Judiciary Committee, Criminal Justice & Public Safety Subcommittee and Representative(s) Plasencia, Benjamin, Gottlieb, Hart—

**CS for CS for HB 885**—A bill to be entitled An act relating to juvenile justice programs and detention; 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.; requiring a court to consider specified information before it issues an order to take a child into custody for failing to appear; 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; amending s. 1003.52, F.S.; authorizing the Department of Juvenile Justice, in consultation with the Department of Education, to evaluate the viability of an alternative model for providing and funding education services for youth in detention and residential facilities; providing requirements; providing for expiration; 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.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 889 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Ways & Means Committee, Local Administration & Veterans Affairs Subcommittee and Representative(s) Borrero, Benjamin, Sabatini, Salzman—

**CS for CS for HB 889**—A bill to be entitled An act relating to nonprofit property tax exemptions; 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 on certain portions of property from ad valorem taxation are not affected so long as the predominant use of the property is for specified purposes; providing applicability; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 917 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Insurance & Banking Subcommittee and Representative(s) McClain, Robinson, W.—

**CS for HB 917**—A bill to be entitled An act relating to documentary stamp tax exemption; amending s. 201.08, F.S.; exempting from assessment of documentary stamp taxes the modification of certain

documents which change only the interest rate under specified conditions; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 969 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee, Civil Justice & Property Rights Subcommittee, Regulatory Reform Subcommittee and Representative(s) McFarland, Byrd, Chaney, Daley, Eskamani, Harding, Morales, Omphroy, Stevenson—

**CS for CS for CS for HB 969**—A bill to be entitled An act relating to consumer data privacy; amending s. 501.171, F.S.; revising the definition of "personal information" to include additional specified information to data breach reporting requirements; creating s. 501.173, F.S.; providing definitions; providing exceptions; requiring controllers that collect a consumer's personal data to disclose certain information regarding data collection and selling practices to the consumer at or before the point of collection; specifying that such information may be provided through a general privacy policy or through a notice informing the consumer that additional specific information will be provided upon a certain request; prohibiting controllers from collecting additional categories of personal information or using personal information for additional purposes without notifying the consumer; requiring controllers that collect personal information to implement reasonable security procedures and practices to protect the information; authorizing consumers to request controllers to disclose the specific personal information the controller has collected about the consumer; requiring controllers to make available two or more methods for consumers to request their personal information; requiring controllers to provide such information free of charge within a certain timeframe and in a certain format upon receiving a verifiable consumer request; specifying requirements for third parties with respect to consumer information acquired or used; providing construction; authorizing consumers to request controllers to delete or correct personal information the controllers have collected about the consumers; providing exceptions; specifying requirements for controllers to comply with deletion or correction requests; authorizing consumers to opt out of third-party disclosure of personal information collected by a controller; prohibiting controllers from selling or disclosing the personal information of consumers younger than a certain age, except under certain circumstances; prohibiting controllers from selling or sharing a consumer's information if the consumer has opted out of such disclosure; prohibiting controllers from taking certain actions to retaliate against consumers who exercise certain rights; providing applicability; providing that a contract or agreement that waives or limits certain consumer rights is void and unenforceable; providing for civil actions and a private right of action for consumers under certain circumstances; providing civil remedies; authorizing the Department of Legal Affairs to bring an action under the Florida Unfair or Deceptive Trade Practices Act and to adopt rules; providing that controllers must have a specified timeframe to cure any violations; providing jurisdiction; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 971 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee, Government Operations Subcommittee and Representative(s) McFarland, Morales—

**CS for CS for HB 971**—A bill to be entitled An act relating to public records; amending s. 501.173, F.S.; providing an exemption from public records requirements for information relating to investigations by the

Department of Legal Affairs and law enforcement agencies of certain data privacy violations; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1067 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Health & Human Services Committee, Finance & Facilities Subcommittee and Representative(s) Rommel—

**CS for CS for HB 1067**—A bill to be entitled An act relating to health care expenses; creating s. 222.26, F.S.; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; amending s. 395.301, F.S.; requiring a licensed facility to post on its website a consumer-friendly list of standard charges for a minimum number of shoppable health care services; providing definitions; requiring a licensed facility to establish an internal grievance process for patients to dispute charges; requiring a facility to make available information necessary for initiating a grievance; requiring a facility to respond to a patient grievance within a specified timeframe; requiring a licensed facility to provide a cost estimate to a patient or prospective patient and the patient's health insurer within specified timeframes; prohibiting a licensed facility from charging a patient an amount that exceeds such cost estimate by a set threshold; requiring a licensed facility to provide a patient with a written explanation of excess charges under certain circumstances; revising a penalty for failure to timely provide the estimate; prohibiting a facility from billing or collecting any amount of charges from the patient or patient's health insurer for treatment under certain circumstances; creating s. 395.3011, F.S.; prohibiting certain collection activities by a licensed facility; creating s. 627.445, F.S.; providing a definition; requiring each health insurer to provide an insured with an advance explanation of benefits after receiving a patient estimate from a facility for scheduled services; providing requirements for the advanced explanation of benefits; amending ss. 627.6387, 627.6648, and 641.31076, F.S.; providing that a shared savings incentive offered by a health insurer or health maintenance organization constitutes a medical expense for rate development and rate filing purposes; providing effective dates.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1093 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Children, Families & Seniors Subcommittee and Representative(s) Valdés, Benjamin, Bush, Davis, Driskell, Eskamani, Hart, Hunschofsky, Melo, Morales, Robinson, F., Tant, Woodson—

**CS for HB 1093**—A bill to be entitled An act relating to abuse, abandonment, or neglect education; amending s. 39.4085, F.S.; revising legislative intent; specifying goals of children in shelter or foster care; providing responsibilities of the Department of Children and Families, case managers, and other staff; authorizing district school boards to establish specified educational programs for certain students and provide such programs in conjunction with other specified programs; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1103 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Public Integrity & Elections Committee, Local Administration & Veterans Affairs Subcommittee and Representative(s) Maggard, Barnaby, Massullo, Morales—

**CS for CS for CS for HB 1103**—A bill to be entitled An act relating to special district accountability; creating s. 189.0695, F.S.; defining the term "performance review"; requiring certain independent special districts to contract with an independent entity to conduct performance reviews; providing an exception; specifying the frequency of such reviews; requiring the Office of Program Policy Analysis and Governmental Accountability to conduct performance reviews of certain classifications of independent special districts; providing criteria for contracting for such reviews; requiring the performance reviews to be reported by a time certain to specified entities; amending s. 218.32, F.S.; requiring additional information to be provided by special districts in their annual reports; amending s. 218.39, F.S.; requiring certain data be included in financial audits of special districts; requiring certain community redevelopment agencies to file separate audited financial statements; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1185 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Local Administration & Veterans Affairs Subcommittee and Representative(s) Roth—

**CS for HB 1185**—A bill to be entitled An act relating to Indian Trail Improvement District, Palm Beach County; amending ch. 2002-330, Laws of Florida, as amended; authorizing the district to study the feasibility of an elector-initiated conversion of the district to a municipality; providing a procedure for such study; providing for a transition date and permitting continuation of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1209 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Commerce Committee, State Administration & Technology Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Fetterhoff, Chaney—

**CS for CS for CS for HB 1209**—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 conditions 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 membership and terms of the Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services; authorizing the use of communications media technology for board member participation; defining the term "communications media

technology"; deleting a requirement for the department to adopt certain rules; amending s. 497.157, F.S.; prohibiting unlicensed persons from acting as or advertising themselves as funeral directors, embalmers, direct disposers, or preneed sales agents unless they are so licensed; providing penalties; amending s. 497.159, F.S.; conforming a provision to changes made by the act; amending s. 497.273, F.S.; authorizing a cemetery company to sell specified items for use on cemetery lands other than lands the company owns; amending s. 497.375, F.S.; authorizing licensed funeral director interns to continue performing certain tasks while transitioning to licensed funeral directors; amending s. 497.377, F.S.; authorizing licensed combination funeral director and embalmer interns to continue performing certain tasks while transitioning to licensed combination funeral director and embalmers; amending s. 497.458, F.S.; specifying that certain deposits under preneed contracts for funeral services or merchandise or burial services or merchandise must be made unless the preneed contracts have been fulfilled; amending s. 497.550, F.S.; requiring monument retailers to comply with specified requirements relating to place of business and operations; subjecting monument retailers to inspection; 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. 626.7351, F.S.; revising the qualifications for customer representative licenses; 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; establishing conditions under which coverage for indemnity of property insurance deductibles may be exported to surplus lines; amending s. 626.9551, F.S.; prohibiting requirements for the provision of replacement cost estimators or certain other proprietary business information under certain circumstances; amending s. 627.715, F.S.; providing an exemption from a diligent effort requirement for surplus lines agents exporting contracts or endorsements providing flood coverage; amending s. 633.102, F.S.; revising the authority of certain fire protection system contractors to design or alter certain fire protection systems; providing for resolution of conflicts between the Florida Building Code and the Florida Fire Prevention Code; 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; extending a deadline for certain buildings to apply for a specified permit; 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 compensation offered to induce a violation of certain codes, rules, or laws; amending s. 633.304, F.S.; revising the training requirements for licenses and permits to install or maintain fire suppression equipment; 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 regular or permanent firefighters 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; providing effective dates.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1229 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Judiciary Committee, Civil Justice & Property Rights Subcommittee and Representative(s) Persons-Mulicka, Bartleman, Slosberg—

**CS for CS for HB 1229**—A bill to be entitled An act relating to public records; providing a short title; amending s. 28.2221, F.S.; requiring each county recorder or clerk of the court to make publicly available on an Internet website the identity of a defendant or respondent against whom a final judgment for an injunction for protection is entered, as well as the fact that the final judgment for an injunction for protection has been entered; providing an exception; providing that such information must be made publicly available on an Internet website if a certain person makes a request in a specified manner; requiring each county recorder or clerk of the court to post a certain notice on the Internet website and in the office of the county recorder or clerk of the court; authorizing certain persons to petition the circuit court for compliance; amending s. 28.29, F.S.; requiring that final judgments for injunctions for protection be recorded in official records; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1261, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Education & Employment Committee and Representative(s) Toledo, Caruso, Smith, D.—

**CS for HB 1261**—A bill to be entitled An act relating to higher education; creating s. 768.39, F.S.; providing legislative findings; defining the term "educational institution"; providing that the Board of Governors and the State Board of Education are afforded certain immunity protections; prohibiting an educational institution that has taken certain reasonably necessary actions to diminish the impact or spread of COVID-19 from being civilly liable for such actions; specifying that the provision of certain services by educational institutions was impossible during certain periods of time; providing that certain reasonably necessary actions are deemed justified; providing exceptions; providing severability; providing for a burden of proof; amending s. 1006.75, F.S.; requiring the Board of Governors to publish an online dashboard containing specified data; requiring that such dashboard be made available by a specified date; requiring that each state university board of trustees adopt procedures to connect undergraduate students to certain programs; requiring that the Board of Governors approve such procedures by a specified date; requiring that such procedures include placing a hold on certain student registration under certain circumstances; providing that the Board of Governors review and approve certain procedures by a specified date; amending s. 1009.25, F.S.; revising provisions relating to certain fee exemptions; amending s. 1009.26, F.S.; requiring a state university to waive the tuition and fees for certain courses in which certain resident students are enrolled; providing applicability; providing specified criteria for such waiver; requiring the reporting of tuition and fees waived for state funding purposes; requiring disbursement to the student upon his or her enrollment in a program of strategic emphasis; requiring each state university to report certain information regarding such waiver to the Board of Governors, annually; authorizing a state university in compliance with the waiver provisions to earn incentive funding, subject to appropriation; requiring the board to adopt regulations; amending s. 1009.40,

F.S.; conforming cross-references; creating s. 1009.46, F.S.; providing duties for certain postsecondary educational institutions relating to state financial aid and tuition assistance programs; requiring that an institution that fails to perform its duties be placed on probation by the Department of Education; providing duties for the department; amending s. 1009.50, F.S.; revising provisions relating to funds appropriated for the Florida Public Assistance Grant Program; removing provisions authorizing that certain funds be deposited into a specified trust fund; amending s. 1009.505, F.S.; revising provisions relating to the Florida Public Postsecondary Career Education Student Assistance Grant Program; amending s. 1009.51, F.S.; revising provisions relating to the Florida Private Student Assistance Grant Program; amending s. 1009.52, F.S.; revising provisions relating to the Florida Postsecondary Student Assistance Grant Program; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1311 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee and Representative(s) Payne—

**CS for HB 1311**—A bill to be entitled An act relating to public records and public meetings; amending s. 350.01, F.S.; providing an exemption from public meetings requirements for portions of hearings before the Public Service Commission wherein proprietary confidential business information is discussed; requiring recording and transcription of exempt portions of such hearings; providing an exemption from public records requirements for such recordings and transcripts; providing an exception; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1313, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee and Representative(s) LaMarca, Toledo—

**CS for HB 1313**—A bill to be entitled An act relating to digital driver licenses and identification cards; amending s. 322.032, F.S.; defining terms; requiring the Department of Highway Safety and Motor Vehicles to establish a secure and uniform system for issuing optional digital proofs of driver licenses and identification cards; authorizing the department to contract with one or more private entities to develop an electronic credentialing system; prohibiting such electronic credentialing system from retaining certain information; revising requirements for digital proofs of driver licenses and providing requirements for digital proofs of identification cards; revising the department's rulemaking authority; revising requirements for the issuance of digital proofs of driver licenses and identification cards; authorizing the department to use telephone numbers submitted by licensees and cardholders for specified purposes only; authorizing the department to enter into contracts with private entities for a specified purpose; prohibiting private entities from storing, selling, or sharing personal information collected from scanning the digital proofs of driver licenses and identification cards; providing an exception by authorizing individuals to consent to allow private entities to collect and store such personal information; requiring that an individual is informed what information is collected in such scans and the purposes for which the information will be used; authorizing private entities to manually collect personal information from individuals under certain circumstances; providing a civil penalty; providing applicability; conforming provisions to changes made by the act; amending s. 322.14, F.S.; conforming a provision to changes made

by the act; amending s. 322.15, F.S.; conforming a provision to changes made by the act; requiring a licensee to present or submit his or her printed driver license to a law enforcement officer or an authorized representative of the department under specified circumstances; reenacting s. 322.121(2), F.S., relating to periodic reexamination of all drivers, to incorporate the amendment made to s. 322.15, F.S., in a reference thereto; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1315 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Government Operations Subcommittee and Representative(s) LaMarca—

**CS for HB 1315**—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, geolocation data, and other certain information 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.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1347 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Higher Education Appropriations Subcommittee, Local Administration & Veterans Affairs Subcommittee and Representative(s) Morales, Benjamin, Bartleman, Bush, Chambliss, Driskell, Eskamani, Hart, Hunschofsky, Killebrew, Melo, Omphroy, Salzman, Slosberg, Thompson, Valdés, Willhite—

**CS for CS for HB 1347**—A bill to be entitled An act relating to educational opportunities for disabled 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 a waiver for the remaining cost of tuition and fees at certain institutions; requiring certain institutions to submit an annual report to the Board of Governors and the State Board of Education; requiring such boards to adopt rules; specifying applicability of other laws; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HJR 1377 by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Chaney, Buchanan, DiCeglie, Massullo—

**HJR 1377**—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of Section 42 of Article XII of the State Constitution, effective January 1, 2023, to authorize the Legislature, by general law, to prohibit the consideration of any change or improvement made to real property used for residential purposes to improve the

property's resistance to flood damage in determining the assessed value of such property for ad valorem taxation purposes.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1379 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee, Environment, Agriculture & Flooding Subcommittee and Representative(s) Chaney, Aloupis, Buchanan, DiCeglie, Massullo—

**CS for CS for HB 1379**—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; requiring property owners to provide certification for such property; defining the term "voluntary elevation" or "voluntarily elevated"; prohibiting certain areas from being included in square footage calculation; providing an exception; providing applicability; making clarifying revisions; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1381 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Professions & Public Health Subcommittee and Representative(s) Brown, Benjamin, Davis, Driskell, Eskamani, Hunschofsky, Joseph, Morales, Nixon, Rayner, Slosberg, Thompson—

**CS for HB 1381**—A bill to be entitled An act relating to maternal health outcomes; amending s. 381.7353, F.S.; revising the Department of Health's duties under the Closing the Gap grant program; amending s. 381.7355, F.S.; revising the requirements for Closing the Gap grant proposals; creating s. 383.2163, F.S.; requiring the department to establish telehealth minority maternity care pilot programs in Duval County and Orange County by a specified date; defining terms; providing program purposes; requiring the pilot programs to provide specified telehealth services to eligible pregnant women for a specified period; requiring pilot programs to train participating health care practitioners and perinatal professionals on specified topics; providing for funding for the pilot programs; requiring the department's Division of Community Health Promotion and Office of Minority Health and Health Equity to apply for certain federal funding; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1395 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Government Operations Subcommittee and Representative(s) Davis, Nixon, Thompson—

**CS for HB 1395**—A bill to be entitled An act relating to public records; amending s. 24.1051, F.S.; creating a temporary exemption from public records for the names of lottery winners who win prizes over a specified value; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; 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 1447 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Children, Families & Seniors Subcommittee and Representative(s) Hunschofsky, Bartleman, Benjamin, Bush, Daley, Davis, Driskell, Fetterhoff, Gottlieb, Robinson, F., Salzman, Thompson, Valdés, Woodson—

**CS for HB 1447**—A bill to be entitled An act relating to the Commission on Mental Health and Substance Abuse; providing legislative intent; creating s. 394.9086, F.S.; creating the Commission on Mental Health and Substance Abuse adjunct to the Department of Children and Families; requiring the department to provide administrative and staff support services to the commission; providing purposes; providing for membership, term limits, meetings, and duties of the commission; requiring the commission to submit reports of its findings and recommendations to the Legislature and Governor by a specified date; providing for future repeal unless saved by the Legislature through re-enactment; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HJR 1461 by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Education & Employment Committee, Early Learning & Elementary Education Subcommittee and Representative(s) Garrison, Robinson, W.—

**CS for CS for HJR 1461**—A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to limit the terms of office for members of a district school board.

—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/CS/HB 1463, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Commerce Committee, Tourism, Infrastructure & Energy Subcommittee and Representative(s) LaMarca—

**CS for CS for HB 1463**—A bill to be entitled An act relating to the Department of Economic Opportunity; amending s. 20.60, F.S.; renaming the executive director of the Department of Economic Opportunity as the Secretary of Economic Opportunity; authorizing the secretary to appoint deputy and assistant secretaries for a specified purpose; establishing the Office of the Secretary and the Office of Economic Accountability and Transparency; providing duties for the Office of Economic Accountability and Transparency; authorizing the secretary to create offices within the Office of the Secretary and within the divisions; requiring the secretary to appoint division directors; providing duties for the division directors; conforming provisions to changes made by the act; amending s. 288.901, F.S.; revising the membership of the board of directors of Enterprise Florida, Inc.; amending s. 290.042, F.S.; revising the definition of the term "administrative costs" relating to the Florida Small Cities Community Development Block Grant Program Act; amending s. 290.044, F.S.; revising the application process and funding for the Florida Small Cities Community Development Block Grant Program Fund; amending s. 290.046, F.S.; revising the application process and funding for development grants awarded by the department to local governments; amending s. 331.3081, F.S.; conforming a cross-reference; amending s. 435.02, F.S.; revising the defi-

inition of the term "specified agency" to include certain regional workforce boards for the purposes of labor laws; amending s. 443.036, F.S.; revising the definition of the term "temporary layoff"; amending s. 443.091, F.S.; revising the reporting requirements for reemployment assistance benefit eligibility; defining the term "address"; amending s. 443.101, F.S.; deleting a provision providing that individuals who voluntarily leave work as a direct result of circumstances relating to domestic violence are ineligible for benefits under certain circumstances; amending s. 443.1113, F.S.; requiring the department to implement an integrated, modular system hosted in a cloud service, rather than an integrated Internet-based system, for the reemployment assistance program; revising the functions and objectives of the Reemployment Assistance Claims and Benefits Information System; requiring the department to perform an annual review of the system; requiring the department to seek input on recommended enhancements from certain state entities; requiring the department to submit an annual report to the Governor and the Legislature beginning on a specified date; providing requirements for such report; deleting obsolete language; creating s. 443.1118, F.S.; defining terms; authorizing employers to initiate employer-assisted claims under certain circumstances; providing requirements for employer-assisted claims relating to mass separations; specifying the effective date of such claims; providing that benefits paid to a claimant pursuant to an employer-assisted claim count toward maximum benefits for which the claimant is eligible; requiring a claimant covered by an employer-assisted claim to file continued biweekly claims; providing construction; requiring and authorizing the department to adopt specified rules; amending s. 443.151, F.S.; revising the timeline for employers' responses to notices of benefits claims sent by the department; authorizing claimants to request the department to reconsider a monetary determination; providing requirements for such request; providing that monetary determinations and redeterminations are final after a specified period of time; providing exceptions; deleting a requirement that appeals referees be attorneys in good standing with The Florida Bar or be admitted to The Florida Bar within 8 months after the date of employment; prohibiting appeals from being filed after a specified time; amending s. 445.004, F.S.; revising the membership of the state board, which directs CareerSource Florida, Inc.; amending s. 553.79, F.S.; requiring specified building permit applications applied for by licensed contractors for property owners under certain programs administered by the department to be issued within a reduced timeframe; amending ss. 14.20195, 16.615, 20.04, 213.053, 220.194, 288.005, 288.061, 288.0656, 288.106, 288.1089, 288.1251, 288.8014, 288.955, 288.9604, 288.987, 290.0065, 311.09, 311.105, 334.065, 373.4149, 380.045, 403.0752, 420.0005, 420.0006, 420.101, 420.503, 420.504, 420.506, 420.507, 420.511, 420.602, 420.609, 420.622, 427.012, 443.1116, 446.53, 450.261, 624.5105, and 1004.015, F.S.; conforming provisions to changes made by the act; requiring the department to take certain actions for a specified fiscal year; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1551 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Finance & Facilities Subcommittee and Representative(s) Buchanan, Stevenson—

**CS for HB 1551**—A bill to be entitled An act relating to medication technicians; amending s. 429.02, F.S.; defining the term "medication technician"; amending s. 429.52, F.S.; providing minimum requirements and specifications for training of medication technicians; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1559, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*



By Judiciary Committee, Civil Justice & Property Rights Subcommittee and Representative(s) Rodriguez, Andrade, Botana, McClain, Roach, Sabatini—

**CS for CS for HB 1559**—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.046, F.S.; revising the definition of the term "income"; amending s. 61.08, F.S.; providing definitions; providing for the priority of different forms of alimony; revising provisions relating to permanent alimony; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony; prohibiting a court from denying a request for alimony or awarding alimony solely on the basis of adultery; providing an exception; revising specified factors to be considered when determining the proper type and amount of alimony or maintenance; revising provisions relating to the protection of awards of alimony; deleting certain rebuttable presumptions related to the duration of a marriage for purposes of determining alimony; prohibiting the length of an award of rehabilitative alimony from exceeding a certain length of time; specifying criteria for modifying or terminating rehabilitative alimony; revising provisions relating to the award of durational alimony; providing that a party who has reached full retirement age in accordance with a specified provision may not be ordered to pay alimony; providing an exception; prohibiting an award of alimony to a party who has a certain monthly net income; prohibiting social security retirement benefits from being imputed to the obligor unless such benefits are actually paid; requiring an obligee to meet certain requirements when he or she alleges a physical disability; deleting a provision prohibiting an award of alimony under certain circumstances; requiring the court to consider certain payments made to an obligee when determining the amount and length of an award of certain alimony; amending s. 61.13, F.S.; creating a presumption that equal time-sharing is in the best interests of a minor child; providing an exception; amending s. 61.14, F.S.; revising provisions relating to reducing or terminating an award of alimony or ordering reimbursement of certain alimony payments based on the existence of a supportive relationship; revising factors a court may consider when determining whether a supportive relationship exists or existed; providing that an obligor's subsequent remarriage or cohabitation is not a basis for modification of alimony; prohibiting modification of an alimony award under certain circumstances; requiring an alimony award to terminate when the obligor reaches full retirement age; providing an exception; providing factors to be considered in determining whether an obligor's retirement age is reasonable; authorizing an obligor to prospectively file a petition for modification or termination of an alimony award effective upon his or her retirement; providing that certain benefits received by an obligee constitute a change in circumstances for which an obligor may seek modification of an alimony award; providing that certain agreements for alimony payments are considered expressly modifiable or eligible for termination under certain circumstances; amending s. 61.19, F.S.; requiring the court to grant a final judgment of dissolution of marriage and reserve jurisdiction to subsequently determine all other substantive issues under certain circumstances; requiring the court to enter temporary orders to protect the parties and their children; providing 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 HB 1593 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Smith, D.—

**HB 1593**—A bill to be entitled An act relating to Seminole County; providing an exception to general law; providing an exception for specified cemeteries in the unincorporated areas of Seminole County; providing an effective date.

Proof of publication of the required notice was attached.

—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 HB 1631 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Representative(s) Gregory—

**HB 1631**—A bill to be entitled An act relating to the Trailer Estates Park and Recreation District, Manatee County; amending ch. 2002-361, Laws of Florida; providing purpose; revising district boundaries; revising powers and duties for the trustees; providing for the qualification of electors and annual election of trustees; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and collection of a recreation district assessment; providing that such assessment shall be a lien against each parcel of land so assessed and for the method of collecting such assessment; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for annual financial statements; authorizing the trustees to issue bonds and other obligations of the district; authorizing the trustees to acquire and dispose of real and personal property for certain purposes; authorizing the trustees to adopt and enforce rules and regulations; authorizing the assessment of penalties related to the use of facilities of the district; providing for the abolishment of the district; providing conditions precedent to the filing of suit against the district or any of the trustees thereof, and relieving individual trustees from personal liability for obligations of the district; providing definitions; revising requirements to amend the charter; providing referendum requirements; providing severability; providing construction; providing an effective date.

Proof of publication of the required notice was attached.

—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 1633, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By State Affairs Committee and Representative(s) Drake—

**CS for HB 1633**—A bill to be entitled An act relating to Okaloosa Gas District, Okaloosa, Santa Rosa, and Walton Counties; amending ch. 2000-443, Laws of Florida; revising the territorial limits and area of service of the district to include all of Santa Rosa County and all of Walton County; providing exceptions; revising the membership of the Board of Directors to include one member appointed by each of the Board of County Commissioners of Santa Rosa and Walton Counties; revising the director's fee for each meeting attended by a member of the Board of Directors; providing an effective date.

Proof of publication of the required notice was attached.

—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 1639 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

*Jeff Takacs, Clerk*

By Government Operations Subcommittee and Representative(s) Grant—

**CS for HB 1639**—A bill to be entitled An act relating to public records; amending s. 98.015, F.S.; creating a public records exemption for portions of records containing network schematics, hardware and software configurations, or encryption held by a county supervisor of elections; providing for release of the confidential and exempt information in certain instances to governmental entities; 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 referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1645, as amended, and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Local Administration & Veterans Affairs Subcommittee and Representative(s) Drake—

**CS for HB 1645**—A bill to be entitled An act relating to the City of Freeport, Walton County; providing exceptions to general law; providing requirements for a specialty center designation; authorizing the sale of alcoholic beverages for consumption on the premises of a specialty center under certain conditions; providing that an applicant for an alcoholic beverage license to be located in a specialty center may not be denied licensure under certain conditions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 6095 and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Representative(s) Fischer, Persons-Mulicka—

**HB 6095**—A bill to be entitled An act relating to scheduling of drug products containing cannabidiol; amending s. 893.03, F.S.; removing provisions concerning the scheduling of certain drug products containing cannabidiol; amending s. 893.02, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7011, as amended, and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Education & Employment Committee, Early Learning & Elementary Education Subcommittee and Representative(s) Aloupis—

**CS for HB 7011**—A bill to be entitled An act relating to student literacy; amending s. 1001.215, F.S.; revising and providing duties for the Just Read, Florida! Office within the Department of Education; amending s. 1001.42, F.S.; revising a district school board's duty to implement a school improvement plan for certain low-performing schools to conform to changes made by the act; amending s. 1002.33, F.S.; conforming a provision to changes made by the act; amending s. 1002.55, F.S.; revising requirements for prekindergarten instructors relating to the completion of emergent literacy training courses; amending s. 1002.59, F.S.; requiring the Office of Early Learning to adopt minimum standards for such courses in collaboration with the Just Read, Florida! Office; requiring such courses to be consistent with certain strategies identified by the Just Read, Florida! Office and reviewed; amending s. 1002.67, F.S.; requiring certain private prekindergarten providers and public schools to participate in a certain coordinated screening and progress monitoring system; amending s. 1002.69, F.S.; prohibiting the use of results from the statewide kindergarten screening in the calculation of readiness rates for a specified program year; requiring that certain prekindergarten providers and

public schools participate in the coordinated screening and progress monitoring system; requiring that system results be used for specified purposes; providing that readiness rates calculated for a specified program year are for informational purposes only; prohibiting the use of such rates for the purpose of imposing sanctions or penalties; amending s. 1002.83, F.S.; requiring early learning coalitions to adopt best-practices plans for transitioning prekindergarten students into kindergarten; providing requirements for such plans; requiring the Office of Early Learning to provide certain guidelines to assist early learning coalitions, schools districts, charter schools, and parents; amending s. 1003.57, F.S.; requiring a school district to notify the parents of certain students of certain available scholarship options within a specified timeframe; amending ss. 1002.995 and 1003.621, F.S.; conforming provisions to changes made by the act; amending s. 1004.04, F.S.; providing requirements for certain candidates entering a teacher preparation program in a specified school year; revising provisions relating to teacher preparation programs; removing provisions authorizing the waiver of certain admission requirements for such programs; requiring certain school district and instructional personnel to have a certificate or endorsement in reading beginning in a specified school year; amending s. 1004.85, F.S.; providing requirements for certain candidates entering an educator preparation institute in a specified school year; amending s. 1006.28, F.S.; requiring each school district to provide certain training to school librarians and media specialists; amending s. 1008.25, F.S.; requiring certain students to participate in a certain coordinated screening and progress monitoring system; prohibiting a school from waiting until a certain evaluation is completed to provide specified interventions for certain students; requiring that such interventions be initiated upon receipt of certain documentation; requiring a school to immediately begin collecting evidence for portfolios for certain students under specified conditions; requiring schools to communicate with parents at least monthly regarding the progress of certain students; providing requirements for such communication; requiring the department to compile resources that school districts must incorporate into read-at-home plans; providing requirements for such resources; requiring that a parent be provided a hardcopy of such resources upon request; requiring the department, in collaboration with the Office of Early Learning, to procure and require the use of a certain coordinated screening and progress monitoring system; providing requirements for such system; requiring private Voluntary Prekindergarten Education Program providers and public schools to participate in such system beginning in a specified school year; providing the frequency with which such system must be administered during the program year or school year, as applicable; providing that certain prekindergarten students may be eligible for certain instruction and interventions; authorizing a school district to pay for such instruction and interventions using certain funds; requiring screening and progress monitoring system results to be reported to the department and maintained in a specified department warehouse; requiring such results to be provided to a student's teacher and parent; requiring the department, in collaboration with the Office of Early Learning, to provide certain training and support; amending s. 1008.345, F.S.; conforming a cross-reference; creating s. 1008.365, F.S.; providing a short title; establishing the Reading Achievement Initiative for Scholastic Excellence Program within the department; providing a purpose; requiring the department to establish a specified number of literacy support regions and regional support teams for a certain purpose; requiring a regional literacy support director to meet certain criteria; providing duties and requirements for such teams; authorizing the department to establish criteria for identifying schools that need supports; requiring such schools to implement or amend a certain plan, as applicable; requiring the department to provide progress monitoring data to such teams regarding the implementation of supports; providing requirements for such supports; providing that certain schools are not required to implement a turnaround option or take other corrective actions; authorizing a school to discontinue receiving supports and implementing a school improvement plan under certain circumstances; requiring the department to establish a tutoring program and develop certain training to prepare high school students to tutor certain students; providing eligibility criteria for high school students to participate in the tutoring program; requiring school districts that wish to participate in such program to recruit, train, and deploy eligible high school students; providing requirements for such program; requiring the department to designate certain high school students as New Worlds Scholars; requiring the State Board of Education to adopt rules; amending s. 1011.62, F.S.; renaming the research-based reading instruction allocation as the evidence-based reading instruction allocation; requiring such allocation to

be used to provide comprehensive reading instruction to certain pre-kindergarten students; requiring a school district's K-12 comprehensive reading plan to be developed with input from certain personnel and provide for certain interventions delivered by certain instructional personnel; requiring the department to annually release to certain school districts their allocations of appropriated funds by a specified date; requiring the department to annually report certain findings and recommendations to the State Board of Education by a specified date; providing a definition; amending s. 1011.67, F.S.; authorizing school districts to purchase certain instructional materials with specified funds without undergoing certain adoption procedures; amending s. 1012.56, F.S.; providing requirements for certain candidates entering a competency-based professional development certification program in a specified school year; amending s. 1012.585, F.S.; revising requirements for the renewal of a professional certificate in certain areas; providing a limitation on earning certain inservice points; amending s. 1012.586, F.S.; requiring the department to adopt competency-based pathways for instructional personnel to earn a reading endorsement by the beginning of a specified school year; providing requirements for such pathways; providing requirements for the department in adopting such pathways; requiring school districts to resubmit certain programs to the department for approval by a specified date; prohibiting instructional personnel from earning a reading endorsement solely by achieving a passing score on a specified assessment; amending s. 1012.98, F.S.; requiring the department to identify certain professional development opportunities to be implemented by school districts, with priority given to certain training; amending s. 1012.986, F.S.; revising the goals of the William Cecil Golden Professional Development Program for School Leaders to include support for instructional personnel who provide reading instruction and interventions; providing an effective date.

—was referred to the Committee on Appropriations.

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The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed HB 7033 and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Early Learning & Elementary Education Subcommittee and Representative(s) Koster, Andrade, Chaney, Garrison, Trabulsy, Valdes—

**HB 7033**—A bill to be entitled An act relating to the Task Force on Closing the Achievement Gap for Boys; creating the Task Force on Closing the Achievement Gap for Boys within the Department of Education; providing a purpose for the task force; providing for membership and meetings of the task force; requiring the department to provide certain staff support, data, and information to assist the task force; requiring that the task force submit a report to the Governor and Legislature by a specified date; providing for future expiration of the task force; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable Wilton Simpson, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7045, as amended, and requests the concurrence of the Senate.

*Jeff Takacs, Clerk*

By Appropriations Committee, Education & Employment Committee and Representative(s) Fine—

**CS for HB 7045**—A bill to be entitled An act relating to school choice; amending s. 11.45, F.S.; revising the frequency with which the Auditor General must conduct certain operational audits; repealing s. 1002.385, F.S., relating to the Gardiner Scholarship; amending s. 1002.39, F.S.; revising provisions relating to the calculation of the maximum amount of scholarship funds granted to an eligible student with a disability under the John M. McKay Scholarships for Students with Disabilities Program; providing for future repeal of the program; amending s. 1002.394, F.S.; providing definitions; revising student eligibility requirements under the Family Empowerment Scholarship Program; providing requirements for the use of funds under the program; revising provisions relating to the term of scholarships under the program; providing that certain students are not eligible for a scholarship under the program under certain circumstances; providing exceptions; revising the obligations of school districts, the Department of Education, private schools, and eligible scholarship-funding organizations under the program; revising the responsibilities of parents and students relating to program participation; revising provisions relating to the funding and payment of scholarships awarded under the program; requiring specified state agencies to work with an organization to provide access to lists of approved licensed service providers; providing that certain students with disabilities are eligible for enrollment in transition-to-work programs at certain participating private schools; providing requirements for such students, private schools, and businesses under transition-to-work programs; revising provisions relating to the State Board of Education's rulemaking authority; removing obsolete provisions; amending s. 1002.395, F.S.; revising student eligibility criteria based on household income level for the Florida Tax Credit Scholarship Program; amending ss. 1002.40, 1009.971, 1009.98, 1009.981, 1011.61, and 1011.62, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committee on Appropriations.

## CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 15 and April 20 were corrected and approved.

## ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 2:51 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 22 or upon call of the President.