



# Journal of the Senate

Number 4—Regular Session

Thursday, January 20, 2022

## CONTENTS

|  |     |
|--|-----|
| Bills on Third Reading . . . . .               | 214 |
| Call to Order . . . . .                        | 214 |
| Co-Introducers . . . . .                       | 216 |
| Committee Substitutes, First Reading . . . . . | 216 |
| Executive Business, Appointments . . . . .     | 216 |
| Introduction and Reference of Bills . . . . .  | 215 |
| Motions . . . . .                              | 215 |
| Reports of Committees . . . . .                | 215 |

## CALL TO ORDER

The Senate was called to order by President Simpson at 2:30 p.m. A quorum present—37:

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

Excused: Senators Gainer and Rouson

## PRAYER

The following prayer was offered by Pastor Gary Austin, Faith Fellowship Church, Crawfordville, an employee of the Office of the Senate Sergeant at Arms:

Our heavenly Father, thank you for this day and the blessings we have already received today and will continue to receive. We are not guaranteed a tomorrow, which is and has been vividly displayed before us all and to those around the world. Many in this chamber have been touched by the loss of a life in some capacity or another. We want to lift them up to you this afternoon and ask that you bring comfort and healing to their hearts. Let us be willing participants to bring encouragement and support to those we know.

As for today and the following days of session, you have brought this group of Senators and supporting staff to come together to bring forth legislation and ultimately laws that we will follow for many years to come. Much thought and planning has gone into every process which brings bills into this chamber to be debated and voted on. Your word, in Romans 13:1, tells us you have placed each member behind these desks to fulfill your purpose and will. I ask, Lord, that you would give each Senator clarity of thought as they enact the responsibilities they were elected by their constituents to perform. Bless every person who has a part in this institution, and keep us all safe as we move forward. I also ask that you would protect each family represented, as many are away from home to fulfill their calling. Thank you for giving us this opportunity to be in this place and to serve the good people of Florida in every capacity bestowed upon us in this institution. May what is done in this

chamber, which will impact up-and-coming generations, be done with your blessing and guidance. Thank you, Lord, for all that you do, for in Jesus' name we pray. Amen.

## PLEDGE

Senate Pages, Ryan Bower of Tallahassee; Maria Luisa Del Valle of Miami; and Gabriella Simmons of Tampa, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## BILLS ON THIRD READING

**CS for SB 102**—A bill to be entitled An act establishing the congressional districts of the state; amending s. 8.0001, F.S.; adopting the United States Decennial Census of 2020 as the official census of the state for use in redistricting the state's congressional districts; defining terms; amending s. 8.0002, F.S.; redistricting the state's congressional districts in accordance with the United States Decennial Census of 2020 (plan S035C8060); amending s. 8.0111, F.S.; providing for the inclusion of unlisted territory in contiguous districts in accordance with figures from the United States Decennial Census of 2020; reenacting s. 8.031, F.S., relating to the election of representatives to Congress; creating s. 8.051, F.S.; specifying that certain electronic maps serve as the official maps of the congressional districts of the state; providing for construction; requiring such maps to be made available to the public by the Office of Economic and Demographic Research within a specified timeframe; reenacting s. 8.0611, F.S., relating to severability; amending s. 8.07, F.S.; providing for applicability; repealing ss. 8.08, 8.081, 8.082, 8.083, 8.084, 8.085, 8.086, 8.087, and 8.088, F.S.; deleting obsolete and superseded provisions relating to congressional districts enacted in Special Session A of the 2014 Legislature; providing effective dates.

—as amended January 19, was read the third time by title.

On motion by Senator Rodrigues, **CS for SB 102**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—31

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Broxson   | Pizzo     |
| Albritton     | Burgess   | Polsky    |
| Ausley        | Diaz      | Powell    |
| Baxley        | Gruters   | Rodrigues |
| Bean          | Harrell   | Rodriguez |
| Berman        | Hooper    | Stargel   |
| Boyd          | Hutson    | Stewart   |
| Bracy         | Jones     | Taddeo    |
| Bradley       | Mayfield  | Wright    |
| Brandes       | Passidomo |           |
| Brodeur       | Perry     |           |

Nays—4

|        |        |        |
|--------|--------|--------|
| Cruz   | Farmer | Gibson |
| Torres |        |        |

Vote after roll call:

Yea—Book, Garcia

**CS for SJR 100**—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate (plans \_\_\_\_\_ and S027S8058); adopting the United States Decennial Census of 2020 for use in such apportionment; defining terms; providing for the inclusion of omitted areas; providing contiguity for areas specified for inclusion in one district which are noncontiguous; specifying that the apportioned districts constitute the legislative districts of the state; specifying that electronic maps serve as the official maps of the legislative districts of the state; providing for the public availability of electronic maps; providing for severability of invalid portions; providing for application beginning in 2022.

—was read the third time by title.

On motion by Senator Rodrigues, **CS for SJR 100** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—3

|        |        |        |
|--------|--------|--------|
| Farmer | Gibson | Torres |
|--------|--------|--------|

**MOTIONS**

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

**REPORTS OF COMMITTEES**

The Committee on Appropriations recommends the following pass: CS for SB 430; SB 638

The Committee on Rules recommends the following pass: SB 222; CS for SB 336; SB 352; CS for SB 444; SB 542; SB 546; CS for SB 1006

**The bills were placed on the Calendar.**

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1536

**The bill with committee substitute attached was referred to the Committee on Commerce and Tourism under the original reference.**

The Committee on Community Affairs recommends committee substitutes for the following: SB 1150; SB 1194

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 518

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1026

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

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

**Senate Bills 7000-7020**—Previously introduced.

By the Committee on Governmental Oversight and Accountability—

**SB 7022**—A bill to be entitled An act relating to the state group health insurance program; amending s. 110.123, F.S.; requiring the Department of Management Services to provide an online education component relating to all health insurance plans in the State Group Insurance Program; requiring the department to contract with the State Board of Administration to provide retirement and health insurance planning education to members of the state group insurance program; setting a minimum monthly employer contribution to health savings accounts for certain employees; establishing new preventive care benefits to be covered by high deductible health insurance plans in the state group insurance program without the member meeting the required deductible, beginning with a specified plan year; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Agriculture, Environment, and General Government; and Appropriations.

By the Committee on Governmental Oversight and Accountability—

**SB 7024**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S.; revising an exemption from public records requirements for personal identifying information of the alleged victim in an allegation of sexual harassment or the victim of sexual harassment if such information identifies that person as an alleged victim or as a victim of sexual harassment; authorizing the alleged victim or the victim to waive confidentiality in writing; extending the date 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.

By the Committee on Governmental Oversight and Accountability—

**SB 7026**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 110.12301, F.S.; designating the Department of Management Services, rather than the Division of State Group Insurance, as the entity that contracts for dependent eligibility verification services for the state group insurance program; authorizing the department or the contractor providing dependent eligibility verification services to require certain information from subscribers; deleting obsolete language; revising the types of information that the department or a contractor providing eligibility verification services may require from subscribers in order to establish dependent eligibility for the state group insurance program; deleting a provision requiring the Division of State Group Insurance and the contractor to disclose to subscribers that dependent eligibility verification information may be subject to disclosure and inspection under public records laws under certain circumstances; revising the records retention schedule regarding documents obtained during the dependent eligibility verification process; abrogating the scheduled repeal of an exemption from public records requirements for records collected for dependent eligibility verification services for the state group insurance program and held by the Department of Management Services; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Agriculture—

**SB 7028**—A bill to be entitled An act relating to the Food Policy Advisory Council; creating s. 500.82, F.S.; creating the council adjunct to the Department of Agriculture and Consumer Services; providing the purpose and membership of the council; requiring the council to meet at least quarterly; providing for per diem and travel expenses for council members; providing the duties of the council; requiring the council to submit an annual report to the Governor and the Legislature by a specified date; providing requirements for the report; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Agriculture, Environment, and General Government; and Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Community Affairs; and Senator Brodeur—

**CS for SB 518**—A bill to be entitled An act relating to private property rights to prune, trim, and remove trees; amending s. 163.045, F.S.; defining terms; revising conditions under which a local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property; specifying when a tree poses an unacceptable risk; providing an effective date.

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

**CS for SB 1026**—A bill to be entitled An act relating to living organ donors in insurance policies; creating s. 626.97075, F.S.; defining the term “policy”; prohibiting insurers under specified policies from declining or limiting coverages and discriminating against persons based solely on their status as living organ donors, and from precluding insureds from donating organs; authorizing the Financial Services Commission to adopt rules and take actions to enforce specified laws; providing an effective date.

By the Committee on Community Affairs; and Senator Rodriguez—

**CS for SB 1150**—A bill to be entitled An act relating to taxation of affordable housing; creating s. 196.1979, F.S.; authorizing counties and municipalities to adopt ordinances to grant partial ad valorem tax exemptions to property owners whose properties are used to provide affordable housing; providing construction; specifying requirements for eligibility for such exemptions; specifying limits on the amount of such exemptions; defining the term “affordable”; specifying requirements for ordinances granting such exemptions; specifying duties of boards of county commissioners and municipal governing authorities adopting ordinances granting such exemptions; specifying duties for property appraisers; requiring property owners improperly granted such exemptions to pay owed taxes, penalties, and interest; exempting owners from payment of penalties or interest under certain circumstances; providing construction; providing applicability; providing an effective date.

By the Committee on Community Affairs; and Senator Boyd—

**CS for SB 1194**—A bill to be entitled An act relating to local tax referenda requirements; amending ss. 125.0104, 125.0108, and 125.901, F.S.; requiring referenda elections related to tourist development taxes, tourist impact taxes, and children’s services and independent special district property taxes to be held on the day of a general election; amending ss. 200.091 and 200.101, F.S.; requiring referenda elections related to increases in county and municipal ad valorem tax millages to be held on the day of a general election; amending s. 336.021, F.S.;

requiring referenda elections related to the ninth-cent fuel tax to be held on the day of a general election; amending s. 336.025, F.S.; requiring referenda elections related to local option fuel taxes to be held on the day of a general election; amending s. 1011.73, F.S.; requiring referenda elections related to certain school district millage elections to be held on the day of a general election; providing an effective date.

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

**CS for SB 1536**—A bill to be entitled An act relating to money services businesses; amending s. 560.103, F.S.; defining the terms “control person” and “publicly traded”; revising and deleting definitions; amending s. 560.118, F.S.; providing that a rule may require reports to contain declarations by control persons, rather than officers or other responsible persons; amending s. 560.123, F.S.; providing that control persons, rather than officers, are not liable for loss or damages under certain circumstances; amending s. 560.126, F.S.; requiring licensees to report changes in control persons, rather than certain other entities or persons; deleting a requirement for certain persons to submit a license application under certain circumstances; deleting the definition of the term “controlling interest”; providing that the addition of a control person, rather than certain other entities or persons, is subject to certain requirements; deleting a requirement for the commission to adopt rules; repealing s. 560.127, F.S., relating to control of a money services business; amending s. 560.141, F.S.; revising requirements for applications for licensure as a money services business; amending s. 560.143, F.S.; revising a limitation for certain fees to apply to a change in control, rather than in a controlling interest; reenacting s. 559.952(4)(a), F.S., relating to the Financial Technology Sandbox, to incorporate the amendments made to ss. 560.118 and 560.141, F.S., in references thereto; reenacting s. 560.114(2)(c), F.S., relating to license applications for money services businesses, to incorporate the amendments made to s. 560.141, F.S., in a reference thereto; 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> |
|---|------------------------|
| State Surgeon General<br>Appointee: Ladapo, Joseph, Confidential<br>pursuant to s. 119.071(4), F.S. | Pleasure of Governor   |

**Referred to the Committees on Health Policy; and Ethics and Elections.**

### CORRECTION AND APPROVAL OF JOURNAL

The Journal of January 19 was corrected and approved.

### CO-INTRODUCERS

Senators Berman—SB 320; Farmer—SJR 392; Rouson—SB 262, SB 560; Stewart—SB 1218

### ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 3:15 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:30 p.m., Thursday, January 27 or upon call of the President.