



# Journal of the Senate

Number 7—Regular Session

Thursday, March 23, 2023

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## CALL TO ORDER

The Senate was called to order by President Passidomo at 1:30 p.m. A quorum present—38:

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Baxley	Grall	Powell
Berman	Gruters	Rodriguez
Book	Harrell	Rouson
Boyd	Hooper	Simon
Bradley	Hutson	Stewart
Brodeur	Ingoglia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough
Collins	Perry	

Excused: Senators Avila and Garcia

## PRAYER

The following prayer was offered by Major Charlotte Gargis, Salvation Army of Lee, Hendry, and Glades Counties, Fort Myers:

Good afternoon gracious, heavenly Father. Thank you for this gift of today. As we gather together, we turn our thoughts and prayers to you. Guide us, each one, as our elected representatives of the Florida Senate meet and continue their work during this session. We ask for your spirit's guidance and wisdom to be with them and your will be done. We ask for your blessings on our Senate President, Kathleen Passidomo, and for her colleagues of this body who are with us and who have assumed the people's trust to represent them.

As our communities in this wonderful land continue to recover from Ian, we know that you are with them. Please be with them and help restore that which was lost and those whom have been lost, we mourn and we know that you will comfort. Let us not forget those that are still continuing and work together to help make them whole again. Let all of us be instruments of peace, comfort, care, concern, and assistance to dispel loneliness, fear, and frustration. As we see another storm season on the horizon, unite us in care for one another as we prepare.

We live in challenging times. Our challenges can be overcome with your spirit's inspiration and strength. For when we are weak, you are strong. We ask you to pour out your grace and your favor upon this

state, our Florida. These members of the Florida Senate have answered the call of public service for governance of this wonderful state—a community diverse yet united in so many ways. Continue to guide our leaders during these times. Unite them in your love and your mission for our most precious resource—the people of this state. Continue to inspire them with your spirit to guide and invest in the future of our young people with education. As in all things, we also turn to you to answer the needs of the vulnerable, the elderly, and those in need of your healing touch. Continue to inspire our Senators as we continue to provide a land of prosperity, opportunity, hope, and liberty for all Floridians.

Finally, bless and be with all our servant leaders of this state and all those who hold office at all levels of government in our land. For with your grace, together we can do good and great things for your people. In your mighty name, we pray. Amen.

## PLEDGE

Senate Pages, Henry Bryan of Jacksonville; Chelsey Hostetter of Bristol; and McClaine Ulrich of Tallahassee, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. David Winchester of Gainesville, sponsored by Senator Perry, as the doctor of the day. Dr. Winchester specializes in cardiology.

## BILLS ON THIRD READING

**CS for CS for CS for CS for HB 1**—A bill to be entitled An act relating to education; amending ss. 11.45, 212.099, and 327.371, F.S.; conforming cross-references; amending s. 1002.01, F.S.; defining the term “personalized education program”; amending s. 1002.394, F.S.; providing and revising definitions; revising student eligibility and ineligibility requirements for the Family Empowerment Scholarship Program; revising the approved uses of scholarship funds; providing that certain scholarships remain in force until certain criteria are met; requiring the closure of a scholarship account and the reversion of funds to the state under certain circumstances; authorizing reimbursements for certain expenditures until certain criteria are met; revising obligations of school districts, the Department of Education, private schools, and eligible nonprofit scholarship-funding organizations; revising responsibilities of parents; requiring scholarship funds to be deposited by funds transfers rather than through warrant endorsement; requiring certain criteria to be met before the funding of certain scholarships; revising provisions for the calculation of an award amount for certain students; prohibiting the transfer of funds to an eligible student's account under certain conditions; deleting obsolete language; conforming provisions and cross-references to changes made by the act; amending s. 1002.395, F.S.; providing and revising definitions; revising student eligibility and ineligibility requirements for the Florida Tax Credit Scholarship Program; revising obligations of eligible nonprofit scholarship-funding organizations and the department; establishing certain limitations on the number of scholarships funded through the program; revising the approved uses of scholarship funds; revising requirements for the use of certain contributions for administrative expenses; revising the amount of funds that must be awarded through scholarships; requiring the development of specified guidelines; authorizing organizations to require the use of an online platform for specified purchases so long as such use does not limit specified choices; requiring an organization to provide reimbursement in specified circumstances; requiring organizations to submit specified quarterly reports; revising responsi-

bilities of parents; requiring scholarship funds to be deposited by funds transfers rather than through warrant endorsement; requiring the department to annually publish a list of specified tests; revising the requirements of a specified annual report; requiring the department to notify school districts of specified estimates; prohibiting the transfer of funds to an eligible student's account under certain conditions; providing that certain scholarships remain in force until certain criteria are met; authorizing reimbursements for certain expenditures until certain criteria are met; requiring the closure of a scholarship account and the reversion of funds to the state under certain circumstances; requiring the Office of Independent Education and Parental Choice to provide a specified number of application periods for specified purposes; deleting obsolete language; conforming provisions and cross-references to changes made by the act; amending s. 1002.40, F.S.; conforming cross-references; amending s. 1002.421, F.S.; revising the eligibility criteria and obligations of private schools participating in certain educational scholarship programs; revising the criteria for the Commissioner of Education to permanently deny or revoke the authority of certain individuals to establish or operate a private school in the state; authorizing the commissioner to include specified individuals on a specified disqualification list; authorizing such individuals to be removed from such list if they provide specified reimbursements; conforming cross-references; creating s. 1002.44, F.S.; authorizing public schools, including charter schools, to enroll certain students on a part-time basis; providing funding for such students; prohibiting certain students from being reported for funding; providing that such students are not considered to be in regular attendance at such schools; amending s. 1003.01, F.S.; conforming provisions and cross-references to changes made by the act; requiring the State Board of Education to develop and recommend to the Governor and the Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code by a specified date.; providing requirements for the state board relating to such recommendations; amending s. 1001.10, F.S.; requiring the Commissioner of Education to develop an online portal for specified purpose; providing requirements for such portal; amending s. 1002.20, F.S.; conforming a cross-reference; amending s. 1003.25, F.S.; revising the timeframe in which student records must be transferred; amending s. 1003.4282, F.S.; deleting the online course requirement for a standard high school diploma; amending s. 1006.21, F.S.; authorizing a district school board to use other vehicles to transport students; amending s. 1006.22, F.S.; deleting a requirement that district school boards use school buses for all regular transportation; deleting provisions relating to circumstances in which students may be transported in privately owned motor vehicles; conforming a provision to changes made by the act; amending ss. 1006.25 and 1006.27, F.S.; conforming a cross-reference and provisions to changes made by the act; amending s. 1011.71, F.S.; authorizing a specified district school board levy to be used to pay salaries and benefits for specified employees; amending s. 1012.56, F.S.; exempting specified individuals from certain mastery of general knowledge requirements; revising the acceptable means of demonstrating mastery of subject area knowledge and mastery of professional preparation and education competence, respectively; revising requirements for the department to issue temporary certificates; revising the validity period for certain temporary certificates; amending s. 1013.64, F.S.; providing that certain construction projects are exempt from the total cost per student station requirements; amending ss. 1002.321, 1003.5716, 1003.499, 1003.27, 1003.485, and 1009.30, F.S.; conforming cross-references and provisions to changes made by the act; providing effective dates.

—was read the third time by title.

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

Yeas—26

Madam President	Calatayud	Martin
Albritton	Collins	Mayfield
Baxley	DiCeglie	Perry
Boyd	Grall	Rodriguez
Bradley	Gruters	Simon
Brodeur	Harrell	Trumbull
Broxson	Hooper	Wright
Burgess	Hutson	Yarborough
Burton	Ingolia	

Nays—12

Berman	Osgood	Rouson
Book	Pizzo	Stewart
Davis	Polsky	Thompson
Jones	Powell	Torres

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

#### COMMUNICATION

The Honorable Tracy C. Cantella Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 24, 2023

Honorable Secretary Cantella,

Thank you for excusing my absence during my Military Duty on March 23, 2023 during floor's proceedings.

For the record, had I been present to vote, I would have voted in the following manner:

- CS/SB 190 Interscholastic Extracurricular Activities by Senator Boyd Yes
- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Bryan Avila*  
Senator Bryan Avila  
Florida Senate, District 39

The Honorable Tracy C. Cantella  
Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Honorable Secretary Cantella,

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- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES

• CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Mayfield	Simon	Wright
Perry	Stewart	Yarborough
Rodriguez	Trumbull	

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
 Senator Ileana Garcia  
 Florida Senate, District 36

Nays—15

Berman	Grall	Polsky
Book	Jones	Powell
Bradley	Martin	Rouson
Brodeur	Osgood	Thompson
Davis	Pizzo	Torres

Vote preference:

March 24, 2023: Yea—Avila  
 March 28, 2023: Yea—Garcia

**SPECIAL GUESTS**

The President recognized the Speaker of the House of Representatives, Paul Renner, who was present in the chamber in support of CS for CS for SB 202/CS for CS for CS for HB 1, related to Education, more specifically the Family Empowerment Scholarship Program.

**COMMUNICATION**

The Honorable Tracy C. Cantella Secretary, The Florida Senate  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100  
 March 24, 2023

Honorable Secretary Cantella,

Thank you for excusing my absence during my Military Duty on March 23, 2023 during floor’s proceedings.

For the record, had I been present to vote, I would have voted in the following manner:

**CS for CS for HB 837**—A bill to be entitled An act relating to civil remedies; amending s. 57.104, F.S.; creating a rebuttable presumption that a lodestar fee is a sufficient and reasonable attorney fee in most civil actions; providing an exception; creating s. 86.121, F.S.; authorizing a court to award attorney fees in certain declaratory actions; prohibiting the transfer, assignment, or acquisition of the right to such attorney fees except by specified persons; providing applicability; amending s. 95.11, F.S.; reducing the statute of limitations for negligence actions; providing applicability of certain provisions to actions involving servicemembers; amending s. 624.155, F.S.; providing standards for bad faith actions; providing for the distribution of proceeds when two or more third-party claims arising out of a single occurrence exceed policy limits; creating s. 624.1552, F.S.; providing for applicability of specified offer of judgement provisions to civil actions involving insurance contracts; creating s. 768.0427, F.S.; providing definitions; providing standards for the admissibility of evidence to prove the cost of damages for medical expenses in certain civil actions; requiring certain disclosures with respect to claims for medical expenses for treatment rendered under letters of protection; specifying the damages that may be recovered by a claimant for the reasonable and necessary cost of medical care; creating s. 768.0701, F.S.; requiring the trier of fact to consider the fault of certain persons who contribute to an injury; creating s. 768.0706, F.S.; providing definitions; providing that the owner or principal operator of a multifamily residential property which substantially implements specified security measures on that property has a presumption against liability for negligence in connection with certain criminal acts that occur on the premises; requiring the Florida Crime Prevention Training Institute of the Department of Legal Affairs to develop a proposed curriculum or best practices for owners or principal operators; providing construction; amending s. 768.81, F.S.; providing that a party in a negligence action who is at fault by a specified amount may not recover damages under a comparative negligence action; providing applicability; repealing ss. 626.9373 and 627.428, F.S., relating to attorney fees awarded against surplus lines insurers and insurers, respectively; amending s. 627.756, F.S.; providing for the award of costs and attorney fees in certain actions; amending ss. 475.01, 475.611, 517.191, 624.123, 624.488, 627.062, 627.401, 627.441, 627.727, 627.736, and 628.6016, F.S.; conforming provisions to changes made by the act; repealing ss. 631.70 and 631.926, F.S., relating to attorney fees; amending s. 632.638, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision; providing applicability and construction; providing an effective date.

- CS/SB 190 Interscholastic Extracurricular Activities by Senator Boyd Yes
- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Bryan Avila*  
 Senator Bryan Avila  
 Florida Senate, District 39

The Honorable Tracy C. Cantella Secretary, The Florida Senate  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

Honorable Secretary Cantella,

Thank you for excusing my absence on March 23, 2023 during floor’s proceedings.

For the record, had I been present to vote, I would have voted in the following manner:

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 837** was passed and certified to the House. The vote on passage was:

Yeas—23

Madam President	Burgess	Gruters
Albritton	Burton	Harrell
Baxley	Calatayud	Hooper
Boyd	Collins	Hutson
Broxson	DiCeglie	Ingolia

- CS/SB 190 Interscholastic Extracurricular Activities by Senator Boyd Yes
- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes

- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
 Senator Ileana Garcia  
 Florida Senate, District 36

### SPECIAL RECOGNITION

Senator Wright recognized his wife, Cindy, who was present in the gallery. They recently celebrated their fiftieth wedding anniversary.

### SPECIAL ORDER CALENDAR

**SB 614**—A bill to be entitled An act relating to mammography reports; amending s. 381.933, F.S.; abrogating the repeal of provisions requiring facilities that perform mammography to send patients a certain summary of their mammography report under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Harrell moved the following amendment which was adopted:

**Amendment 1 (434686) (with title amendment)**—Delete line 14 and insert:

(3) REPEAL.—This section is repealed *September 10, 2024* ~~June 30, 2023~~.

And the title is amended as follows:

Delete line 3 and insert: 381.933, F.S.; extending the scheduled repeal of provisions

On motion by Senator Harrell, by two-thirds vote, **SB 614**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—38

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Baxley	Grall	Powell
Berman	Gruters	Rodriguez
Book	Harrell	Rouson
Boyd	Hooper	Simon
Bradley	Hutson	Stewart
Brodeur	Ingoglia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough
Collins	Perry	

Nays—None

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

### COMMUNICATION

The Honorable Tracy C. Cantella  
 Secretary, The Florida Senate  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

March 24, 2023

Honorable Secretary Cantella,

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For the record, had I been present to vote, I would have voted in the following manner:

- CS/SB 190 Interscholastic Extracurricular Activities by Senator Boyd Yes
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- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

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Sincerely,  
*Bryan Avila*  
 Senator Bryan Avila  
 Florida Senate, District 39

The Honorable Tracy C. Cantella  
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 404 South Monroe Street  
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- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
 Senator Ileana Garcia  
 Florida Senate, District 36

**CS for SB 214**—A bill to be entitled An act relating to sales of firearms and ammunition; amending s. 790.335, F.S.; providing legislative

findings; prohibiting payment settlement entities, merchant acquiring entities, or third party settlement organizations from assigning merchant category codes or otherwise classifying merchants of firearms or ammunition separately from general merchandise or sporting goods retailers; prohibiting entities involved in facilitating or processing payment card transactions from assigning to or requiring a merchant to use certain merchant category codes; authorizing a merchant of firearms or ammunition to be assigned or to use certain merchant category codes; specifying that any agreement or contractual provision to the contrary is void and in violation of the public policy of this state; authorizing the Department of Agriculture and Consumer Services to investigate certain alleged violations and bring administrative actions; providing an exception to complaint investigations by state attorneys; making technical changes; providing an effective date.

—was read the second time by title. On motion by Senator Burgess, by two-thirds vote, **CS for SB 214** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—27

Madam President	Calatayud	Martin
Albritton	Collins	Mayfield
Baxley	DiCeglie	Perry
Boyd	Grall	Rodriguez
Bradley	Gruters	Rouson
Brodeur	Harrell	Simon
Broxson	Hooper	Trumbull
Burgess	Hutson	Wright
Burton	Ingoglia	Yarborough

Nays—11

Berman	Osgood	Stewart
Book	Pizzo	Thompson
Davis	Polsky	Torres
Jones	Powell	

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

**COMMUNICATION**

The Honorable Tracy C. Cantella  
Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 24, 2023

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- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Bryan Avila*  
Senator Bryan Avila  
Florida Senate, District 39

---

The Honorable Tracy C. Cantella  
Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

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- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
Senator Ileana Garcia  
Florida Senate, District 36

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**CS for SB 190**—A bill to be entitled An act relating to interscholastic extracurricular activities; amending s. 1002.20, F.S.; authorizing charter school students and Florida Virtual School full-time students to participate in extracurricular activities at a private school under certain circumstances; amending s. 1002.33, F.S.; authorizing charter school students to participate in interscholastic extracurricular activities at a private school under certain circumstances; amending s. 1006.15, F.S.; authorizing charter school students and Florida Virtual School full-time program students to participate in interscholastic extracurricular activities at a private school under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **CS for SB 190** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Madam President	Burton	Ingoglia
Albritton	Calatayud	Jones
Baxley	Collins	Martin
Berman	Davis	Mayfield
Book	DiCeglie	Osgood
Boyd	Grall	Perry
Bradley	Gruters	Pizzo
Brodeur	Harrell	Polsky
Broxson	Hooper	Powell
Burgess	Hutson	Rodriguez

Rouson Thompson Wright  
 Simon Torres Yarborough  
 Stewart Trumbull

Nays—None

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

#### COMMUNICATION

The Honorable Tracy C. Cantella Secretary, The Florida Senate  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

March 24, 2023

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- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

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Sincerely,  
*Bryan Avila*  
 Senator Bryan Avila  
 Florida Senate, District 39

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 404 South Monroe Street  
 Tallahassee, FL 32399-1100

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- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
 Senator Ileana Garcia  
 Florida Senate, District 36

On motion by Senator Ingoglia—

**CS for CS for SB 256**—A bill to be entitled An act relating to employee organizations representing public employees; amending s. 447.301, F.S.; requiring a public employee who desires to be a member of an employee organization to sign a membership authorization form beginning on a specified date; requiring that such form include a specified statement; authorizing a public employee to revoke membership in an employee organization at any time of the year; requiring an employee organization to revoke a public employee's membership upon receipt of his or her written request for revocation; prohibiting an employee organization from limiting an employee's right to revoke membership to certain dates; prohibiting a revocation form from requiring a reason for the public employee's decision to revoke his or her membership; requiring employee organizations to retain such authorization forms and requests for revocation for inspection by the Public Employees Relations Commission; providing applicability with respect to certain employee organizations; authorizing the commission to adopt rules; amending s. 447.303, F.S.; prohibiting certain employee organizations from having dues and uniform assessments deducted and collected by the employer from certain salaries; authorizing public employees to pay dues and uniform assessments directly to the employee organization; authorizing certain employee organizations to have dues and uniform assessments deducted and collected by the employer from certain salaries; amending s. 447.305, F.S.; revising requirements for applications for initial registrations and renewals of registration of employee organizations; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification as bargaining agents; authorizing a public employer or bargaining unit employee to challenge an employee organization's application for renewal of registration; requiring the commission or one of its designated agents to review the application; requiring the commission to revoke the registration and certification of the employee organization in certain circumstances; authorizing the commission to conduct investigations for specified purposes; authorizing the commission to revoke or deny an employee organization's registration or certification under certain circumstances; specifying that certain decisions issued by the commission are reviewable final agency actions; providing applicability with respect to certain employee organizations; requiring certain employee organizations to provide its members with an annual audited financial report; requiring employee organizations to notify its members annually of all costs of membership; amending s. 447.509, F.S.; revising prohibitions for employee organizations and certain persons and entities relating to employee organizations; amending s. 1012.2315, F.S.; removing duplicative provisions; reenacting ss. 110.114(3) and 447.507(6)(a), F.S., relating to employee wage deductions and violation of strike prohibition and penalties, respectively, to incorporate the amendment made to s. 447.303, F.S., in references thereto; providing effective dates.

—was read the second time by title.

Senator Ingoglia moved the following amendment which was adopted:

**Amendment 1 (297578)**—Delete lines 80-85 and insert:

2. *The membership authorization form must identify the name of the bargaining agent, the name of the employee, the class code and class title of the employee, the name of the public employer and employing agency, if applicable, the amount of the initiation fee and of the monthly dues which the member must pay, and the name and total amount of salary, allowances, and other direct or indirect disbursements, including reimbursements, paid to each of the five highest compensated officers and employees of the employee organization disclosed under s. 447.305(2)(c).*

Senator Berman moved the following amendment which failed:

**Amendment 2 (692892)**—Delete lines 116-295 and insert: *943.10(1), (2), or (3), respectively, firefighters as defined in s. 633.102, or persons employed in any profession described in s. 420.503(19), relating to essential services.*

7. *The commission may adopt rules to implement this paragraph.*

Section 2. Effective July 1, 2023, section 447.303, Florida Statutes, is amended to read:

447.303 Dues; deduction and collection.—

(1) *Except as authorized in subsection (2), an employee organization that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit. A public employer may pay dues and uniform assessments directly to the employee organization that has been certified as the bargaining agent.*

(2)(a) ~~An Any~~ *employee organization that which* has been certified as a bargaining agent *to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively, firefighters as defined in s. 633.102, or persons employed in any profession described in s. 420.503(19), relating to essential services, has shall have* the right to have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction *and collection* of said dues and uniform assessments. However, such authorization is revocable at the employee’s request upon 30 days’ written notice to the employer and employee organization. Said deductions shall commence upon the bargaining agent’s written request to the employer.

(b) Reasonable costs to the employer of said deductions ~~is shall be~~ a proper subject of collective bargaining.

(c) Such right to deduction, unless revoked ~~under pursuant to~~ s. 447.507, ~~is shall be~~ in force for so long as the employee organization remains the certified bargaining agent for the employees in the unit.

(3) The public employer is expressly prohibited from any involvement in the collection of fines, penalties, or special assessments.

Section 3. Effective October 1, 2023, section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organization.—

(1) Every employee organization seeking to become a certified bargaining agent for public employees shall register with the commission pursuant to the procedures set forth in s. 120.60 prior to requesting recognition by a public employer for purposes of collective bargaining and prior to submitting a petition to the commission requesting certification as an exclusive bargaining agent. Further, if such employee organization is not registered, it may not participate in a representation hearing, participate in a representation election, or be certified as an exclusive bargaining agent. The application for registration required by this section shall be under oath and in such form as the commission may prescribe and shall include:

(a) The name and address of the organization and of any parent organization or organization with which it is affiliated.

(b) The names and addresses of the principal officers and all representatives of the organization.

(c) The amount of the initiation fee and of the monthly dues which members must pay.

(d) The current annual *audited* financial statement of the organization.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.

(f) A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will

accept members without regard to age, race, sex, religion, or national origin.

(g) A copy of the current constitution and bylaws of the employee organization.

(h) A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.

(2) A registration granted to an employee organization pursuant to the provisions of this section shall run for 1 year from the date of issuance. A registration shall be renewed annually by filing application for renewal under oath with the commission, which application shall reflect any changes in the information provided to the commission in conjunction with the employee organization’s preceding application for registration or previous renewal, whichever is applicable. Each application for renewal of registration shall include a current annual *audited financial statement, certified by an independent certified public accountant licensed under chapter 473 and report,* signed by the employee organization’s ~~its~~ president and treasurer or corresponding principal officers, containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year and in such categories as the commission may prescribe:

(a) Assets and liabilities at the beginning and end of the fiscal year;

(b) Receipts of any kind and the sources thereof;

(c) Salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and also to each employee who, during such fiscal year, received more than \$10,000 in the aggregate from such employee organization and any other employee organization affiliated with it or with which it is affiliated or which is affiliated with the same national or international employee organization;

(d) Direct and indirect loans made to any officer, employee, or member which aggregated more than \$250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(e) Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment.

(3) *In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit the following information and documentation as of the 30th day immediately preceding the date of renewal in its application for any renewal of registration on or after October 1, 2023:*

(a) *The number of employees in the bargaining unit who are eligible for representation by the employee organization.*

(b) *The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.*

(c) *The number of employees in the bargaining unit who paid dues to the employee organization.*

(d) *The number of employees in the bargaining unit who did not pay dues to the employee organization.*

(e) *Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided in paragraphs (a)-(d).*

(4) *The employee organization must provide a copy of its application for renewal of registration relating to a public employer’s employees to*

the public employer on the same day the application is submitted to the commission.

(5) An application for renewal of registration is incomplete and is not eligible for consideration by the commission if it does not include all of the information and documentation required in subsection (3). The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice.

(6) Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization that had less than 60 percent of the employees eligible for representation in the bargaining unit pay dues during its last registration period must petition the commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the bargaining unit within 1 month after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section is revoked.

(7) The public employer or a bargaining unit employee may challenge an employee organization's application for renewal of registration if the public employer or bargaining unit employee believes that the application is inaccurate. The commission or one of its designated agents shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization.

(8) The commission may conduct an investigation to confirm the validity of any information submitted pursuant to this section. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization:

(a) Failed to cooperate with the investigation conducted pursuant to this subsection; or

(b) Intentionally misrepresented the information it submitted pursuant to subsection (3).

A decision issued by the commission pursuant to this subsection is a final agency action that is reviewable pursuant to s. 447.504.

(9) Subsections (3)-(8) do not apply to an employee organization that has been certified as the bargaining agent to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively, firefighters as defined in s. 633.102, or persons employed in any profession described in s. 420.503(19), relating to essential services.

The vote was:

Yeas—12

Berman	Osgood	Rouson
Book	Pizzo	Stewart
Davis	Polsky	Thompson
Jones	Powell	Torres

Nays—26

Madam President	Calatayud	Martin
Albritton	Collins	Mayfield
Baxley	DiCeglie	Perry
Boyd	Grall	Rodriguez
Bradley	Gruters	Simon
Brodeur	Harrell	Trumbull
Broxson	Hooper	Wright
Burgess	Hutson	Yarborough
Burton	Ingolia	

Vote after roll call:

Nay to Yea—Simon

Senator Pizzo moved the following amendments which failed:

**Amendment 3 (586438) (with title amendment)**—Delete lines 123-129 and insert:

(1) Except as authorized in subsection (2), a public employee in a bargaining unit may not have any payroll deductions collected by an employer from his or her salary unless the payroll deduction is court ordered or the payroll deduction is for health insurance premiums that have been negotiated by the employer and provided to employees as part of a compensation package. Payroll deductions prohibited under this subsection include, but are not limited to, dues and uniform assessments, supplemental insurance premiums, charitable contributions, and contributions to financial investment firms.

And the title is amended as follows:

Delete lines 23-27 and insert: F.S.; prohibiting public employees in bargaining units from having payroll deductions collected by employers; providing exceptions;

**Amendment 4 (817316) (with title amendment)**—Delete lines 125-127 and insert:

have its dues and uniform assessments deducted and collected by the employer from the salary of the employee in the unit if the employee has provided written authorization to the employer and the terms and conditions for the deduction have been negotiated, approved, and ratified by the employer. A public employee may pay dues and uniform assessments

And the title is amended as follows:

Delete lines 23-25 and insert: F.S.; authorizing certain employee organizations to have dues and uniform assessments deducted and collected by employers of specified employees under certain circumstances;

Pursuant to Rule 4.19, **CS for CS for SB 256**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for SB 204**—A bill to be entitled An act relating to the Task Force on the Monitoring of Children in Out-of-Home Care; creating s. 39.4093, F.S.; creating the task force adjunct to the Department of Law Enforcement; requiring the department to provide certain services; specifying the purpose of the task force; specifying the composition of the task force; providing requirements for member appointments, election of a chair, and meetings; specifying duties of the task force; requiring the Florida Institute for Child Welfare to conduct certain focus groups and individual interviews and submit its findings to the task force by a specified date; requiring the Department of Children and Families to submit certain monthly reports to the task force through a specified date; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for future review and repeal; providing an effective date.

—was read the second time by title.

Senator Rouson moved the following amendment which was adopted:

**Amendment 1 (876100) (with title amendment)**—Between lines 149 and 150 insert:

Section 2. For the 2023-2024 fiscal year, the sum of \$140,076 in nonrecurring funds is appropriated from the Operating Trust Fund to the Florida Department of Law Enforcement for the purpose of providing administrative and support services relating to the Task Force on the Monitoring of Children in Out-of-Home Care.

And the title is amended as follows:

Delete line 19 and insert: repeal; providing an appropriation; providing an effective date.

On motion by Senator Rouson, by two-thirds vote, **CS for SB 204**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:



Yeas—38

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Baxley	Grall	Powell
Berman	Gruters	Rodriguez
Book	Harrell	Rouson
Boyd	Hooper	Simon
Bradley	Hutson	Stewart
Brodeur	Ingoglia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough
Collins	Perry	

Nays—None

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

**COMMUNICATION**

The Honorable Tracy C. Cantella  
Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 24, 2023

Honorable Secretary Cantella,

Thank you for excusing my absence during my Military Duty on March 23, 2023 during floor’s proceedings.

For the record, had I been present to vote, I would have voted in the following manner:

- CS/SB 190 Interscholastic Extracurricular Activities by Senator Boyd Yes
- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Bryan Avila*  
Senator Bryan Avila  
Florida Senate, District 39

The Honorable Tracy C. Cantella  
Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Honorable Secretary Cantella,

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- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
Senator Ileana Garcia  
Florida Senate, District 36

**SB 218**—A bill to be entitled An act relating to genetic counselors using telehealth; amending s. 456.47, F.S.; revising the definition of the term “telehealth provider” to include persons licensed as genetic counselors; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **SB 218** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Baxley	Grall	Powell
Berman	Gruters	Rodriguez
Book	Harrell	Rouson
Boyd	Hooper	Simon
Bradley	Hutson	Stewart
Brodeur	Ingoglia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough
Collins	Perry	

Nays—None

Vote preference:

March 24, 2023: Yea—Avila

March 28, 2023: Yea—Garcia

**COMMUNICATION**

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Secretary, The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

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- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Bryan Avila*  
 Senator Bryan Avila  
 Florida Senate, District 39

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The Honorable Tracy C. Cantella  
 Secretary, The Florida Senate  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

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- CS/SB 204 Task Force on the Monitoring of Children in Out-of-Home Care by Senator Rouson Yes
- CS/SB 214 Sales of Firearms and Ammunition by Senator Burgess Yes
- SB 218 Genetic Counselors Using Telehealth by Senator Harrell Yes
- SB 614 Mammography Reports by Senator Harrell Yes
- HB 1 Education/CS/CS/SB 202 by Representative Tuck and Senator Simon YES
- CS/CS/HB 837 Civil Remedies/ SB 236 by Representative Gregory and Senator Hutson YES

Thank you for your attention to this matter. If you have any questions, comments, or concerns please do not hesitate to ask.

Sincerely,  
*Ileana Garcia*  
 Senator Ileana Garcia  
 Florida Senate, District 36

## MOTIONS

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

## BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 23, 2023: SB 614, CS for SB 214, CS for SB 190, CS for CS for SB 256, CS for SB 204, SB 218.

Respectfully submitted,  
*Debbie Mayfield*, Rules Chair  
*Ben Albritton*, Majority Leader  
*Lauren Book*, Minority Leader

## REPORTS OF COMMITTEES

The Committee on Banking and Insurance recommends the following pass: SB 410

**The bill was referred to the Appropriations Committee on Agriculture, Environment, and General Government under the original reference.**

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The Committee on Fiscal Policy recommends the following pass: CS for SB 210; CS for SB 232; SB 248; CS for SB 254; CS for SB 382; SB 736

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

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The Committee on Finance and Tax recommends a committee substitute for the following: SB 358

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

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The Committee on Regulated Industries recommends committee substitutes for the following: SB 194; SB 1364; SB 1366

**The bills with committee substitute attached were referred to the Appropriations Committee on Agriculture, Environment, and General Government under the original reference.**

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The Committee on Education Postsecondary recommends a committee substitute for the following: SB 958

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

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The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 224; SB 1156; SB 1188

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1162; SB 1432; SB 1454

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

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The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1124

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

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The Committee on Community Affairs recommends committee substitutes for the following: SB 474; SB 1184

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

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The Appropriations Committee on Criminal and Civil Justice recommends committee substitutes for the following: CS for SB 280; SB 7016

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

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The Committee on Community Affairs recommends a committee substitute for the following: SB 696

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 408

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

The Committee on Fiscal Policy recommends a committee substitute for the following: CS for SB 258

The Committee on Rules recommends committee substitutes for the following: CS for SB 264; CS for SB 450

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

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committee on Regulated Industries; and Senator Hooper—

**CS for SB 194**—A bill to be entitled An act relating to utility system rate base values; creating s. 367.0811, F.S.; providing legislative findings; defining the term “rate stabilization plan”; establishing an alternative procedure by which the Florida Public Service Commission may establish a rate base value for certain acquired utility systems; requiring that the approved rate base value be reflected in the acquiring utility’s next general rate case for ratemaking purposes; establishing a procedure for appraisal of the acquired utility system; providing the contents required for a petition to the commission for approval of the rate base value of the acquired utility system; providing duties of the commission regarding petitions; authorizing the commission to set rates for and classify certain acquired utility systems; providing applicability; requiring the commission to take certain factors into consideration for certain rate base value petitions; requiring the commission to adopt rules; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Hooper, Berman, Gruters, Collins, Harrell, Brodeur, Boyd, Polsky, Osgood, DiCeglie, Torres, Wright, Rouson, Trumbull, Pizzo, Book, Powell, Burgess, and Davis—

**CS for SB 224**—A bill to be entitled An act relating to Special Risk Class retirement date; amending s. 121.021, F.S.; revising the definition of “normal retirement date”; decreasing the age and years of service needed to reach the normal retirement date for certain members; amending ss. 121.091 and 121.4501, F.S.; conforming provisions to changes made by the act; authorizing certain members of the Special Risk Class to apply to participate in the Deferred Retirement Option Program within a specified time period; revising required employer retirement contribution rates to fund the benefit changes made by the act; providing a directive to the Division of Law Revision; providing a declaration of important state interest; providing an effective date.

By the Committees on Fiscal Policy; and Governmental Oversight and Accountability; and Senator Burgess—

**CS for CS for SB 258**—A bill to be entitled An act relating to prohibited applications on government-issued devices; creating s. 112.22, F.S.; defining terms; requiring public employers to take certain actions relating to prohibited applications; prohibiting employees and officers of public employers from downloading or accessing prohibited applications on government-issued devices; providing exceptions; providing a deadline by which specified employees must remove, delete, or uninstall a prohibited application; requiring the Department of Management Services to compile a specified list and establish procedures for a specified waiver; authorizing the department to adopt emergency rules; requiring that such rulemaking occur within a specified timeframe; requiring the

department to adopt specified rules; providing a declaration of important state interest; providing an effective date.

By the Committees on Rules; and Judiciary; and Senators Collins and Avila—

**CS for CS for SB 264**—A bill to be entitled An act relating to interests of foreign countries; creating s. 287.138, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; prohibiting governmental entities from taking specified actions after a specified date relating to contracts that give certain access to personal identifying information; providing an exception; authorizing the Attorney General to bring a civil action; providing penalties; requiring penalties to be deposited into the General Revenue Fund; requiring the Department of Management Services to adopt rules; creating s. 288.007, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; requiring governmental entities to require an affidavit from applicants before providing any economic incentive; requiring the Department of Economic Opportunity to adopt rules; providing a directive to the Division of Law Revision to create part III of ch. 692, F.S., to be entitled “Conveyances to Foreign Entities”; creating s. 692.201, F.S.; defining terms; creating ss. 692.202 and 692.203, F.S.; prohibiting foreign principals from purchasing agricultural land, or interest in such land, and certain real property in the state, respectively; authorizing foreign principals to continue to own or hold such land or property under certain circumstances; requiring certain foreign principals that own or acquire such land or real property to register with a specified department; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to establish a form for such registration; providing civil penalties; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to place a lien against unregistered agricultural land or real property, respectively; requiring certain foreign principals to sell, transfer, or otherwise divest themselves of certain agricultural land or real property within a specified timeframe; requiring buyers of such land or property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the agricultural land or real property, respectively, or subject the closing agent to certain liability; authorizing the Florida Real Estate Commission to adopt rules; authorizing that certain agricultural land or real property be forfeited to the state; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in agricultural land or real property, respectively; requiring that such actions be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to sell the agricultural land or real property; providing requirements for the proceeds from such sale; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to seek a specified ex parte order; providing criminal penalties; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to adopt rules; creating s. 692.204, F.S.; prohibiting the People’s Republic of China, the Chinese Communist Party, any other political party or member of a political party in the People’s Republic of China, and certain persons and entities from purchasing or acquiring real property in the state; providing an exception; authorizing such persons and entities to continue to own or hold such real property under certain circumstances; requiring certain persons or entities that own or acquire real property in the state to register with the Department of Economic Opportunity by a specified date; requiring the Department of Economic Opportunity to establish a form for such registration; providing civil penalties; authorizing the Department of Economic Opportunity to place a lien against unregistered real property; requiring certain persons and entities to sell, transfer, or otherwise divest themselves of certain real property within a specified timeframe; requiring buyers of real property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the real property or subject the closing agent to certain liability; authorizing the commission to adopt rules; authorizing certain real property to be forfeited to the state; authorizing

the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in real property; requiring such actions to be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department of Economic Opportunity to sell the real property; providing requirements for the proceeds from such sale; authorizing the Department of Economic Opportunity to seek a specified ex parte order; providing criminal penalties; requiring the Department of Economic Opportunity to adopt rules; amending s. 408.051, F.S.; defining the terms “cloud computing” and “health care provider”; requiring that certain information held by health care providers that utilize certified electronic health record technology be maintained in specified locations; providing applicability; amending s. 408.810, F.S.; requiring a licensee to sign a specified affidavit upon initial application for a license and any renewal applications; authorizing disciplinary action by the Agency for Health Care Administration; prohibiting a person or entity that possesses a controlling interest from holding an interest in certain entities; providing definitions; amending s. 836.05, F.S.; providing enhanced criminal penalties for threatening a person while acting as a foreign agent with the intent of benefiting a foreign country of concern; providing an effective date.

By the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senator Brodeur—

**CS for CS for SB 280**—A bill to be entitled An act relating to controlled substances; amending s. 782.04, F.S.; revising the elements that constitute the capital offense of murder in the first degree; revising the elements that constitute the offense of murder in the third degree and constitute a felony of the second degree; defining the term “substantial factor”; creating s. 893.131, F.S.; defining terms; providing criminal penalties for adults who unlawfully distribute, deliver, sell, or dispense specified substances or mixtures and an injury or overdose of the user results; providing enhanced criminal penalties for repeat offenders; providing applicability and construction; providing an effective date.

By the Committee on Finance and Tax; and Senators Burgess and Calatayud—

**CS for SB 358**—A bill to be entitled An act relating to residential graywater system tax credits; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the Department of Environmental Protection; creating s. 220.199, F.S.; defining terms; providing a tax credit to developers and homebuilders for certain graywater systems purchased during the taxable year; providing a cap on the amount of the tax credit per system; specifying information the developer or homebuilder must provide to the Department of Environmental Protection; requiring the Department of Environmental Protection to certify to the applicant and the Department of Revenue its determination of an applicant’s eligibility for the tax credit within a specified timeframe; authorizing tax credits to be carried forward for up to a specified number of years; requiring the Department of Revenue and the Department of Environmental Protection to adopt rules; amending s. 220.02, F.S.; revising the order in which credits may be taken to include credits created by the act; amending s. 220.13, F.S.; revising the definition of the term “adjusted federal income” to include credits created by the act; providing an effective date.

By the Committee on Regulated Industries; and Senator Perry—

**CS for SB 408**—A bill to be entitled An act relating to fire sprinkler system project permitting; creating s. 553.7953, F.S.; defining terms; requiring replacement fire sprinkler system components to meet certain criteria; authorizing local enforcement agencies to require contractors to submit certain documentation and payment for obtaining a permit for a fire sprinkler system project; prohibiting local enforcement agencies from requiring contractors to submit certain documentation and payment for obtaining a permit for a fire sprinkler system project; requiring local enforcement agencies to issue certain permits in person or electronically; requiring local enforcement agencies to perform at least one inspection for a fire sprinkler system project; requiring contractors to keep certain documentation available at a worksite for a fire sprinkler

system project and make such documentation available for inspection; requiring contractors to retain instructions for components; providing an effective date.

By the Committees on Rules; and Criminal Justice; and Senators Ingoglia and Martin—

**CS for CS for SB 450**—A bill to be entitled An act relating to the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring a determination of a specified number of jurors, rather than jury unanimity, for a sentencing recommendation of death to the court; requiring a determination of a specified number of jurors, rather than jury unanimity, for a sentencing recommendation of life imprisonment without the possibility of parole to the court; requiring the court to impose the recommended sentence of life imprisonment without the possibility of parole if fewer than eight jurors recommend a sentence of death; authorizing the court to impose a sentence of life imprisonment without the possibility of parole or a sentence of death if at least eight jurors recommend a sentence of death; specifying that the court may impose a sentence of death only if the jury unanimously finds at least one aggravating factor beyond a reasonable doubt; requiring the court to include in its written order the reasons for not accepting the jury’s recommended sentence, if applicable; providing an effective date.

By the Committee on Community Affairs; and Senators Garcia and Gruters—

**CS for SB 474**—A bill to be entitled An act relating to property tax administration; amending s. 193.122, F.S.; revising the timeframe under which certain appeals of value adjustment board decisions must be filed by a property appraiser under certain circumstances; amending s. 193.155, F.S.; specifying when erroneous assessments of homestead property must be corrected; deleting a calculation of back taxes; specifying that certain erroneous property assessments may, rather than must, be corrected in a specified manner; amending ss. 193.1554 and 193.1555, F.S.; adding circumstances under which there is no change of ownership for purposes of an assessment limitation on nonhomestead residential property or certain nonresidential real property, respectively; specifying when erroneous property assessments must be corrected; deleting a calculation of back taxes; providing that a taxpayer receiving an erroneously granted property assessment limitation need not pay the unpaid taxes, penalties, or interest; providing construction and retroactive applicability; amending s. 194.032, F.S.; adding appeals for which a value adjustment board must meet to hear; amending s. 194.036, F.S.; revising, for counties above a specified population threshold, a condition under which a property appraiser may appeal a decision of the value adjustment board; amending s. 196.011, F.S.; providing that a taxpayer need not pay unpaid taxes, penalties, or interest for erroneously granted exemptions for which annual application or statement requirements are waived; providing an effective date.

By the Committee on Community Affairs; and Senator Ingoglia—

**CS for SB 696**—A bill to be entitled An act relating to local officials; amending s. 125.73, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of a county administrator during a specified timeframe; providing an exception; defining the term “governmental entity”; creating s. 125.75, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of a county general counsel during a specified timeframe; providing an exception; defining the term “governmental entity”; amending s. 166.021, F.S.; prohibiting the governing body of a municipality from renewing or extending the employment contract of a chief executive officer or municipal general counsel during a specified timeframe; providing exceptions; defining the term “governmental entity”; amending s. 1001.50, F.S.; prohibiting a district school board from renewing or extending the employment contract of a superintendent during a specified timeframe; providing an exception; defining the term “governmental entity”; creating s. 1012.336, F.S.; prohibiting a district school board from renewing or extending the employment contract of a district school board general counsel during a specified timeframe; providing an exception; defining the term “governmental entity”; amending s. 112.061, F.S.; conforming cross-references; providing an effective date.

By the Committee on Education Postsecondary; and Senator Perry—

**CS for SB 958**—A bill to be entitled An act relating to postsecondary educational institutions; amending ss. 1001.03 and 1001.706, F.S.; revising the date by which the State Board of Education and the Board of Governors, respectively, must annually compile and publish specified assessments; creating s. 1001.93, F.S.; providing legislative findings; defining terms; requiring the Board of Governors of the State University System to establish a Committee on Public Policy Events; requiring each state university to establish an Office of Public Policy Events; providing the duties of the offices, including requirements for specific events, recording of such events, maintaining calendars, and requirements for reporting; authorizing a state university to assign duties of the office to an existing administrative office upon the approval of specified entities; requiring offices to report to specified state university offices; amending s. 1004.097, F.S.; prohibiting public institutions of higher education from requiring the completion of a political loyalty test or for persons to meet certain qualifications; providing requirements for such prohibited tests and qualifications; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, for specified purposes; providing severability; amending s. 1004.26, F.S.; designating the Florida Student Association as the nonprofit advocacy organization for students of the State University System; requiring the Chancellor of the State University System, with approval from the Board of Governors, to designate another organization to serve such students under certain circumstances; providing membership for the board of directors of the association; providing requirements for such board of directors relating to the board's chair and the association's president; requiring the board of directors to adopt certain bylaws; providing an effective date.

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

**CS for SB 1124**—A bill to be entitled An act relating to employment of ex-offenders; amending s. 112.011, F.S.; revising the criteria a state agency must consider before denying a license, permit, or certification to a person previously convicted of a crime; requiring a state agency to consider specified factors when determining if an ex-offender applying for a license, permit, or certification has not been rehabilitated; requiring a state agency to use a specified process in its decision to deny a license, permit, or certificate to a person previously convicted of a crime; authorizing certain persons to petition a state agency to determine whether their criminal record disqualifies them from obtaining a license, permit, or certification; providing the requirements for the petition; requiring the state agency to use a specified procedure when reviewing the petition and making a decision on such petition; providing that such decision is binding on the state agency regarding any subsequent license, permit, or certification application received from that person; requiring the agency to advise the person of any actions he or she may take to remedy the disqualification; authorizing the person to submit a revised petition under specified circumstances; prohibiting a person from submitting a new petition during a specified timeframe; prohibiting a state agency from using specified terminology in a decision related to the denial of a license, permit, or certification; amending s. 112.0111, F.S.; revising legislative intent; requiring specified agencies to submit an annual report to the Governor and the Legislature; requiring that such report be made available on the agency's website; providing report requirements; amending ss. 310.071, 455.213, 494.0011, 517.1611, 559.554, 626.207, 626.9954, and 648.34, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

**CS for SB 1156**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; revising the definition of the term "termination"; defining the term "volunteer services"; amending s. 121.091, F.S.; authorizing employers to establish post-employment volunteer programs to allow retirees to provide certain services during a specified timeframe; requiring such programs to meet specified criteria; providing an effective date.

By the Committee on Regulated Industries; and Senator DiCeglie—

**CS for SB 1162**—A bill to be entitled An act relating to renewable energy cost recovery; amending s. 366.91, F.S.; revising the types of contracts which are eligible for cost recovery by a public utility under certain circumstances; authorizing a public utility to recover prudently incurred renewable natural gas or hydrogen-based fuel infrastructure project costs through an appropriate Florida Public Service Commission cost-recovery mechanism; providing that such costs are not subject to further actions except under certain circumstances; specifying eligible renewable natural gas and hydrogen-based fuel infrastructure projects; requiring that cost recovery for such projects be approved by the commission; providing requirements for the approval determination; prohibiting cost recovery until a facility is placed in service; providing that certain other regulatory accounting rules may apply to such cost recovery; providing an effective date.

By the Committee on Community Affairs; and Senator Collins—

**CS for SB 1184**—A bill to be entitled An act relating to agricultural lands; amending s. 125.01, F.S.; increasing the nonresidential farm building just value threshold for certain special assessments; amending s. 163.3162, F.S.; authorizing construction or installation of housing for legal migrant farmworkers on certain lands; providing requirements for such housing; exempting such housing from certain local government approval; providing limitations on eligibility for residential uses of certain property; amending s. 193.461, F.S.; prohibiting local governments from adopting land use or zoning restrictions, conditions, or regulations that require termination or surrender of agricultural classifications for certain property; providing that such restrictions, conditions, or regulations adopted before a specified date are invalid and unenforceable; amending s. 212.096, F.S.; providing tax credits for the rental or purchase of specified housing for legal migrant farmworkers; providing requirements for claiming the tax credit; specifying procedures for the governing body when an application for tax credit is received; requiring that applications for tax credit be received by a certain timeframe; conforming a provision to changes made by the act; amending s. 381.0065, F.S.; requiring the Department of Environmental Protection to permit and inspect toilet facilities placed on lands classified as agricultural for certain use; providing an effective date.

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

**CS for SB 1188**—A bill to be entitled An act relating to contract liability; amending s. 287.058, F.S.; requiring that certain procurement contracts contain a provision specifying a finite maximum limit of liability for a contractor; requiring maximum liability terms for such contract or purchase order to be specified as a defined monetary threshold or formula; providing applicability; requiring that certain procurement agreements or purchase orders include a specified provision; reenacting ss. 287.0571(5) and 1002.84(13), F.S., relating to contract requirements for proposed outsourcing and procurement contract requirements for early learning coalitions, respectively, to incorporate the amendment made to s. 287.058, F.S., in references thereto; providing an effective date.

By the Committee on Regulated Industries; and Senators Collins, Burgess, and Calatayud—

**CS for SB 1364**—A bill to be entitled An act relating to the Interstate-Mobility and Universal-Recognition Occupational Licensing Act; creating s. 455.2135, F.S.; providing a short title; defining terms; requiring certain agencies, boards, departments, and other governmental entities to issue an occupational license or a government certification to applicants under certain circumstances; authorizing such entities to require an applicant to pass a specified examination under certain circumstances; requiring such entities to require certain applicants to complete a specified examination and certain education requirements; providing a presumption that the applications of certain individuals will be approved; requiring licensing entities to provide a written decision to an applicant within a specified timeframe; authorizing an applicant to appeal a decision made under the act; specifying that an applicant licensed or certified under the act is still subject to specified laws and entities; providing exceptions; providing construction; authorizing the

Governor to take certain actions relating to occupational licenses during declared states of emergency; requiring licensing entities to submit an annual report to the Legislature by a specified date; requiring the Department of Business and Professional Regulation and the Department of Health to adopt rules; creating s. 456.0365, F.S.; providing applicability; providing an effective date.

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By the Committee on Regulated Industries; and Senator Collins—

**CS for SB 1366**—A bill to be entitled An act relating to fees; amending s. 455.2135, F.S.; authorizing applicable boards to charge a fee for applications under the Interstate-Mobility and Universal-Recognition Occupational Licensing Act; providing a contingent effective date.

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By the Committee on Regulated Industries; and Senator Trumbull—

**CS for SB 1432**—A bill to be entitled An act relating to communications services tax; amending s. 202.12, F.S.; decreasing the tax rates on the retail sale of communications services and direct-to-home satellite services; amending s. 202.19, F.S.; revising the name of the discretionary communications services tax; requiring that a certain tax remain the same rate as it was on a specified past date until a specified future date; specifying the fees, taxes, charges, and other impositions that the tax replaces; prohibiting a certain tax passed after a certain date from being added to the local communications service tax before a future date; providing an effective date.

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By the Committee on Regulated Industries; and Senator Gruters—

**CS for SB 1454**—A bill to be entitled An act relating to homeowners' right to display and store items; amending s. 720.304, F.S.; authorizing homeowners to display no more than a certain number of specified flags regardless of certain prohibitions in the governing documents of the homeowners' association; defining the term "first responder flag"; creating s. 720.3045, F.S.; prohibiting homeowners' associations from

restricting parcel owners or tenants from displaying items on a parcel which are not visible from the parcel's frontage; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding property owners from displaying a certain number of specified flags; requiring that such flags be displayed in a specified manner; providing an effective date.

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By the Appropriations Committee on Criminal and Civil Justice; and the Committee on Criminal Justice—

**CS for SB 7016**—A bill to be entitled An act relating to the Department of Corrections; amending s. 944.35, F.S.; providing criminal penalties for any volunteer or employee of a contractor or subcontractor of the Department of Corrections who engages in sexual misconduct with specified inmates or offenders; defining the terms "private correctional facility" and "volunteer"; providing exceptions; providing for a type two transfer of private correctional facilities from the Department of Management Services to the Department of Corrections; amending ss. 287.042, 957.04, 957.06, 957.07, 957.08, 957.14, 957.15, and 957.16, F.S.; conforming provisions to changes made by the act; providing effective dates.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 22 was corrected and approved.

## CO-INTRODUCERS

Senators Davis—SB 224; Rodriguez—SB 940

## ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 5:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:30 p.m., Wednesday, March 29 or upon call of the President.

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