



Journal of the Senate

Number 2—Regular Session

Wednesday, March 8, 2023

CONTENTS

Bills on Special Orders	137
Call to Order	130
Co-Introducers	141
Committee Substitutes, First Reading	138
Executive Business, Reports	138
Motions	137
Reference Changes, Rule 4.7(2)	140
Reports of Committees	137
Special Guests	137
Special Order Calendar	130
Special Recognition	132

CALL TO ORDER

The Senate was called to order by President Passidomo at 4:00 p.m. A quorum present—40:

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

PRAYER

The following prayer was offered by Reverend Beth Demme, Gray Memorial United Methodist Church, Tallahassee:

God of everything, your creation is amazing and your creativity is unparalleled. Just look at the individuals you've gathered here in this chamber: each of them fearfully and wonderfully made; each of them a unique creation; each of them equipped with a variety of gifts, talents, and life experiences. We celebrate your good work, God! We humbly pray that when you look at those gathered here, you are pleased by what you see. And we marvel with gratitude that you have called them to serve here—to serve the people of the State of Florida. Guide them to make our state the best it can be. By that, God, we mean make it what you want it to be. Open our hearts and minds to see your creativity in the diversity of humanity. Open our hearts and minds to enlarge our love for you and for each and every Floridian that we might see our neighbors as gifts from you. Bless each of these leaders that they might serve with a spirit of cooperation, guided always by their conscience and compassion. Thank you for all you have done, all you are doing, and all you will do. Amen.

PLEDGE

Senate Pages, Griffin Brunger of Melbourne; Matias Cabeza of Daytona Beach; and Harlem Sullivan of Cutler Bay, 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. Sean Daley of Sarasota, sponsored by Senator Gruters, as the doctor of the day. Dr. Daley specializes in anesthesiology.

SPECIAL ORDER CALENDAR

SB 32—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 8.0001, 10.201, 11.45, 14.2019, 16.71, 16.713, 16.715, 20.03, 22.03, 23.21, 24.103, 28.2457, 39.0016, 39.101, 44.1011, 45.011, 61.046, 83.43, 83.803, 90.5015, 90.801, 97.021, 98.065, 101.019, 101.292, 101.69, 106.08, 110.123, 110.501, 112.044, 112.0455, 112.061, 112.19, 112.26, 112.3144, 112.3187, 112.352, 112.353, 112.361, 112.625, 116.34, 121.021, 121.051, 125.0104, 125.488, 159.47, 163.32051, 166.0484, 175.261, 185.221, 205.022, 215.5551, 216.011, 251.001, 252.35, 282.319, 287.012, 287.057, 288.101, 288.9625, 290.007, 295.0185, 295.061, 322.051, 322.21, 327.371, 327.4108, 331.303, 331.3101, 332.0075, 337.023, 348.0305, 373.0363, 377.814, 379.2273, 381.00319, 381.0065, 383.145, 394.4573, 394.459, 394.9086, 395.1041, 395.1065, 400.141, 401.23, 409.1465, 409.147, 409.1664, 409.2557, 409.2564, 409.912, 414.1251, 415.102, 440.02, 440.14, 440.151, 440.385, 440.525, 455.32, 456.048, 456.076, 468.603, 471.038, 491.003, 491.0045, 491.009, 497.260, 550.002, 550.01215, 550.2625, 553.895, 560.141, 624.36, 626.321, 626.9891, 695.031, 705.101, 718.501, 719.501, 720.304, 741.313, 744.2111, 766.105, 768.28, 796.07, 815.062, 907.044, 943.10, 943.13, 946.502, 951.23, 960.0021, 961.06, 985.26, 1000.21, 1001.11, 1001.60, 1002.01, 1002.20, 1002.3105, 1002.33, 1002.37, 1002.394, 1002.42, 1002.43, 1002.455, 1003.01, 1003.03, 1003.21, 1003.26, 1003.4282, 1003.485, 1003.52, 1003.573, 1003.575, 1004.22, 1004.43, 1004.447, 1004.648, 1004.6496, 1004.65, 1004.79, 1006.0626, 1006.07, 1006.1493, 1006.28, 1006.73, 1007.33, 1008.24, 1008.47, 1009.21, 1009.286, 1009.89, 1009.895, and 1012.2315, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing effective dates.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 32** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Boyd

SB 34—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 215.5601, 259.105(3)(m), 381.00652, 381.988(11), 400.962(6), 408.036(3)(n), 409.996(27), 1002.39, 1003.52(23), and 1006.33(5), F.S., and amending s. 341.052, F.S., to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2023 Florida Statutes only through a reviser’s bill duly enacted by the Legislature; and amending ss. 381.0065, 1002.31, 1002.394, and 1002.421, F.S., to conform to the changes made by this act; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 34** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 36—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 400.9981, 408.0512, and 517.141, F.S., to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser’s bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 36** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 38—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 10.11, 10.12, 10.13, 10.14, 10.15, 10.16, 10.17, 10.171, 10.18, and 10.181, F.S.; deleting provisions providing for apportionment of the districts of the State Senate and House of Representatives that have been superseded; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 38** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 40—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2023 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2023 shall be effective immediately upon publication; providing that general laws enacted during the May 23-27, 2022, special session and prior thereto and not included in the Florida Statutes 2023 are repealed; providing that general laws enacted during the December 12-16, 2022, special session through the 2023 regular session are not repealed by this adoption act; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 40** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 42—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 39.0016, 1001.03, 1001.215, 1001.41, 1002.33, 1002.45, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.33, 1006.34, 1007.35, 1008.385, 1012.05, 1012.28, 1012.56, and 1012.72, F.S., to conform to section 10 of chapter 2022-16, Laws of Florida, which directs the Division of Law Revision to prepare a reviser’s bill to replace references to the term “Next Generation Sunshine State Standards” with the term “state academic standards” wherever the term appears in the Florida Statutes; providing effective dates.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 42** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 44—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 381.915, 402.7305, 1001.60, 1003.491, 1007.33, and 1008.45, F.S., to conform to section 7 of chapter 2022-70, Laws of Florida, which directs the Division of Law Revision to prepare a reviser’s bill to replace references to the phrases “the Southern Association of Colleges and Schools,” “the Commission on Colleges of the Southern Association of Colleges and Schools,” and “the Southern Association of Colleges and Schools Commission on Colleges,” wherever they occur in the Florida Statutes, with the phrase “an accrediting agency or association recognized by the database created and maintained by the United States Department of Education”; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **SB 44** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL RECOGNITION

The President recognized Carlton Ward, Jr., a conservation photographer and National Geographic Explorer, who was present in the chamber in support of CS for SB 106, “Florida Shared-Use Non-motorized Trail Network.”

CS for SB 106—A bill to be entitled An act relating to the Florida Shared-Use Nonmotorized Trail Network; amending s. 260.014, F.S.; authorizing the Department of Environmental Protection to establish a program to recognize specified local communities as trail towns; amending s. 260.0142, F.S.; increasing the membership of the Florida Greenways and Trails Council; revising the duties of the council; defining the term “regionally significant trails”; amending s. 260.016, F.S.; revising the general powers of the department to include development and dissemination of criteria for prioritization of regionally significant trails within or connected to the Florida wildlife corridor; amending s.

288.1226, F.S.; revising the composition of the board of directors of the Florida Tourism Industry Marketing Corporation; amending s. 288.923, F.S.; specifying additional requirements for the marketing plan of the Division of Tourism Marketing; amending s. 320.072, F.S.; increasing the amount of funding the Department of Transportation is required to use for the Florida Shared-Use Nonmotorized Trail Network; amending s. 335.065, F.S.; revising the funding priorities for the Department of Transportation’s trail projects; amending s. 339.175, F.S.; revising required components of long-range transportation plans developed by metropolitan planning organizations; amending s. 339.81, F.S.; revising legislative findings and intent; clarifying the components that make up Florida Shared-Use Nonmotorized Trail Network; extending the Florida Shared-Use Nonmotorized Trail Network to lands of the Florida wildlife corridor; including certain connecting components as parts of the statewide network; increasing the amount the Department of Transportation is required to allocate for purposes of funding and maintaining projects within the Florida Shared-Use Nonmotorized Trail Network; requiring the department to give funding priority to specified trail projects; requiring the department to construct projects within the Florida wildlife corridor or on other specified lands using previously disturbed lands; requiring the department to coordinate with other state agencies to ensure recreation and public access in developing the planning and design of trails; requiring the department to program projects in the work program for development of the entire trail and to minimize creation of gaps between trail segments; requiring the department to ensure that local support exists for projects and trail segments; requiring metropolitan planning organizations or boards of county commissioners to include trails in project priorities; requiring the department to create and erect certain signage; authorizing the department and local governments to enter into a sponsorship agreement with certain entities for commercial sponsorship displays on multiuse trails and related facilities; requiring the department or local government to administer a sponsorship agreement and ensure that a sponsorship agreement complies with specified requirements; subjecting sponsorship agreements to specified federal laws and agreements; providing that no proprietary or compensable interest in any sign, display site, or location is created; requiring the Department of Transportation, in coordination with the Department of Environmental Protection, to submit a report by a certain date, and at specified intervals thereafter, to the Governor and the Legislature summarizing the status of the Florida Shared-Use Nonmotorized Trail Network; authorizing the Department of Transportation to include in the report its recommendations for legislative revisions that would facilitate connectivity of the statewide network; requiring that specified items be included in the report; requiring the department to coordinate with certain entities regarding certain items in the report; providing an appropriation; providing for construction; authorizing the department to take certain action regarding funding for the trail network projects in response to appropriations made by the act; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **CS for SB 106** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 102—A bill to be entitled An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of

critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property used to provide affordable housing meeting certain requirements; specifying requirements and limitations for the exemption; providing that vacant units may be eligible for the exemption under certain circumstances; specifying requirements for ordinances granting an exemption; specifying requirements for a rental market study; providing that ordinances must expire within a certain timeframe; requiring the property appraiser to take certain action in response to an improperly granted exemption; providing a penalty; providing applicability; amending s. 201.15, F.S.; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; providing for specified amounts of such collections to be credited to the State Housing Trust Fund for certain purposes; providing for certain amounts to be credited to the General Revenue Fund under certain circumstances; prohibiting the transfer of such funds to the General Revenue Fund in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 212.08, F.S.; revising the total amount of community contribution tax credits which may be granted for certain projects; defining terms; providing a sales tax exemption for building materials used in the construction of affordable housing units; defining terms; specifying eligibility requirements; specifying requirements for applying for a sales tax refund with the Department of Revenue; specifying requirements for and limitations on refunds; providing requirements for the department in issuing refunds; authorizing the department to adopt rules; providing applicability; amending s. 213.053, F.S.; authorizing the department to make certain information available to the corporation to administer the Live Local Program; creating s. 215.212, F.S.; prohibiting the deduction of the General Revenue Fund service charge on documentary stamp tax proceeds; providing for future repeal; amending s. 215.22, F.S.; conforming a provision to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 220.02, F.S.; specifying the order of application of Live Local Program tax credits against the state corporate income tax; amending s. 220.13, F.S.; specifying requirements for the addition to adjusted federal income of amounts taken as a credit under the Live Local Program; amending s. 220.183, F.S.; conforming a provision to changes made by the act; amending s. 220.186, F.S.; providing applicability of Live Local Program tax credits to the Florida alternative minimum tax credit; creating s. 220.1878, F.S.; providing a credit against the state corporate income tax under the Live Local Program; specifying requirements and procedures for making eligible contribu-

tions and claiming the credit; amending s. 220.222, F.S.; requiring returns filed in connection with the Live Local Program tax credits to include the amount of certain credits; amending s. 253.034, F.S.; modifying requirements for the analysis included in land use plans; making technical changes; amending s. 253.0341, F.S.; requiring that local government requests for the state to surplus conservation or non-conservation lands for any means of transfer be expedited throughout the surplus process; amending s. 288.101, F.S.; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate the development or construction of affordable housing; providing for future repeal; amending s. 420.0003, F.S.; revising legislative intent for, and policies of, the state housing strategy; revising requirements for the implementation of the strategy; revising duties of the Shimberg Center for Housing Studies at the University of Florida; requiring the Office of Program Policy Analysis and Government Accountability to evaluate specified strategies, policies, and programs at specified intervals; specifying requirements for the office's analyses; authorizing rule amendments; amending s. 420.503, F.S.; revising the definition of the term "qualified contract" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.504, F.S.; revising the composition of the corporation's board of directors; providing specifications for filling vacancies on the board of directors; amending s. 420.507, F.S.; specifying a requirement for the corporation's annual budget request to the Secretary of Economic Opportunity; providing for the future expiration and reversion of specified statutory text; amending s. 420.5087, F.S.; revising prioritization of funds for the State Apartment Incentive Loan Program; creating s. 420.50871, F.S.; specifying requirements for, and authorized actions by, the corporation in allocating certain increased revenues during specified fiscal years to finance certain housing projects; providing construction; providing for future repeal; providing a directive to the Division of Law Revision; creating s. 420.50872, F.S.; defining terms; creating the Live Local Program; specifying responsibilities of the corporation; specifying the annual tax credit cap; specifying requirements for applying for tax credits with the department; providing requirements for the carryforward of credits; specifying restrictions on, and requirements for, the conveyance, transfer, or assignment of credits; providing requirements and procedures for the rescindment of credits; specifying procedures for calculating underpayments and penalties; providing construction; authorizing the department and the corporation to develop a cooperative agreement; authorizing the department to adopt rules; requiring the department to annually notify certain taxpayers of certain information; creating s. 420.5096, F.S.; providing legislative findings; creating the Florida Hometown Hero Program for a specified purpose; authorizing the corporation to underwrite and make certain mortgage loans; specifying terms for such loans and requirements for borrowers; authorizing loans made under the program to be used for the purchase of certain manufactured homes; providing construction; amending s. 420.531, F.S.; authorizing the Florida Housing Corporation to contract with certain entities to provide technical assistance to local governments in establishing selection criteria for proposals to use certain property for affordable housing purposes; amending s. 420.6075, F.S.; making technical changes; amending s. 553.792, F.S.; requiring local governments to maintain on their websites a policy relating to the expedited processing of certain building permits and development orders; amending s. 624.509, F.S.; specifying the order of application of Live Local Program tax credits against the insurance premium tax; amending s. 624.5105, F.S.; conforming a provision to changes made by the act; creating s. 624.51058, F.S.; providing a credit against the insurance premium tax under the Live Local Program; providing a requirement for making eligible contributions; providing construction; providing applicability; exempting a certain initiative from certain evacuation time constraints; specifying that certain comprehensive plan amendments are valid; authorizing certain local governments to adopt local ordinances or regulations for certain purposes; authorizing the department to adopt emergency rules; providing for future expiration of such rulemaking authority; providing appropriations; providing a declaration of important state interest; providing effective dates.

—was read the second time by title.

Senator Calatayud moved the following amendment which was adopted:

Amendment 1 (141026)—Delete line 2498 and insert:
320.01(2)(b), which were constructed after July 13, 1994; which are permanently affixed to real property in this state, whether owned or leased by the borrower; and

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

Senator Calatayud moved the following amendment which was adopted:

Amendment 2 (887768)—Delete lines 328-475 and insert:
residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) *A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.*

(c) *A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.*

(d) *A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.*

(e) *A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.*

(f) *For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.*

(g) *Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.*

(h) *This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.*

(i) *This subsection expires October 1, 2033.*

Section 4. Section 125.379, Florida Statutes, is amended to read:

125.379 Disposition of county property for affordable housing.—

(1) *By October 1, 2023 July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county or any dependent special district within its boundaries holds fee simple title which that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. Each county shall make the inventory list publicly available on its website to encourage potential development.*

(2) *The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).*

(3) *Counties are encouraged to adopt best practices for surplus land programs, including, but not limited to:*

(a) *Establishing eligibility criteria for the receipt or purchase of surplus land by developers;*

(b) *Making the process for requesting surplus lands publicly available; and*

(c) *Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.*

Section 5. Subsections (5) and (6) of section 166.04151, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

166.04151 Affordable housing.—

(5) *Subsection (4) (2) does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.*

(6) *Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.*

(7)(a) *A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.*

(b) *A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed.*

(c) *A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.*

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

MOTIONS

On motion by Senator Mayfield, the rules were waived and time of adjournment was extended until 6:30 p.m.

On motion by Senator Calatayud, by two-thirds vote, CS for SB 102, as amended, was read the third time by title, passed by the required constitutional two-thirds vote of the membership, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 170—A bill to be entitled An act relating to local ordinances; amending s. 57.112, F.S.; authorizing courts to assess and award reasonable attorney fees and costs and damages in certain civil actions filed against local governments; specifying a limitation on awards and a restriction on fees and costs of certain litigation; providing construction and applicability; amending s. 125.66, F.S.; providing certain procedures for continued meetings on proposed ordinances for counties; providing for construction and retroactive application; requiring a board of county commissioners to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance; specifying requirements for the posting and content of the estimate; providing construction and applicability; creating s. 125.675,

F.S.; requiring a county to suspend enforcement of an ordinance that is the subject of a certain legal action if certain conditions are met; authorizing a prevailing county to enforce the ordinance after a specified period, except under certain circumstances; requiring courts to give priority to certain cases; providing construction relating to an attorney's or a party's signature; requiring a court to impose sanctions under certain circumstances; providing applicability; authorizing courts to award attorney fees and costs and damages if certain conditions are met; amending s. 166.041, F.S.; providing certain procedures for continued meetings on proposed ordinances for municipalities; providing for construction and retroactive application; requiring a governing body of a municipality to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance; specifying requirements for the posting and content of the estimate; providing construction and applicability; creating s. 166.0411, F.S.; requiring a municipality to suspend enforcement of an ordinance that is the subject of a certain legal action if certain conditions are met; authorizing a prevailing municipality to enforce the ordinance after a specified period, except under certain circumstances; requiring courts to give priority to certain cases; providing construction relating to an attorney's or a party's signature; requiring a court to impose sanctions under certain circumstances; providing applicability; authorizing courts to award attorney fees and costs and damages if certain conditions are met; amending ss. 163.2517, 163.3181, 163.3215, 376.80, 497.270, 562.45, and 847.0134, F.S.; conforming cross-references and making technical changes; providing a declaration of important state interest; providing effective dates.

—was read the second time by title.

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

Senator Trumbull moved the following amendment which was adopted:

Amendment 1 (654388) (with title amendment)—Delete lines 113-298 and insert:

Section 2. Effective upon becoming a law, subsection (7) is added to section 125.66, Florida Statutes, to read:

125.66 Ordinances; enactment procedure; emergency ordinances; rezoning or change of land use ordinances or resolutions.—

(7) Consideration of the proposed ordinance or resolution at a properly noticed meeting may be continued to a subsequent meeting if, at the scheduled meeting, the date, time, and place of the subsequent meeting is publicly stated. No further publication, mailing, or posted notice as required under this section is required, except that the continued consideration must be listed in an agenda or similar communication produced for the subsequent meeting. This subsection is remedial in nature, is intended to clarify existing law, and shall apply retroactively except as to a court challenge under this section that was filed by January 1, 2023.

Section 3. Present subsections (3) through (7) of section 125.66, Florida Statutes, as amended by this act, are redesignated as subsections (4) through (8), respectively, a new subsection (3) is added to that section, and paragraph (a) of subsection (2) of that section is amended, to read:

125.66 Ordinances; enactment procedure; emergency ordinances; rezoning or change of land use ordinances or resolutions.—

(2)(a) The regular enactment procedure is shall be as follows: The board of county commissioners at any regular or special meeting may enact or amend any ordinance, except as provided in subsection (5) (4), if notice of intent to consider such ordinance is given at least 10 days before such meeting by publication as provided in chapter 50. A copy of such notice must shall be kept available for public inspection during the regular business hours of the office of the clerk of the board of county commissioners. The notice of proposed enactment must shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the county where such proposed ordinances may be inspected by the public. The notice must shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

(3)(a) Before the enactment of a proposed ordinance, the board of county commissioners shall prepare or cause to be prepared a business impact estimate in accordance with this subsection. The business impact estimate must be posted on the county's website no later than the date the notice of proposed enactment is published pursuant to paragraph (2)(a) and must include all of the following:

1. A summary of the proposed ordinance, including a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the county.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the county, including the following, if any:

a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

c. An estimate of the county's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

4. Any additional information the board determines may be useful.

(b) This subsection may not be construed to require a county to procure an accountant or other financial consultant to prepare the business impact estimate required by this subsection.

(c) This subsection does not apply to:

1. Ordinances required for compliance with federal or state law or regulation;

2. Ordinances relating to the issuance or refinancing of debt;

3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a county government;

5. Emergency ordinances;

6. Ordinances relating to procurement; or

7. Ordinances enacted to implement the following:

a. Part II of chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;

b. Sections 190.005 and 190.046;

c. Section 553.73, relating to the Florida Building Code; or

d. Section 633.202, relating to the Florida Fire Prevention Code.

Section 4. Section 125.675, Florida Statutes, is created to read:

125.675 *Legal challenges to certain recently enacted ordinances.*—

(1) A county must suspend enforcement of an ordinance that is the subject of an action challenging the ordinance's validity on the grounds that it is expressly preempted by the State Constitution or by state law or is arbitrary or unreasonable if:

(a) The action was filed with the court no later than 90 days after the adoption of the ordinance;

(b) The plaintiff requests suspension in the initial complaint or petition, citing this section; and

(c) The county has been served with a copy of the complaint or petition.

(2) When the plaintiff appeals a final judgment finding that an ordinance is valid and enforceable, the county may enforce the ordinance 45 days after the entry of the order unless the plaintiff obtains a stay of the lower court's order.

(3) The court shall give cases in which the enforcement of an ordinance is suspended under this section priority over other pending cases and shall render a preliminary or final decision on the validity of the ordinance as expeditiously as possible.

(4) The signature of an attorney or a party constitutes a certificate that he or she has read the pleading, motion, or other paper and that, to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay, or for economic advantage, competitive reasons, or frivolous purposes or needless increase in the cost of litigation. If a pleading, motion, or other paper is signed in violation of these requirements, the court, upon its own initiative or upon favorably ruling on a party's motion for sanctions, must impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including reasonable attorney fees.

(5) This section does not apply to:

(a) Ordinances required for compliance with federal or state law or regulation;

(b) Ordinances relating to the issuance or refinancing of debt;

(c) Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

(d) Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a county government;

(e) Emergency ordinances;

(f) Ordinances relating to procurement; or

(g) Ordinances enacted to implement the following:

1. Part II of chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;

2. Sections 190.005 and 190.046;

3. Section 553.73, relating to the Florida Building Code; or

4. Section 633.202, relating to the Florida Fire Prevention Code.

(6) The court may award attorney fees and costs and damages as provided in s. 57.112.

Section 5. Effective upon becoming a law, paragraph (d) is added to subsection (3) of section 166.041, Florida Statutes, and paragraph (a) of that subsection is amended, to read:

166.041 Procedures for adoption of ordinances and resolutions.—

(3)(a) Except as provided in paragraphs ~~paragraph~~ (c) and (d), a proposed ordinance may be read by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

(d) Consideration of the proposed ordinance at a meeting properly noticed pursuant to this subsection may be continued to a subsequent

meeting if, at the meeting, the date, time, and place of the subsequent meeting is publicly stated. No further publication, mailing, or posted notice as required under this subsection is required, except that the continued consideration must be listed in an agenda or similar communication produced for the subsequent meeting. This paragraph is remedial in nature, is intended to clarify existing law, and shall apply retroactively except as to a court challenge under this section that was filed by January 1, 2023.

And the title is amended as follows:

Delete line 10 and insert: meetings on proposed ordinances and resolutions for counties;

MOTIONS

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

On motion by Senator Trumbull, by two-thirds vote, **CS for CS for SB 170**, as amended, was read the third time by title, passed by the required constitutional two-thirds vote of the membership, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—29

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

Nays—11

Berman	Osgood	Rouson
Book	Pizzo	Thompson
Davis	Polsky	Torres
Jones	Powell	

MOTIONS

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

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Kevin Rader who was present in the chamber.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 8, 2023: SB 32, SB 34, SB 36, SB 38, SB 40, SB 42, SB 44, CS for SB 106, CS for SB 102, CS for CS for SB 170.

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

REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: SB 942

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

The Committee on Agriculture recommends the following pass: SB 292; SB 674

The bills were referred to the Appropriations Committee on Agriculture, Environment, and General Government under the original reference.

The Committee on Judiciary recommends the following pass: SB 508

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

The Committee on Agriculture recommends the following pass: SB 518

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

The Committee on Ethics and Elections recommends the following pass: SB 444

The Committee on Judiciary recommends the following pass: SB 662

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 348

The bills contained in the foregoing reports were referred to the Committee on Education Pre-K -12 under the original reference.

The Committee on Community Affairs recommends the following pass: SB 114; SB 358

The bills were referred to the Committee on Finance and Tax under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 234

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

The Committee on Community Affairs recommends the following pass: SB 216

The Committee on Education Postsecondary recommends the following pass: SB 596

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Education Postsecondary recommends the following pass: SB 542; SB 846

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

The Committee on Community Affairs recommends the following pass: SB 408

The bill was referred to the Committee on Regulated Industries under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 108

The Committee on Judiciary recommends the following pass: SB 164; SB 218

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

The Committee on Community Affairs recommends the following pass: SB 678

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 536

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 136

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 382

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

The Committee on Judiciary recommends committee substitutes for the following: SB 130; SB 1098

The bills with committee substitute attached were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 494

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

The Committee on Education Postsecondary recommends a committee substitute for the following: SB 598

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 450

The Committee on Education Pre-K -12 recommends committee substitutes for the following: SB 308; SB 636

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 574

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

The Committee on Education Postsecondary recommends a committee substitute for the following: SB 732

The bill with committee substitute attached was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 226

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 214

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: CS for SB 418

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Regulated Industries recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Gaming Control Commission	
Appointees: Brown, Julie I.	01/01/2024
D'Aquila, John M.	01/01/2025
Drago, Charles W.	01/01/2025
Florida Public Service Commission	
Appointees: Clark, Gary F.	01/01/2027
Passidomo, Gabriella	01/01/2027

The appointments were referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senators Berman, Book, Hutson, and Garcia—

CS for SB 130—A bill to be entitled An act relating to domestic violence; providing a short title; amending s. 61.13, F.S.; requiring the court with jurisdiction over the proceeding to consider certain factors in deciding whether shared parental responsibility is detrimental to the child; making technical and conforming changes; providing additional conduct regarding domestic violence which the court must consider when ordering a parenting plan; amending s. 741.30, F.S.; providing an additional factor that the court must consider in determining whether a petitioner of a domestic violence injunction is in imminent danger; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Gruters and Stewart—

CS for SB 136—A bill to be entitled An act relating to the Florida Kratom Consumer Protection Act; creating s. 501.9745, F.S.; providing a short title; defining terms; prohibiting processors from selling, preparing, distributing, or exposing for sale certain kratom products; prohibiting processors from distributing, selling, or exposing for sale a kratom product to an individual under 21 years of age; requiring processors to annually register kratom products with the Department of Agriculture and Consumer Services; providing requirements for such registration; requiring processors to report certain violations and adverse events to the department; providing for the revocation of a processor's kratom product registration under certain circumstances; pro-

viding civil penalties; providing an exception; requiring the department to adopt rules; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Burgess—

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.

By the Committees on Children, Families, and Elder Affairs; and Judiciary; and Senator Berman—

CS for CS for SB 226—A bill to be entitled An act relating to support for dependent adult children; creating s. 61.1255, F.S.; providing legislative intent; defining the term “dependent adult child”; requiring that certain rights of the parents of a dependent adult child be established in a guardianship proceeding; providing construction; specifying individuals who may file a suit to establish support for a dependent adult child; specifying a timeframe during which such suits may be filed; providing an exception; specifying procedures for establishing support; specifying who may receive such support before and after the dependent adult child reaches the age of 18; providing construction; authorizing the court to assign support to certain trusts established for a dependent adult child; prohibiting the Department of Revenue from filing petitions to establish, modify, or enforce certain support orders; amending s. 61.13, F.S.; conforming a provision to changes made by the act; specifying that a child support order does not terminate on the child’s 18th birthday in certain circumstances; specifying that a court may modify a child support order for adult children in certain circumstances; authorizing either parent to consent to mental health treatment for a child in certain circumstances unless stated otherwise in the parenting plan; amending s. 61.29, F.S.; providing that child support guidelines do not apply to certain cases; amending s. 61.30, F.S.; conforming a provision to changes made by the act; creating s. 61.31, F.S.; providing factors a court must consider when determining the amount of child support for a dependent adult child; authorizing a court to assign support to certain trusts established for a dependent adult child for a specified purpose; requiring the court to consider certain state and federal programs and benefits when making its decisions; prohibiting the court from ordering support that will cause ineligibility for certain programs; amending s. 393.12, F.S.; providing an additional circumstance under which a guardian advocate must be represented by an attorney in guardianship proceedings; specifying that petitions to appoint a guardian advocate for a person with disabilities may include certain requests for support from the person’s parents; providing construction; amending ss. 742.031 and 742.06, F.S.; conforming provisions to changes made by the act; creating s. 744.1013, F.S.; assigning jurisdiction over petitions for support of dependent adult children to the guardianship court; specifying who may receive such support for dependent adult children over the age of 18; authorizing a court to assign support to certain trusts established for a dependent adult child for a specified purpose; specifying that such support orders supersede any orders entered under certain other provisions; amending s. 744.3021, F.S.; conforming provisions to changes made by the act; creating s. 744.422, F.S.; authorizing a guardian of a dependent adult child to petition the court for certain support payments from the dependent adult child’s parents in certain circumstances; specifying that the amount of such support is determined pursuant to certain provisions; providing construction; providing an effective date.

By the Committee on Education Pre-K -12; and Senators Collins, Grall, and Perry—

CS for SB 308—A bill to be entitled An act relating to interscholastic activities; amending ss. 1002.33 and 1006.15, F.S.; authorizing charter school students to participate in interscholastic extracurricular activities at private schools under certain circumstances; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association (FHSAA) to allow any school joining the organization by sport to participate in the championship contest or series of contests for that sport; providing that the Commissioner of Education may direct the FHSAA to revise its bylaws at any time; requiring that any changes to the FHSAA bylaws be ratified by the State Board of Education; deleting a requirement that the appointing authority of members of the FHSAA Board of Directors make appointments that reflect the demographic and population trends of this state; revising the composition of the board of directors; providing that all appointed board members be appointed by the Governor and confirmed by the Senate; requiring that the hiring of the FHSAA executive director be ratified by the State Board of Education; requiring that the budget adopted by the board of directors be ratified by the State Board of Education; requiring a majority vote of the board of directors for the approval of legislative recommendations from the representative assembly; creating s. 1006.185, F.S.; requiring each approved athletic association whose membership includes public schools to allow each participating school to make opening remarks at certain athletic contests; providing requirements for the remarks; providing an effective date.

By the Committee on Criminal Justice; and Senator Bradley—

CS for SB 382—A bill to be entitled An act relating to compensation for wrongfully incarcerated persons; amending s. 961.02, F.S.; deleting an obsolete definition; amending s. 961.03, F.S.; revising requirements for when a petition seeking compensation must be filed; providing that a deceased person’s heirs, successors, or assigns do not have standing to file such a petition; amending s. 961.04, F.S.; revising compensation eligibility requirements; amending s. 961.06, F.S.; revising requirements for awarding compensation; amending s. 961.07, F.S.; revising requirements for continuing appropriations; providing an effective date.

By the Committees on Military and Veterans Affairs, Space, and Domestic Security; and Banking and Insurance; and Senator Perry—

CS for CS for SB 418—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; authorizing residential property insurance rate filings to use a specified modeling indication; amending s. 627.0628, F.S.; revising membership requirements for specified members of the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; authorizing insurers to file with the Office of Insurance Regulation personal lines residential property insurance rating plans providing rate differentials based on certain windstorm mitigation construction standards; providing requirements for such plans; amending s. 627.0665, F.S.; revising the timeframe for notices from insurers to insureds of automatic bank withdrawal increases; specifying the increase threshold for such notices; amending s. 627.421, F.S.; revising the types of documents and kinds of insurance for which electronic transmission constitutes delivery to the insured or person entitled to delivery; deleting a requirement to include a certain notice to an insured electing to receive policy documents electronically; deleting a requirement to provide a paper copy of the policy upon request by such person; amending s. 627.701, F.S.; revising and specifying alternative hurricane deductible amounts for personal lines residential property insurance policies covering risks with specified dwelling limits; amending s. 627.712, F.S.; providing that a policyholder’s written exclusion from residential windstorm coverage or contents coverage may be typed rather than handwritten; amending s. 627.7276, F.S.; revising the requirements for the notice of limited coverage under certain automobile policies; providing an effective date.

By the Committee on Criminal Justice; and Senators Ingoglia and Martin—

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 death if a certain number of 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 a certain number of jurors recommend a sentence of death; requiring the court to include in its written order the reasons for not accepting the jury's recommended sentence, if applicable; 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; providing an effective date.

By the Committee on Judiciary; and Senator DiCeglie—

CS for SB 494—A bill to be entitled An act relating to fees in lieu of security deposits; creating s. 83.491, F.S.; authorizing a landlord to offer a tenant the option to pay a fee in lieu of a security deposit; requiring the landlord to notify the tenant of certain unpaid fees and costs within a specified time after the conclusion of the tenancy; prohibiting the landlord from filing an insurance claim within a specified period of time; providing requirements for the landlord and insurer if an insurance claim to recover certain losses is filed; prohibiting the landlord from accepting certain payments; requiring the landlord to provide certain written notice to the tenant; requiring a written agreement signed by the landlord, or the landlord's agent, and the tenant if the tenant decides to pay a fee in lieu of the security deposit; prohibiting the written agreement from contradicting specified laws; requiring that the written agreement contain certain information; requiring a specified disclosure in the written agreement; providing options for paying the fee; specifying that certain fees, insurance products, and surety bonds are not security deposits; specifying that landlords have exclusive discretion as to whether to offer tenants the option to pay a fee in lieu of a security deposit; prohibiting a landlord from approving or denying an application for occupancy based on a prospective tenant's choice to pay a fee in lieu of a security deposit; requiring that landlords that offer a tenant the fee option offer it to all new tenants renting a dwelling unit on the same premises; providing an exception; providing construction; providing applicability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Garcia—

CS for SB 536—A bill to be entitled An act relating to child support; amending s. 61.046, F.S.; conforming a cross-reference; revising the definition of the term "depository"; amending s. 61.13016, F.S.; revising requirements for the deferment of payment agreements for child support; amending s. 61.181, F.S.; revising the procedures for collection and distribution of court depository fees; amending s. 61.1811, F.S.; conforming a cross-reference; amending s. 61.30, F.S.; removing exceptions to the prohibition on treating incarceration as voluntary employment; amending s. 409.256, F.S.; revising requirements for the Department of Revenue to commence proceedings regarding paternity and child support; amending s. 409.2563, F.S.; requiring and specifying procedures for the clerk of the court to credit depository accounts for collections received by another state; providing effective dates.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Burgess—

CS for SB 574—A bill to be entitled An act relating to the termination of agreements by a servicemember; amending s. 83.682, F.S.; defining the term "government quarters" for purposes of the termination of a servicemember's rental agreement; making technical changes; providing an effective date.

By the Committee on Education Postsecondary; and Senator Martin—

CS for SB 598—A bill to be entitled An act relating to higher educational facilities financing; amending s. 243.51, F.S.; modifying legislative findings and declarations regarding the Higher Education Facilities Financing Act; amending s. 243.53, F.S.; specifying when the

term for a new appointee to the Higher Educational Facilities Financing Authority begins; defining the term "communications media technology"; revising a requirement for when action may be taken by the authority; authorizing the authority to conduct meetings and workshops by means of communications media technology; providing notice requirements for meetings and workshops; amending s. 243.54, F.S.; authorizing the authority to contract with an entity to assist with administrative matters; amending s. 243.58, F.S.; prohibiting the authority from entering into a financing agreement with a participating institution for a project if at the time the agreement is executed certain conditions exist; amending s. 243.73, F.S.; revising the timeframe within which the authority is required to submit a report to the Governor and the Legislature; providing an effective date.

By the Committee on Education Pre-K -12; and Senators Simon and Perry—

CS for SB 636—A bill to be entitled An act relating to individual education plans; amending s. 1003.5716, F.S.; requiring individual education plans for certain students to contain information and instruction on certain legal rights and responsibilities that transfer to students at the age of 18; requiring such information to include ways in which a student may provide informed consent to allow his or her parent to continue to participate in his or her educational decisions; requiring the State Board of Education to adopt rules; providing an effective date.

By the Committee on Education Postsecondary; and Senators Wright and Collins—

CS for SB 732—A bill to be entitled An act relating to Collegiate Purple Star Campuses; creating s. 1004.071, F.S.; defining the term "military student"; requiring the State Board of Education to adopt rules and the Board of Governors to adopt regulations to establish the Collegiate Purple Star Campuses program; specifying program criteria for participating Florida College System institutions, state universities, and career centers; providing an effective date.

By the Committee on Judiciary; and Senator Burton—

CS for SB 1098—A bill to be entitled An act relating to withholding or withdrawal of life-prolonging procedures; amending s. 744.3215, F.S.; authorizing the court to delegate the right to consent to the withholding or withdrawal of life-prolonging procedures of incapacitated persons in certain circumstances; amending ss. 744.363 and 744.3675, F.S.; making technical changes; requiring initial and annual guardianship plans, respectively, to state whether any power under the ward's preexisting order not to resuscitate or advance directive is revoked, modified, suspended, or transferred to the guardian; requiring such plans to state the date of such action; establishing certain authority without additional court approval; requiring a guardian to obtain court approval to exercise transferred power to execute an order not to resuscitate or consent to withhold or withdraw life-prolonging procedures under certain circumstances; creating s. 744.4431, F.S.; authorizing a guardian to petition a court for approval to consent to withhold or withdraw life-prolonging procedures under certain circumstances; specifying requirements for the petition; requiring the guardian to serve certain notices; specifying procedures that must be followed by the court in acting on the petition; authorizing the guardian to withhold or withdraw life-prolonging procedures without a hearing or court approval under certain circumstances; amending s. 744.441, F.S.; making technical changes; deleting provisions regarding the authority of certain guardians to sign an order not to resuscitate; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Judiciary; and Senators Berman, Book, Hutson, Garcia, and Harrell—

CS for SB 130—A bill to be entitled An act relating to domestic violence; providing a short title; amending s. 61.13, F.S.; requiring the court with jurisdiction over the proceeding to consider certain factors in

deciding whether shared parental responsibility is detrimental to the child; making technical and conforming changes; providing additional conduct regarding domestic violence which the court must consider when ordering a parenting plan; amending s. 741.30, F.S.; providing an additional factor that the court must consider in determining whether a petitioner of a domestic violence injunction is in imminent danger; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Education Pre-K -12; and Senators Collins, Grall, and Perry—

CS for SB 308—A bill to be entitled An act relating to interscholastic activities; amending ss. 1002.33 and 1006.15, F.S.; authorizing charter school students to participate in interscholastic extracurricular activities at private schools under certain circumstances; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association (FHSAA) to allow any school joining the organization by sport to participate in the championship contest or series of contests for that sport; providing that the Commissioner of Education may direct the FHSAA to revise its bylaws at any time; requiring that any changes to the FHSAA bylaws be ratified by the State Board of Education; deleting a requirement that the appointing authority of members of the FHSAA Board of Directors make appointments that reflect the demographic and population trends of this state; revising the composition of the board of directors; providing that all appointed board members be appointed by the Governor and confirmed by the Senate; requiring that the hiring of the FHSAA executive director be ratified by the State Board of Education; requiring that the budget adopted by the board of directors be ratified by the State Board of Education; requiring a majority vote of the board of directors for the approval of legislative recommendations from the representative assembly; creating s. 1006.185, F.S.; requiring each approved athletic association whose membership includes public schools to allow each participating school to make opening remarks at certain athletic contests; providing requirements for the remarks; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Criminal Justice; and Senators Ingoglia and Martin—

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 death if a certain number of 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 a certain number of jurors recommend a sentence of death; requiring the court to include in its written order the reasons for not accepting the jury's recommended sentence, if applicable; 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; providing an effective date.

—was referred to the Committee on Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 7 was corrected and approved.

CO-INTRODUCERS

Senators Boyd—CS for SB 102; Garcia—SB 1170; Gruters—SB 192; Harrell—CS for SB 130; Hooper—SB 150, SB 442; Perry—CS for SB 136, SB 244, SB 1550; Rodriguez—SB 818, SB 1474

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 6:36 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 8:30 a.m., Wednesday, March 15 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

March 8, 2023

BA — Bill Action
BF — Bill Failed
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute, First Reading

FR — First Reading
MO — Motion
RC — Reference Change
SM — Special Master Reports
SO — Bills on Special Orders

SB 32	(BA) 130, (BP) 130, (SO) 137	SB 408	(CR) 137
SB 34	(BA) 131, (BP) 131, (SO) 137	CS/CS/SB 418	(CS) 139
SB 36	(BA) 131, (BP) 131, (SO) 137	CS/SB 418	(CR) 138
SB 38	(BA) 131, (BP) 131, (SO) 137	SB 442	(CO) 141
SB 40	(BA) 131, (BP) 131, (SO) 137	SB 444	(CR) 137
SB 42	(BA) 131, (BP) 131, (SO) 137	CS/SB 450	(CS) 139, (RC) 141
SB 44	(BA) 132, (BP) 132, (SO) 137	SB 450	(CR) 138
CS/SB 102	(BA) 132, (BP) 135, (SO) 137, (CO) 141	CS/SB 494	(CS) 140
CS/SB 106	(BA) 132, (BP) 132, (SO) 137	SB 494	(CR) 138
CS/SB 108	(CR) 137	SB 508	(CR) 137
SB 114	(CR) 137	SB 518	(CR) 137
CS/SB 130	(CS) 138, (RC) 140, (CO) 141	CS/SB 536	(CS) 140
SB 130	(CR) 138	SB 536	(CR) 138
CS/SB 136	(CS) 138, (CO) 141	SB 542	(CR) 137
SB 136	(CR) 138	CS/SB 574	(CS) 140
SB 150	(CO) 141	SB 574	(CR) 138
SB 164	(CR) 138	SB 596	(CR) 137
CS/CS/SB 170	(BA) 135, (BP) 137, (SO) 137	CS/SB 598	(CS) 140
SB 192	(CO) 141	SB 598	(CR) 138
CS/SB 214	(CS) 139	CS/SB 636	(CS) 140
SB 214	(CR) 138	SB 636	(CR) 138
SB 216	(CR) 137	SB 662	(CR) 137
SB 218	(CR) 138	SB 674	(CR) 137
CS/CS/SB 226	(CS) 139	SB 678	(CR) 138
CS/SB 226	(CR) 138	CS/SB 732	(CS) 140
SB 234	(CR) 137	SB 732	(CR) 138
SB 244	(CO) 141	SB 818	(CO) 141
SB 292	(CR) 137	SB 846	(CR) 137
CS/SB 308	(CS) 139, (RC) 141	SB 942	(CR) 137
SB 308	(CR) 138	CS/SB 1098	(CS) 140
SB 348	(CR) 137	SB 1098	(CR) 138
SB 358	(CR) 137	SB 1170	(CO) 141
CS/SB 382	(CS) 139	SB 1474	(CO) 141
SB 382	(CR) 138	SB 1550	(CO) 141