



# Journal of the Senate

Number 26—Regular Session

Thursday, May 4, 2023

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## CALL TO ORDER

The Senate was called to order by President Passidomo at 10:00 a.m. A quorum present—39:

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

## PRAYER

The following prayer was offered by Pastor Kyle Peddie, Corinth Baptist Church, Hosford:

Good morning, Lord. As our Florida Senate is winding down a great session of decision making for our great state, we pause just a moment and thank you for your watchcare over my hometown of Hosford in Liberty County last Thursday. Thank you for your protection of our citizens as the tornado came through town. Thank you for protecting our children at Hosford School. Please be with those folks that lost their homes. Be their strong foundation as they rebuild that which is broken. Most of all, we are thankful for no loss of life. You are still a good, good father even in the midst of tough times.

We are grateful today for the opportunity to call on you on the National Day of Prayer for great discernment as this session is coming to a close. I am personally grateful for our leadership in this great chamber today who have taken the time to listen to the needs of the people they represent. Help us always to remember your word says you set up the governments and institutions of man. Help us always to never forget about your divine presence in this process today. I ask a special blessing upon each Senator, their family, and their home while they are here serving their constituents and serving our state. Please grant them the wisdom and discernment they desire to make those most important decisions regarding laws and the state budget. We are also told in scripture to pray for those in leadership over us, so help us to always be

found faithful in that endeavor. So today, we pray for our President Joe Biden and Vice President Kamala Harris. We pray for our Senators, Rick Scott and Marco Rubio. We pray for our Governor Ron DeSantis and Lieutenant Governor Jeanette Nuñez. We pray for our Speaker of the House, Paul Renner, and we pray for our Senate President, Kathleen Passidomo. Give them the wisdom of your son in making decisions today as they serve the great people of our state and nation in their leadership roles.

Father, we ask for a lot of things every time we pray. You tell us in your word to ask, but I just want to stop and say, "Thank you." Thank you for your love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, and temperance. May we demonstrate this fruit in our daily lives of leadership and citizenship. Thank you for allowing us the breath of life as we acknowledge today that you do not owe us one thing. Bless the Lord, O my soul, and all that is within me bless his holy name—the wonderful matchless name of Jesus, in whose name I pray. Amen.

## PLEDGE

Senate Pages, Daniel Bednar of Boca Raton; Emmie Giles of Pensacola, granddaughter of Senator Broxson; and Reagan Mullins of Tarpon Springs, 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. Diane Day of Newberry, sponsored by Senator Perry, as the doctor of the day. Dr. Day specializes in family medicine.

## SPECIAL RECOGNITION

Senator DiCeglie recognized this day as his twenty-first wedding anniversary to his wife, Erica.

Senator Book recognized Senator Polsky who was celebrating her birthday this day.

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Director and Chief Judge, Division of Administrative Hearings

Appointee: Newman, Brian

For Term  
Ending

Pleasure of  
Admin  
Commission

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
*Danny Burgess, Chair*

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
 President, The Florida Senate  
 Suite 409, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
 Ending*

Secretary of Health Care Administration  
 Appointee: Weida, Jason C.

Pleasure of  
 Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence

adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
*Danny Burgess, Chair*

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—36

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

Nays—3

Berman	Book	Polsky
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The Honorable Kathleen Passidomo  
 President, The Florida Senate  
 Suite 409, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
 Ending*

Secretary of Business and Professional Regulation  
 Appointee: Griffin, Melanie

Pleasure of  
 Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Secretary of Children and Families  
Appointee: Harris, Shevaun

Pleasure of  
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Secretary of Corrections  
Appointee: Dixon, Ricky

Pleasure of  
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—38

Madam President	Boyd	Calatayud
Albritton	Bradley	Collins
Avila	Brodeur	Davis
Baxley	Broxson	DiCeglie
Berman	Burgess	Garcia
Book	Burton	Grall

Gruters	Osgood	Simon
Hooper	Perry	Stewart
Hutson	Pizzo	Thompson
Ingoglia	Polsky	Torres
Jones	Powell	Wright
Martin	Rodriguez	Yarborough
Mayfield	Rouson	

Nays—None

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The Honorable Kathleen Passidomo May 4, 2023  
 President, The Florida Senate  
 Suite 409, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

The Honorable Kathleen Passidomo May 4, 2023  
 President, The Florida Senate  
 Suite 409, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

Dear President Passidomo:

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*For Term  
Ending*

*Office and Appointment*

Secretary of Elderly Affairs  
 Appointee: Branham, Michelle Pleasure of  
Governor

*Office and Appointment* *For Term  
Ending*

Director, Agency for Persons with Disabilities  
 Appointee: Hatch, Taylor N. Pleasure of  
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

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(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

The vote was:

Yeas—39

Yeas—38

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

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

Nays—None

Nays—None

The Honorable Kathleen Passidomo
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

May 4, 2023

For Term
Ending

Office and Appointment

State Surgeon General
Appointee: Ladapo, Joseph

Pleasure of
Governor

Dear President Passidomo:

The following executive appointment was referred to the Senate
Committee on Environment and Natural Resources and the Senate
Committee on Ethics and Elections for action pursuant to Rule 12.7 of
the Rules of the Florida Senate:

For Term
Ending

Office and Appointment

Secretary of Environmental Protection
Appointee: Hamilton, Emile DeShawn

Pleasure of
Governor

As required by Rule 12.7, the committees conducted an inquiry into
the qualifications, experience, and general suitability of the above-
named appointee for appointment to the office indicated. In aid of such
inquiry, the committees held public hearings which members of the
public were invited to attend and to offer evidence concerning the
qualifications, experience, and general suitability of the appointee.
After due consideration of the findings of such inquiry and the evidence
adduced at the public hearings, the referenced committees respectfully
advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the
office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the ad-
journalment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations
on said appointment to be held in executive session.

Respectfully submitted,
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the
Senate confirmed the appointment identified in the foregoing report of
the committee to the office and for the term indicated in accordance with
the recommendation of the committee.

The vote was:

Yeas—39

Table with 3 columns of names: Madam President, Albritton, Avila, Baxley, Berman, Book, Boyd, Bradley, Brodeur, Broxson, Burgess, Burton, Calatayud; Collins, Davis, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Jones, Martin, Mayfield; Osgood, Perry, Pizzo, Polsky, Powell, Rodriguez, Rouson, Simon, Stewart, Thompson, Torres, Wright, Yarborough

Nays—None

The Honorable Kathleen Passidomo
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate
Committee on Health Policy and the Senate Committee on Ethics and
Elections for action pursuant to Rule 12.7 of the Rules of the Florida
Senate:

Office and Appointment

Secretary of Juvenile Justice
Appointee: Hall, Eric

For Term
Ending

Pleasure of
Governor

As required by Rule 12.7, the committees conducted an inquiry into
the qualifications, experience, and general suitability of the above-
named appointee for appointment to the office indicated. In aid of such
inquiry, the committees held public hearings which members of the
public were invited to attend and to offer evidence concerning the
qualifications, experience, and general suitability of the appointee.
After due consideration of the findings of such inquiry and the evidence
adduced at the public hearings, the referenced committees respectfully
advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the
office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the ad-
journalment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations
on said appointment to be held in executive session.

Respectfully submitted,
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the
Senate confirmed the appointment identified in the foregoing report of
the committee to the office and for the term indicated in accordance with
the recommendation of the committee.

The vote was:

Yeas—27

Table with 3 columns of names: Madam President, Albritton, Avila, Baxley, Boyd, Bradley, Brodeur, Broxson, Burgess; Burton, Calatayud, Collins, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper; Hutson, Ingoglia, Martin, Mayfield, Perry, Rodriguez, Simon, Wright, Yarborough

Nays—12

Table with 3 columns of names: Berman, Book, Davis, Jones; Osgood, Pizzo, Polsky, Powell; Rouson, Stewart, Thompson, Torres

The Honorable Kathleen Passidomo
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate
Committee on Criminal Justice and the Senate Committee on Ethics and
Elections for action pursuant to Rule 12.7 of the Rules of the Florida
Senate:

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Banking and Insurance and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Banking and Insurance held a public hearing but made no recommendation. The Senate Committee on Ethics and Elections considered and recommended the following executive appointment:

*Office and Appointment*

*For Term  
Ending*

Executive Director, Citizens Property Insurance Corporation  
Appointee: Cerio, Timothy M.

Pleasure of the Board

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the

public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Senate Committee on Ethics and Elections respectfully advises and recommends that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Executive Director of Department of Law Enforcement  
Appointee: Glass, Jeffrey Mark

Pleasure of Governor and Cabinet

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

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(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Secretary of the Department of the Lottery  
Appointee: Davis, John F. Pleasure of Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Secretary of Management Services  
Appointee: Allende, Pedro M. Pleasure of Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—37

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

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Adjutant General of Florida National Guard  
Appointee: Haas, John D.

Pleasure of  
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

- (1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

Madam President	Berman	Brodeur
Albritton	Book	Broxson
Avila	Boyd	Burgess
Baxley	Bradley	Burton

Calatayud	Hutson	Powell
Collins	Ingolia	Rodriguez
Davis	Jones	Rouson
DiCeglie	Martin	Simon
Garcia	Mayfield	Stewart
Grall	Osgood	Thompson
Gruters	Perry	Torres
Harrell	Pizzo	Wright
Hooper	Polsky	Yarborough

Nays—None

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

May 4, 2023

Dear President Passidomo:

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

*For Term  
Ending*

Secretary of Transportation  
Appointee: Perdue, Jared W.

Pleasure of  
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

- (1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointment be taken prior to the adjournment of the 2023 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—32

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



Nays—6

Berman	Osgood	Thompson
Book	Pizzo	Torres

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 230, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for CS for SB 230**—A bill to be entitled An act relating to health care practitioner titles and designations; creating s. 456.0651, F.S.; defining terms; providing that, for specified purposes, the use of specified titles or designations in connection with one's name constitutes the practice of medicine or the practice of osteopathic medicine; providing exceptions; amending s. 456.072, F.S.; revising grounds for disciplinary action relating to a practitioner's use of such titles or designations in identifying himself or herself to patients or in advertisements for health care services; revising applicability; requiring certain health care practitioners to prominently display a copy of their license in a conspicuous area of their practice; requiring that the copy of the license be a specified size; requiring such health care practitioners to also verbally identify themselves in a specified manner to new patients; requiring, rather than authorizing, certain boards, or the Department of Health if there is no board, to adopt certain rules; providing an effective date.

**House Amendment 1 (699797)**—Between lines 157 and 158, insert:

*(g) An optometrist licensed under chapter 463 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of optometry," "optometric physician," and other titles or abbreviations authorized under his or her practice act.*

On motion by Senator Harrell, the Senate refused to concur in **House Amendment 1 (699797)** to **CS for CS for SB 230** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 254, with 1 amendment (256341), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for SB 254**—A bill to be entitled An act relating to treatments for sex reassignment; amending s. 61.517, F.S.; granting courts of this state temporary emergency jurisdiction over a child present in this state if the child has been subjected to or is threatened with being subjected to sex-reassignment prescriptions or procedures; amending s. 61.534, F.S.; providing that, for purposes of warrants to take physical custody of a child in certain child custody enforcement proceedings, serious physical harm to the child includes, but is not limited to, being subjected to sex-reassignment prescriptions or procedures; creating s. 286.31, F.S.; defining the term "governmental entity"; prohibiting certain public entities from expending state funds for the provision of sex-reassignment prescriptions or procedures; amending s. 395.003, F.S.; requiring certain licensed facilities, by a specified date and as a condition of licensure thereafter, to provide a signed attestation of specified information to the Agency for Health Care Administration; requiring the agency to revoke a facility's license for failure to provide such attestation, subject to the due process procedures of ch. 120, F.S.; amending s. 456.001, F.S.; defining the terms "sex" and "sex-reassignment prescriptions or procedures"; creating s. 456.52, F.S.; prohibiting sex-reassignment prescriptions and procedures for patients younger than 18 years of age; providing an exception; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt certain emergency rules within a specified timeframe; requiring that such prescriptions and procedures for patients older than 18 years of age be prescribed, administered, or performed only with the voluntary and informed consent of the patient;

providing criteria for what constitutes voluntary and informed consent; providing that only a physician may prescribe, administer, or perform such prescriptions and procedures; defining the term "physician"; providing applicability; providing for disciplinary action; providing criminal penalties; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt certain emergency rules; providing that such emergency rules remain in effect until they are replaced by non-emergency rules; amending s. 456.074, F.S.; requiring the department to immediately suspend the license of a health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit specified violations related to sex-reassignment prescriptions or procedures for a patient younger than 18 years of age; amending ss. 458.328 and 459.0138, F.S.; requiring registered physicians' offices to provide a signed attestation of specified information to the department by a specified date; beginning on a specified date, requiring physicians' offices seeking such registration to provide the signed attestation as a condition of registration; providing grounds for disciplinary action; creating s. 766.318, F.S.; creating a cause of action to recover damages for personal injury or death resulting from the provision of sex-reassignment prescriptions or procedures to a minor; providing that certain limitations on punitive damages do not apply to such actions; specifying the timeframe within which such actions may be commenced; providing construction and applicability; providing severability; providing a directive to the Division of Law Revision; providing an effective date.

**House Amendment 1 (256341) (with title amendment)**—Remove lines 83-370 and insert: *being subjected to gender clinical interventions, as defined in s. 456.52(1).*

Section 2. Subsection (1) of section 61.534, Florida Statutes, is amended to read:

61.534 Warrant to take physical custody of child.—

(1) Upon the filing of a petition seeking enforcement of a child custody determination, the petitioner may file a verified application for the issuance of a warrant to take physical custody of the child if the child is likely to imminently suffer serious physical harm or removal from this state. *Serious physical harm includes, but is not limited to, being subjected to gender clinical interventions, as defined in s. 456.52(1).*

Section 3. Section 381.991, Florida Statutes, is created to read:

*381.991 Public expenditures for gender clinical interventions; prohibition.—A state agency, political subdivision, public postsecondary institution as defined in 1000.04, or person providing services to or on behalf of any such agency, subdivision, or institution by contract or other agreement or relationship, may not expend funds to provide or reimburse for gender clinical interventions as defined in s. 456.52(1).*

Section 4. Paragraph (f) is added subsection (1) of section 382.016, Florida Statutes, read:

382.016 Amendment of records.—The department, upon receipt of the fee prescribed in s. 382.0255; documentary evidence, as specified by rule, of any misstatement, error, or omission occurring in any birth, death, or fetal death record; and an affidavit setting forth the changes to be made, shall amend or replace the original certificate as necessary.

(1) CERTIFICATE OF LIVE BIRTH AMENDMENT.—

*(f) The sex recorded on a birth certificate must be the person's biological sex at birth. The sex recorded on the birth certificate may only be changed in the case of a scrivener's error or in the case of a person born with external biological sex characteristics that were unresolvably ambiguous at the time of birth. The sex recorded on a birth certificate may not be changed for the purpose of affirming a person's perception of his or her sex if that perception is inconsistent with the person's sex at birth. The department may change the sex recorded on a birth certificate under this paragraph upon the written request of a health care practitioner, as defined in s. 456.001, stating and providing evidence establishing the basis for the correction. Misrepresenting or providing fraudulent evidence in such a request is grounds for disciplinary action under s. 456.072 and any applicable practice act.*

Section 5. Paragraphs (c) through (gg) of subsection (5) of section 456.074, Florida Statutes, are redesignated as paragraphs (d) through

(hh), respectively, and a new paragraph (c) is added to that subsection, to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(5) The department shall issue an emergency order suspending the license of any health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit any act that would constitute a violation of any of the following criminal offenses in this state or similar offenses in another jurisdiction:

(c) Section 456.52(6), relating to providing gender clinical interventions to a minor.

Section 6. Section 456.52, Florida Statutes, is created to read:

456.52 Prohibition on gender clinical interventions for minors; physician requirements.—

(1) For the purposes of this section, “gender clinical interventions” means procedures or therapies that alter internal or external physical traits for the purpose of affirming a person’s perception of his or her sex if that perception is inconsistent with the person’s sex at birth.

(a) The term includes, but is not limited to:

1. Sex reassignment surgeries or any other surgical procedures that alter primary or secondary sexual characteristics.
2. Puberty blocking, hormone, and hormone antagonistic therapies.

(b) The term does not include:

1. Treatment provided by a physician who, in his or her good faith clinical judgment, performs procedures upon, or provides therapies to, a minor born with a medically verifiable genetic disorder of sexual development, including the following:

a. External biological sex characteristics that are unresolvably ambiguous.

b. A disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the minor does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female.

2. Treatment of any infection, injury, disease, or disorder caused or exacerbated by the performance of gender clinical interventions regardless of whether such interventions were performed in accordance with state or federal law.

(2)(a) Gender clinical interventions may only be provided by a physician licensed under chapter 458 or chapter 459 or a physician practicing medicine or osteopathic medicine in the employment of the Federal Government.

(b) A physician may not provide gender clinical interventions to a minor, except that a minor who was prescribed gender clinical interventions described in (1)(a)2. on or before January 1, 2023, and continuously received such therapies through July 1, 2023, may continue to receive such therapies through December 31, 2023, solely for the purpose of gradual discontinuation of such therapies.

(3) Notwithstanding ss. 458.320(5) and 459.0085(5), a physician who provides gender clinical interventions for adults must obtain and maintain professional liability coverage in the amounts established in ss. 458.320(2)(b) and 459.0085(2)(b), as applicable.

(4)(a) A physician must, while physically present in the same room as an adult patient, obtain informed written consent from the patient each time the physician provides gender clinical interventions. The physician must sign the consent and maintain the consent in the medical record. The patient must sign the informed consent acknowledging that the physician has sufficiently explained its content. The physician must use an informed consent form adopted in rule by the Board of Medicine and the Board of Osteopathic Medicine, which must include, at a minimum, information related to the current state of research of:

1. The long-term and short-term effects of gender clinical interventions.

2. The impact of gender clinical interventions on physical and mental health.

(b) The Board of Medicine and the Board of Osteopathic Medicine, as applicable, shall adopt emergency rules to implement this section.

(c) Any emergency rules adopted under this section are exempt from s. 120.54(4)(c) and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedure Act.

(5) A board, or the department if there is no board, must revoke the license of a health care practitioner if the board, or the department if there is no board, determines that the health care practitioner violated this section.

(6)(a) A health care practitioner who willfully or actively participates in a violation of (2)(b) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A health care practitioner who willfully or actively participates in a violation of (4)(a) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 7. Section 627.6411, Florida Statutes, is created to read:

627.6411 Coverage of certain treatment.—A health insurance policy may not provide coverage for gender clinical interventions as defined in s. 456.52(1).

Section 8. Subsection (48) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(48) A health maintenance contract may not include coverage for gender clinical interventions as defined in s. 456.52(1).

Section 9. Section 766.318, Florida Statutes, is created to read:

766.318 Gender clinical interventions; liability.—

(1) A physician who provides gender clinical interventions, as defined in s. 456.52, to a person is liable to the person for any physical, psychological, emotional, or physiological injury resulting from the gender clinical intervention.

(2) A person who receives a gender clinical intervention from a physician may bring a civil action against such practitioner in a court of competent jurisdiction for:

(a) Declaratory or injunctive relief.

(b) Economic damages.

(c) Noneconomic damages.

(d) Punitive damages.

(e) Attorney fees and costs.

(3) In an action brought under this section, the limitations on punitive damages in s. 768.73, or any other provision of law that seeks to limit punitive damages, do not apply.

(4) The estate of, or a legal guardian on behalf of, a person who received a gender clinical intervention from a physician, when the death of that person was caused by such gender clinical intervention, may bring a civil action against such practitioner in a court of competent jurisdiction for all of the following:

(a) All remedies available under subsection (2).

(b) All remedies available under s. 766.102.

(c) Treble damages.

(5) *Notwithstanding s. 95.11, an action brought under subsection (2) must be commenced within 20 years after the date of the gender clinical interventions.*

(6) *An action brought under subsection (4) must be commenced within 5 years after the date of the person's death or the discovery of the person's death, whichever is later.*

Section 10. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

And the title is amended as follows:

Remove lines 6-67 and insert: to or is threatened with being subjected to gender clinical interventions; amending s. 61.534, F.S.; providing that, for purposes of warrants to take physical custody of a child in certain child custody enforcement proceedings, serious physical harm to the child includes, but is not limited to, being subjected to gender clinical interventions; creating s. 381.991, F.S.; prohibiting certain persons and entities from expending funds for reimbursement for specified clinical interventions; amending s. 382.016, F.S.; prohibiting a person's biological sex from being changed on a birth certificate; providing an exception; providing for disciplinary actions; amending s. 456.074, F.S.; requiring the department to immediately suspend the license of a health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit specified violations related to gender clinical interventions for a minor; creating s. 456.52, F.S.; providing a definition for the term "gender clinical interventions"; prohibiting gender clinical interventions for minors; providing exceptions; requiring a physician to maintain specified professional liability coverage; requiring a physician to obtain informed written consent from a patient under certain circumstances; providing requirements for the informed consent form; authorizing certain persons to refuse to participate in gender clinical interventions; providing liability and penalties; creating s. 627.6411, F.S.; prohibiting a health insurance policy from providing coverage for gender clinical interventions; amending s. 641.31, F.S.; prohibiting a health maintenance contract from including coverage for gender clinical interventions; creating s. 766.318, F.S.; providing for physician liability; providing penalties for injuries and wrongful death caused by gender clinical interventions; authorizing the award of specified damages and attorney fees and costs; providing statute of limitations periods; providing severability; providing

Senator Yarborough moved the following amendment to **House Amendment 1 (256341)** which was adopted:

**Senate Amendment 1 (738500) (with title amendment) to House Amendment 1 (256341)**—Delete lines 5-197 and insert: *being subjected to sex-reassignment prescriptions or procedures, as defined in s. 456.001.*

Section 2. Subsection (1) of section 61.534, Florida Statutes, is amended to read:

61.534 Warrant to take physical custody of child.—

(1) Upon the filing of a petition seeking enforcement of a child custody determination, the petitioner may file a verified application for the issuance of a warrant to take physical custody of the child if the child is likely to imminently suffer serious physical harm or removal from this state. *Serious physical harm includes, but is not limited to, being subjected to sex-reassignment prescriptions or procedures as defined in s. 456.001.*

Section 3. Section 286.31, Florida Statutes, is created to read:

286.31 *Prohibited use of state funds.—*

(1) *As used in this section, the term "governmental entity" means the state or any political subdivision thereof, including the executive, legislative, and judicial branches of government; the independent establishments of the state, counties, municipalities, districts, authorities, boards, or commissions; and any agencies that are subject to chapter 286.*

(2) *A governmental entity, a public postsecondary educational institution as described in s. 1000.04, the state group health insurance*

*program, a managing entity as defined in s. 394.9082, or a managed care plan providing services under part IV of chapter 409 may not expend state funds as described in s. 215.31 for sex-reassignment prescriptions or procedures as defined in s. 456.001.*

Section 4. Subsections (8) and (9) are added to section 456.001, Florida Statutes, to read:

456.001 Definitions.—As used in this chapter, the term:

(8) *"Sex" means the classification of a person as either male or female based on the organization of the human body of such person for a specific reproductive role, as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.*

(9)(a) *"Sex-reassignment prescriptions or procedures" means:*

1. *The prescription or administration of puberty blockers for the purpose of attempting to stop or delay normal puberty in order to affirm a person's perception of his or her sex if that perception is inconsistent with the person's sex as defined in subsection (8).*

2. *The prescription or administration of hormones or hormone antagonists to affirm a person's perception of his or her sex if that perception is inconsistent with the person's sex as defined in subsection (8).*

3. *Any medical procedure, including a surgical procedure, to affirm a person's perception of his or her sex if that perception is inconsistent with the person's sex as defined in subsection (8).*

(b) *The term does not include:*

1. *Treatment provided by a physician who, in his or her good faith clinical judgment, performs procedures upon or provides therapies to a minor born with a medically verifiable genetic disorder of sexual development, including any of the following:*

a. *External biological sex characteristics that are unresolvably ambiguous.*

b. *A disorder of sexual development in which the physician has determined through genetic or biochemical testing that the patient does not have a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female, as applicable.*

2. *Prescriptions or procedures to treat an infection, an injury, a disease, or a disorder that has been caused or exacerbated by the performance of any sex-reassignment prescription or procedure, regardless of whether such prescription or procedure was performed in accordance with state or federal law.*

3. *Prescriptions or procedures provided to a patient for the treatment of a physical disorder, physical injury, or physical illness that would, as certified by a physician licensed under chapter 458 or chapter 459, place the individual in imminent danger of death or impairment of a major bodily function without the prescription or procedure.*

Section 5. Section 456.52, Florida Statutes, is created to read:

456.52 *Sex-reassignment prescriptions and procedures; prohibitions; informed consent.—*

(1) *Sex-reassignment prescriptions and procedures are prohibited for patients younger than 18 years of age, except that:*

(a) *The Board of Medicine and the Board of Osteopathic Medicine shall, within 60 days after the effective date of this act, adopt emergency rules pertaining to standards of practice under which a patient younger than 18 years of age may continue to be treated with a prescription consistent with those referenced under s. 456.001(9)(a)1. or 2. if such treatment for sex reassignment was commenced before, and is still active on, the effective date of this act. In developing rules under this paragraph, the boards shall consider requirements for physicians to obtain informed consent from such patient's parent or legal guardian, consistent with the parameters of informed consent under subsections (2) and (4), for such prescription treatment, and shall consider the provision of professional counseling services for such patient by a board-certified psychiatrist licensed under chapter 458 or chapter 459 or a psychologist*

licensed under chapter 490 in conjunction with such prescription treatment.

(b) A patient meeting the criteria of paragraph (a) may continue to be treated by a physician with such prescriptions according to rules adopted under paragraph (a) or nonemergency rules adopted under paragraph (6)(b).

(2) If sex-reassignment prescriptions or procedures are prescribed for or administered or performed on patients 18 years of age or older, consent must be voluntary, informed, and in writing on forms adopted in rule by the Board of Medicine and the Board of Osteopathic Medicine. Consent to sex-reassignment prescriptions or procedures is voluntary and informed only if the physician who is to prescribe or administer the pharmaceutical product or perform the procedure has, at a minimum, while physically present in the same room:

(a) Informed the patient of the nature and risks of the prescription or procedure in order for the patient to make a prudent decision;

(b) Provided the informed consent form, as adopted in rule by the Board of Medicine and the Board of Osteopathic Medicine, to the patient; and

(c) Received the patient's written acknowledgment, before the prescription or procedure is prescribed, administered, or performed, that the information required to be provided under this subsection has been provided.

(3) Sex-reassignment prescriptions or procedures may not be prescribed, administered, or performed except by a physician. For the purposes of this section, the term "physician" is defined as a physician licensed under chapter 458 or chapter 459 or a physician practicing medicine or osteopathic medicine in the employment of the Federal Government.

(4) Consent required under subsection (2) does not apply to renewals of prescriptions consistent with those referenced under s. 456.001(9)(a)1. and 2. if a physician and his or her patient have met the requirements for consent for the initial prescription or renewal. However, separate consent is required for any new prescription for a pharmaceutical product not previously prescribed to the patient.

(5)(a) Violation of this section constitutes grounds for disciplinary action under this chapter and chapter 458 or chapter 459, as applicable.

(b) Any health care practitioner who willfully or actively participates in a violation of subsection (1) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any health care practitioner who violates subsection (2), subsection (3), or subsection (4) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6)(a) The Board of Medicine and the Board of Osteopathic Medicine shall adopt emergency rules to implement this section.

(b) Any emergency rules adopted under this section are exempt from s. 120.54(4)(c) and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedure Act.

Section 6. Present paragraphs (c) through (gg) of subsection (5) of section 456.074, Florida Statutes, are redesignated as paragraphs (d) through (hh), respectively, and a new paragraph (c) is added to that subsection, to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(5) The department shall issue an emergency order suspending the license of any health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit any act that would constitute a violation of any of the following criminal offenses in this state or similar offenses in another jurisdiction:

(c) Section 456.52(5)(b), relating to prescribing, administering, or performing sex-reassignment prescriptions or procedures for a patient younger than 18 years of age.

Section 7. Section 766.318, Florida Statutes, is created to read:

766.318 Civil liability for provision of sex-reassignment prescriptions or procedures to minors.—

(1) A cause of action exists to recover damages for personal injury or death resulting from the provision of sex-reassignment prescriptions or procedures, as defined in s. 456.001, to a person younger than 18 years of age which are prohibited by s. 456.52(1).

(2) The limitations on punitive damages in s. 768.73(1) do not apply to actions brought under this section.

(3) An action brought under this section:

(a) May be commenced within 20 years after the cessation or completion of the sex-reassignment prescription or procedure.

(b) Is in addition to any other remedy authorized by law.

(4) The cause of action created by this section does not apply to:

(a) Treatment with sex-reassignment prescriptions if such treatment is consistent with s. 456.001(9)(a)1. or 2. and was commenced on or before, and is still active on, the effective date of this act.

(b) Sex-reassignment prescriptions or procedures that were ceased or completed on or before the effective date of this act.

Section 8. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 9. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

And the title is amended as follows:

Delete lines 202-241 and insert: to or is threatened with being subjected to sex-reassignment prescriptions or procedures; amending s. 61.534, F.S.; providing that, for purposes of warrants to take physical custody of a child in certain child custody enforcement proceedings, serious physical harm to the child includes, but is not limited to, being subjected to sex-reassignment prescriptions or procedures; creating s. 286.31, F.S.; defining the term "governmental entity"; prohibiting certain public entities from expending state funds for the provision of sex-reassignment prescriptions or procedures; amending s. 456.001, F.S.; defining the terms "sex" and "sex-reassignment prescriptions or procedures"; creating s. 456.52, F.S.; prohibiting sex-reassignment prescriptions and procedures for patients younger than 18 years of age; providing an exception; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt certain emergency rules within a specified timeframe; requiring the boards to consider specified factors in developing such rules; requiring that such prescriptions and procedures for patients older than 18 years of age be prescribed, administered, or performed only with the voluntary and informed consent of the patient; providing criteria for what constitutes voluntary and informed consent; providing that only a physician may prescribe, administer, or perform such prescriptions and procedures; defining the term "physician"; providing applicability; providing for disciplinary action; providing criminal penalties; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt certain emergency rules; providing that such emergency rules remain in effect until they are replaced by non-emergency rules; amending s. 456.074, F.S.; requiring the department to immediately suspend the license of a health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit specified violations related to sex-reassignment prescriptions or procedures for a patient younger than 18 years of age; creating s. 766.318, F.S.; creating a cause of action to recover damages for personal injury or death resulting from the provision of sex-reassignment prescriptions or procedures to a minor; providing that certain limitations on punitive damages do not apply to such actions; specifying the timeframe within which such actions may be commenced; providing construction and applicability; providing severability; providing a directive to the Division of Law Revision;

On motion by Senator Yarborough, the Senate concurred in **House Amendment 1 (256341)**, as amended, and requested the House to concur in **Senate Amendment 1 (738500) to House Amendment 1 (256341)**.

**CS for SB 254** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—26

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

Nays—13

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

Vote after roll call:

Yea—Trumbull

**BILLS ON THIRD READING**

**CS for CS for HB 387**—A bill to be entitled An act relating to physician certifications for the medical use of marijuana; amending s. 381.986, F.S.; authorizing qualified physicians to perform patient examinations and evaluations through telehealth for renewals of physician certifications for the medical use of marijuana under certain circumstances; authorizing the Department of Health to suspend the registration of a qualified physician in the medical marijuana use registry for a specified timeframe under certain circumstances; providing an effective date.

—as amended May 3, was read the third time by title.

On motion by Senator Brodeur, **CS for CS for HB 387**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Madam President	Collins	Perry
Albritton	Davis	Pizzo
Avila	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	Wright
Burton	Mayfield	Yarborough
Calatayud	Osgood	

Nays—None

Vote after roll call:

Yea—Garcia, Trumbull

**CS for CS for HB 1471**—A bill to be entitled An act relating to health care provider accountability; amending s. 400.022, F.S.; revising

the rights of licensed nursing home facility residents; providing definitions; amending s. 408.812, F.S.; creating a cause of action for an ex parte temporary injunction against continued unlicensed activity; providing requirements for such injunction; providing construction; authorizing the Agency for Health Care Administration to provide certain records to local law enforcement and state attorneys' offices under certain circumstances; amending ss. 458.328 and 459.0138, F.S.; requiring the Department of Health to inspect specified offices before registration and refuse to register a new office or immediately suspend the registration of a registered office that refuses an inspection for a specified timeframe; prohibiting the department from registering specified facilities; providing suspension requirements; providing standard of practice requirements for office surgeries; providing definitions; prohibiting certain office surgeries; providing physician, office, and procedure requirements; providing an effective date.

—as amended May 3, was read the third time by title.

On motion by Senator Garcia, **CS for CS for HB 1471**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**CS for CS for HB 121**—A bill to be entitled An act relating to Florida Kidcare program eligibility; amending s. 409.8132, F.S.; increasing the income eligibility threshold for coverage under the Medikids program component; amending s. 409.814, F.S.; increasing the income eligibility threshold for coverage under the Florida Kidcare program; requiring an applicant seeking coverage under the program to provide certain documentation if eligibility cannot be verified using reliable data sources; amending s. 409.816, F.S.; requiring that premiums for certain enrollees under the Florida Kidcare program be based on a tiered system of uniform premiums; amending s. 624.91, F.S.; conforming a provision to changes made by the act; providing effective dates.

—was read the third time by title.

On motion by Senator Calatayud, **CS for CS for HB 121** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Stewart Torres Yarborough  
Thompson Wright

Nays—None

Vote after roll call:

Yea—Trumbull

SENATOR BAXLEY PRESIDING

CS for HB 339—A bill to be entitled An act relating to education of dependents of deceased or disabled servicemembers, prisoners of war, and persons missing in action; amending s. 295.01, F.S.; defining the terms “Armed Forces” and “servicemember”; revising eligibility requirements for educational benefits provided by the state to a spouse or dependent child of a deceased or disabled servicemember; amending s. 295.015, F.S.; revising eligibility requirements for educational benefits provided by the state to a dependent child of a prisoner of war or a person missing in action; amending ss. 295.016, 295.017, 295.0185, and 295.0195, F.S.; revising eligibility requirements for educational benefits provided by the state to a dependent child of a deceased or disabled servicemember who participated in certain military operations; amending s. 295.02, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Burgess, CS for HB 339 was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

CS for CS for CS for HB 49—A bill to be entitled An act relating to abandoned and historic cemeteries; creating s. 267.21, F.S.; creating the Historic Cemeteries Program within the Division of Historical Resources of the Department of State; designating the State Historic Preservation Officer as the program’s director and requiring him or her to hire employees, subject to legislative appropriation; providing the duties and responsibilities of the program; requiring the program to provide grants, subject to legislative appropriation, to certain entities for certain purposes; authorizing the division to adopt rules; creating s. 267.22, F.S.; creating the Historic Cemeteries Program Advisory Council within the division; providing for membership, terms, and duties of the council; providing that members shall serve without compensation but may receive per diem and reimbursement for travel expenses; amending s. 497.005, F.S.; revising the definition of the term “legally authorized person” to include a member of a representative community organization; amending s. 704.06, F.S.; revising the definition of the term “conservation easement” to include a right or interest in real property which is appropriate to retaining the structural integrity or physical appearance of certain cemeteries; authorizing certain entities to acquire conservation easements to preserve certain cemeteries;

providing appropriations and authorizing positions; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, CS for CS for CS for HB 49 was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL GUESTS

Senator Powell recognized Representative Fentrice Driskell who was present in the chamber in support of CS for SB 430/CS for CS for CS for HB 49, related to Abandoned and Historic Cemeteries.

Consideration of CS for HB 965 was deferred.

CS for CS for HB 7039—A bill to be entitled An act relating to student outcomes; amending s. 1001.215, F.S.; revising the responsibilities of the Just Read, Florida! Office; revising the requirements for certain reading instructional and intervention programs; revising the primary instructional strategy for word reading; amending s. 1001.42, F.S.; revising the requirements for the early warning system for certain students; amending s. 1002.20, F.S.; conforming provisions to changes made by the act; amending s. 1002.33, F.S.; revising the requirements for charter school applications and charters; providing requirements for such strategies; amending s. 1002.411, F.S.; renaming the New Worlds Reading Scholarship Accounts as the “New Worlds Scholarship Accounts”; revising the eligibility criteria for a scholarship account; revising eligible expenditures for such accounts; amending s. 1002.59, F.S.; revising the standards for emergent literacy and performance standards training courses; amending s. 1002.67, F.S.; revising the performance standards for students in a specified program; revising the requirements for certain prekindergarten curricula; amending s. 1003.485, F.S.; revising the definition of the term “micro-credential” within the New Worlds Reading Initiative; revising the student eligibility criteria and administrator responsibilities for the initiative; requiring school districts to establish a specified agreement with the initiative administrator; amending s. 1003.53, F.S.; requiring district school boards to establish specified course standards for certain dropout prevention and academic intervention programs; amending s. 1004.04, F.S.; revising the rules for establishing uniform core curricula for teacher preparation programs; amending s. 1004.85, F.S.; revising requirements for the certification program of certain postsecondary educator preparation institutes; amending s. 1004.86, F.S.; revising the responsibilities of the Florida Center for Mathematics and Science Education Research; amending ss. 1006.283 and 1006.31, F.S.; providing additional requirements for certain instructional materials; amending s. 1008.25, F.S.; revising the priority for the allocation of specified school district resources; providing requirements for an individualized progress monitoring plan; requiring a student who has dyslexia to be provided with certain interventions to address the dyslexia; requiring the Department of Education to provide a specified list of intervention programs; providing requirements for such programs; requiring the department to provide specified daily reading interventions to certain students; requiring students in kindergarten through grade 4 who exhibit a substantial deficiency in mathematics or dys-

calculia to be provided with certain instruction; providing methods for such instruction; providing school district requirements; requiring the student's performance to be monitored; requiring the Department of Education to provide a list of approved mathematics intervention programs, curricula, and supplemental materials to specified individuals; providing that certain Voluntary Prekindergarten Education students may be eligible to receive mathematics interventions from local school districts; requiring the parent of a student who has a deficiency in mathematics to be notified; providing requirements for the notification; requiring the school to keep the parent informed of the student's progress; requiring a school to provide additional support to a student with a mathematics deficiency; requiring the department to collaborate with the Florida Center for Mathematics and Science Education Research to compile resources that each school district must incorporate into a home-based plan for students with a mathematics deficiency; providing requirements for the resources; providing that the resources must be provided to a parent in a hardcopy format, if requested; conforming provisions to changes made by the act; revising requirements for intensive interventions to address student reading deficiencies; revising requirements for a coordinated screening and progress monitoring system; conforming cross-references; amending s. 1008.365, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 1011.62, F.S.; revising the authorized uses of funds through the supplemental academic instruction allocation and the evidence-based reading instruction allocation; conforming a cross-reference; revising requirements for certain supplemental instructional materials; revising requirements for a specified school district comprehensive reading plan; amending s. 1012.56, F.S.; revising requirements for a competency-based professional development certification and education competency program; amending s. 1012.585, F.S.; conforming provisions to changes made by the act; amending s. 1012.98, F.S.; revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies; providing construction with regard to district school boards contracting for certain training; amending ss. 1002.37, 1002.45, 1002.53, 1002.68, 1003.01, 1008.2125, 1008.22, 1008.34, and 1008.345, F.S.; conforming cross-references; providing appropriations; providing an effective date.

—was read the third time by title.

On motion by Senator Calatayud, **CS for CS for HB 7039** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**SPECIAL GUESTS**

Senator Calatayud recognized Representative Dana Trabulsy who was present in the chamber in support of SB 1424/CS for CS for HB 7039, related to Student Outcomes.

**CS for CS for HB 1419**—A bill to be entitled An act relating to real property fraud; creating s. 28.2225, F.S.; creating the Title Fraud Prevention Through Identity Verification Pilot Program in Lee County; authorizing the clerk of the circuit court for Lee County to require the

production of a government-issued photographic identification card before recording a deed or other instrument in specified circumstances and providing requirements therefor; providing requirements for the clerk, including submitting a certain report to the Governor and Legislature by a specified date; providing that the clerk is not required to allow access to a record or other information that is confidential and exempt; providing for prospective repeal; creating s. 28.47, F.S.; requiring the clerk to create, maintain, and operate an opt-in recording notification service; providing definitions; requiring the clerk to ensure that registration for such service is possible through an electronic registration portal; providing portal and notification requirements; providing immunity from liability for the clerk; providing construction; providing applicability for certain property appraisers; creating s. 65.091, F.S.; providing that an action may be brought under ch. 65, F.S., to quiet title after a fraudulent attempted conveyance; requiring the court to quiet title and award certain title and rights under certain circumstances; requiring the clerk to provide a simplified complaint form; creating s. 689.025, F.S.; requiring a quitclaim deed to be in a specified form; amending s. 695.26, F.S.; revising requirements for recording instruments affecting real property; providing effective dates.

—was read the third time by title.

On motion by Senator Bradley, **CS for CS for HB 1419** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**CS for HB 1397**—A bill to be entitled An act relating to regional transportation planning; providing legislative findings and intent; requiring the Department of Transportation to conduct a study of the organizational structure and operation of the Hillsborough Area Regional Transit Authority; specifying requirements of the study; requiring the department to submit a specified report to the Governor and Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Burgess, **CS for HB 1397** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Stewart Torres Yarborough  
Thompson Wright

Nays—1

Bradley

Vote after roll call:

Yea—Trumbull

Nay to Yea—Bradley

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**HB 891**—A bill to be entitled An act relating to the Year-round School Pilot Program; creating s. 1003.07, F.S.; creating the Year-round School Pilot Program for a period of 4 school years beginning with a specified school year; providing the purpose of the program; providing for an application process for participation in the program; requiring the Commissioner of Education to select a certain number of school districts to participate in the program; providing requirements for participating school districts; requiring the commissioner to submit a report to the Governor and Legislature; providing requirements for such report; authorizing the State Board of Education to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Book, **HB 891** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

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**CS for HB 1353**—A bill to be entitled An act relating to commercial financing product brokers and providers; creating part XIII of ch. 559, F.S., entitled “Florida Commercial Financing Disclosure Law”; creating s. 559.961, F.S.; providing a short title; creating s. 559.9611, F.S.; defining terms; creating s. 559.9612, F.S.; providing applicability; creating s. 559.9613, F.S.; requiring providers that consummate commercial financing transactions to provide specified written disclosures; authorizing providers to provide specified required disclosures when consummating a commercial financing facility which are based on an example of a transaction; specifying that disclosures are not required under certain circumstances; creating s. 559.9614, F.S.; prohibiting brokers from taking specified actions; creating s. 559.9615, F.S.; providing exclusive authority of the Attorney General to enforce specified provisions; providing civil penalties; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Brodeur, **CS for HB 1353** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

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**CS for CS for HB 5**—A bill to be entitled An act relating to economic programs; amending ss. 11.45, 14.32, 15.18, 15.182, and 20.435, F.S.; conforming provisions to changes made by the act; amending s. 20.60, F.S.; renaming the Department of Economic Opportunity as the Department of Commerce; revising the purposes of the department; providing that the head of the department is the Secretary of Commerce; renaming the Division of Strategic Business Development as the Division of Economic Development; repealing s. 20.601, F.S., relating to review of the Department of Economic Opportunity; transferring all duties, records, pending issues, rules, and unexpended balances of appropriations, allocations, and other public funds relating to programs in Enterprise Florida, Inc., to the Department of Commerce by a type two transfer; authorizing the Florida Sports Foundation to enter into an agreement with the Department of Commerce for certain purposes and use certain funds; providing legislative intent; requiring the Department of Commerce and Enterprise Florida, Inc., to coordinate the development and implementation of a transitional plan; authorizing Enterprise Florida, Inc., to continue certain operations for a specified period; providing a directive to the Division of Law Revision; providing transitional provisions for terminated programs established pursuant to certain statutes; amending ss. 159.803, 189.033, 196.012, 196.101, 196.121, 196.1995, 197.3181, 197.319, 212.08, 212.098, 212.20, 213.053, 218.64, 220.02, 220.13, and 220.16, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; repealing s. 220.1899, F.S., relating to an entertainment industry tax credit; amending s. 220.191, F.S.; conforming provisions to changes made by the act; repealing s. 220.194, F.S., relating to corporate income tax credits for spaceflight projects; amending ss. 220.196, 272.11, 287.0947, 287.137, 288.0001, 288.001, and 288.005, F.S.; conforming provisions to changes made by the act; amending s. 288.012, F.S.; requiring the department to establish a direct-support organization designated Florida International Trade, Inc., for certain purposes; requiring the department to approve the articles of incorporation and the bylaws of the organization; providing for the creation, use, powers, and duties of the corporation; authorizing the corporation to take certain actions; requiring the corporation to provide for a certain audit; providing requirements for the deposit and use of certain moneys; authorizing the department to terminate a certain agreement in certain circumstances; providing for the distribution of corporation assets upon termination of the corporation; declaring that the corporation and entities thereof are subject to the public records and public meeting laws of the state; providing that certain persons are subject to certain ethics and financial disclosure requirements; requiring the corporation to enter into a certain contract with the department; providing for the board of directors of the corporation and requirements thereof; providing for meetings of the board of directors; providing that members of the board of directors shall serve without compensation but may be reimbursed for certain expenses; requiring the department to annually take certain actions; requiring the department to submit a certain budget by a certain date each fiscal year; providing for the scheduled repeal of the corporation; amending ss. 288.017, 288.018, 288.047, 288.061, 288.0655, 288.0656, 288.0658, 288.075, and 288.076, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; amending s. 288.095,



F.S.; requiring the department to create a separate account for a specified purpose; requiring the department to provide certain reports; amending s. 288.101, F.S.; removing a provision authorizing the Governor to approve certain infrastructure funding; repealing ss. 288.1045 and 288.106, F.S., relating to the qualified defense contractor and space flight business tax refund program and a tax refund program for qualified target industry businesses, respectively; amending s. 288.107, F.S.; authorizing the department to adopt certain rules; conforming provisions to changes made by the act; amending s. 288.108, F.S.; conforming provisions to changes made by the act; repealing ss. 288.1081, 288.1082, 288.1088, and 288.1089, F.S., relating to the Economic Gardening Business Loan Pilot Program, the Economic Gardening Technical Assistance Pilot Program, the Quick Action Closing Fund, and the Innovation Incentive Program, respectively; amending s. 288.111, F.S.; conforming a provision to changes made by the act; amending s. 288.11621, F.S.; conforming a provision to changes made by the act; amending s. 288.11631, F.S.; conforming a cross-reference; repealing ss. 288.1168, 288.1169, and 288.1171, F.S., relating to the professional golf hall of fame facility, the International Game Fish Association World Center facility, and motorsports entertainment complexes, respectively; amending ss. 288.122 and 288.1226, F.S.; conforming provisions to changes made by the act; amending s. 288.12265, F.S.; transferring responsibility for administering and operating welcome centers from Enterprise Florida, Inc., to the Florida Tourism Industry Marketing Corporation; amending s. 288.125, F.S.; conforming a cross-reference; repealing ss. 288.125, 288.1251, 288.1252, 288.1253, and 288.1254, F.S., relating to a definition of the term “entertainment industry,” the promotion and development of the entertainment industry by the Office of Film and Entertainment, the Florida Film and Entertainment Advisory Council, certain travel and entertainment expenses, and an entertainment industry financial incentive program, respectively; amending ss. 288.1258, 288.7015, 288.706, 288.773, 288.776, 288.7771, and 288.816, F.S.; conforming provisions to changes made by the act; amending s. 288.826, F.S.; providing that moneys deposited in the trust fund may be administered for the operation of Florida International Trade, Inc.; repealing ss. 288.901, 288.9015, 288.903, 288.904, 288.905, and 288.906, F.S., relating to Enterprise Florida, Inc., powers of board of directors of Enterprise Florida, Inc., duties of Enterprise Florida, Inc., funding for Enterprise Florida, Inc., the president and employees of Enterprise Florida, Inc., and the annual report and audits of Enterprise Florida, Inc., and its divisions, respectively; transferring, renumbering, and amending s. 288.907, F.S.; conforming provisions to changes made by the act; repealing s. 288.911, F.S., relating to the creation and implementation of a marketing and image campaign; transferring, renumbering, and amending s. 288.912, F.S.; conforming provisions to changes made by the act; repealing ss. 288.92, 288.923, 288.95155, and 288.9519, F.S., relating to relating to the divisions of Enterprise Florida, Inc., the Division of Tourism Marketing, the Florida Small Business Technology Growth Program, and a not-for-profit corporation intended to promote the competitiveness and profitability of high-technology business and industry, respectively; amending s. 288.9520, F.S.; conforming provisions to changes made by the act; repealing s. 288.955, F.S., relating to the Scripps Florida Funding Corporation; amending s. 288.9604, F.S.; providing a date after which the Florida Development Finance Corporation may not enter into specified agreements; removing the scheduled repeal of the corporation; amending ss. 288.9603, 288.9605, 288.9614, and 288.9624, F.S.; conforming provisions to changes made by the act; amending s. 288.96255, F.S.; conforming a cross-reference; amending ss. 288.980 and 288.987, F.S.; conforming a provision to changes made by the act; repealing ss. 288.991, 288.9912, 288.9913, 288.9914, 288.9915, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, and 288.9922, F.S., relating to the New Markets Development Program; repealing ss. 288.993, 288.9931, 288.9932, 288.9933, 288.9934, 288.9935, 288.9936, and 288.9937, F.S., relating to the Florida Microfinance Act, definitions relating to certain programs, the Microfinance Loan Program, the Microfinance Guarantee Program, annual reports for certain programs, and the evaluation of certain programs, respectively; amending ss. 288.9961, 290.0056, 290.0065, 290.00677, 290.053, 295.22, 320.08058, and 331.3051, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 331.3081, F.S.; revising the board of directors of Space Florida; amending s. 339.08, F.S.; conforming provisions to changes made by the act; repealing s. 339.2821, F.S., relating to economic development transportation projects; amending ss. 377.703, 377.804, 377.809, 380.0657, 401.23, 403.7032, 403.973, 443.091, 445.004, 445.045, 446.44, 465.003, 477.0135, 570.81, and 570.85, F.S.; conforming provisions to changes made by the act; amending s. 625.3255, F.S.;

conforming provisions to changes made by the act; amending ss. 657.042, 658.67, 1004.015, 1004.65, 1004.78, and 1011.76, F.S.; conforming provisions to changes made by the act; providing appropriations and authorizing positions; providing a directive to the Division of Law Revision; providing legislative intent; providing an effective date.

—as amended May 3, was read the third time by title.

On motion by Senator Hooper, **CS for CS for HB 5**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Davis

Vote after roll call:

Yea—Trumbull

**HB 7027**—A bill to be entitled An act relating to ratification of rules of the Department of Environmental Protection; ratifying specified rules relating to standards for onsite sewage treatment and disposal systems and for domestic wastewater facility planning for facilities expansion, collection/transmission systems, and an operation and maintenance manual for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Rodriguez, **HB 7027** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Bradley, Trumbull

**HB 7007**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for certain security or firesafety system plans; removing the scheduled repeal of the exemption; repealing s. 281.301, F.S., relating to security and fire-safety systems; amending s. 286.0113, F.S., which provides an exemption from public meeting requirements for the portion of a meeting that would reveal a security or firesafety system plan or portion thereof; removing the scheduled repeal of the exemption; amending s. 1006.1493, F.S.; conforming a provision to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Boyd, **HB 7007** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**HB 7035**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 627.352, F.S., which provides an exemption from public record and public meeting requirements for certain data and information relating to cybersecurity; repealing exemptions relating to data and information from technology systems; making technical changes; revising specified information that is required to be made available to certain entities; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Boyd, **HB 7035** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**HB 1091**—A bill to be entitled An act relating to licensing fee relief; amending s. 455.213, F.S.; waiving a portion of the initial license application fee and renewal fees for certain licenses; providing a maximum waiver; providing an expiration; providing an appropriation; providing for disposition of any unexpended balance; providing an effective date.

—was read the third time by title.

On motion by Senator Gruters, **HB 1091** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Gruters, Trumbull

**CS for HB 7041**—A bill to be entitled An act relating to Space Florida; amending s. 20.60, F.S.; requiring the Secretary of Economic Opportunity to serve as the manager for the state with respect to contracts with Space Florida; requiring a certain report by the Department of Economic Opportunity to include an annual report on Space Florida; amending s. 288.0001, F.S.; requiring the Office of Economic and Demographic Research and the Office of Program Policy and Government Accountability to provide to the Governor and the Legislature an analysis of Space Florida by a date certain and thereafter at certain intervals; amending s. 331.303, F.S.; revising definitions; amending s. 331.305, F.S.; making a technical change; amending s. 331.3051, F.S.; revising the duties of Space Florida; amending s. 331.3081, F.S.; revising membership of the board of directors of Space Florida; providing that members appointed to the board by the Governor are subject to Senate confirmation; providing for staggered terms, appointments, filling of vacancies, removal of members, and meetings of the board; providing that members serve without compensation but may receive reimbursement for per diem and travel expenses; requiring the board to conduct certain education for new board members; prohibiting Space Florida from endorsing a candidate or contributing moneys to a campaign; amending s. 331.310, F.S.; conforming a cross-reference; amending s. 331.3101, F.S.; requiring the annual report of Space Florida to include certain information; prohibiting Space Florida from expending funds on certain expenses; providing that certain expenses may not exceed a certain amount; revising the scheduled expiration of provisions requiring certain information in an annual report; abrogating the scheduled expiration of provisions relating to the expenditure of certain funds; amending s. 331.312, F.S.; providing Space Florida with certain authority; amending s. 331.313, F.S.; requiring Space Florida to consult with certain agencies and jurisdictions; requiring Space Florida to advise the Department of Transportation of certain determinations and take certain actions relating to certain construction projects; amending s. 331.324, F.S.; requiring Space Florida to make and obtain certain assessments; requiring the submission of a final assessment report to certain persons; requiring the board of directors to submit a certain statement to the Department of Economic Opportunity; requiring Space Florida to complete a certain assessment at certain in-

tervals beginning on a certain date; providing that the provisions of this act shall control to the extent of certain conflicts; providing an effective date.

—was read the third time by title.

On motion by Senator Wright, **CS for HB 7041** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Trumbull

**HB 267**—A bill to be entitled An act relating to telehealth practice standards; amending s. 456.47, F.S.; revising the definition of the term “telehealth”; providing an effective date.

—was read the third time by title.

On motion by Senator Boyd, **HB 267** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**SPECIAL GUESTS**

Senator Boyd recognized Representative Tom Fabricio who was present in the chamber in support of SB 298/HB 267, related to Telehealth Practice Standards.

**CS for CS for HB 1573**—A bill to be entitled An act relating to continuing care providers; amending s. 651.011, F.S.; providing definitions; amending s. 651.012, F.S.; conforming a cross-reference; amending s. 651.0246, F.S.; revising a requirement for specified information submitted by a provider applying for expansion of a certificated con-

tinuing care facility; revising conditions for the release of certain escrow funds to providers; revising the timeframe in which the Office of Insurance Regulation must complete its review of an application for expansion; amending s. 651.026, F.S.; revising information required to be contained in certain providers’ financial reports in their annual reports; amending s. 651.033, F.S.; revising the list of financial institutions in which escrow accounts for certain providers’ funds must be established; revising a condition under which a provider may hold and not deposit a resident’s check for a specified period; amending s. 651.034, F.S.; revising the timeframe during which the office may exempt certain providers from certain regulatory actions; amending s. 651.035, F.S.; providing that certain documents relating to a provider’s debt service reserve must require certain notice to the office before the withdrawal of debt service reserve funds; specifying requirements for the notice and for certain plans to replenish withdrawn funds; revising the calculation of minimum liquid reserve requirements for certain facilities; revising requirements for letters of credit which satisfy minimum liquid reserve requirements; revising circumstances under which a provider may withdraw funds held in escrow without the office’s approval; amending s. 651.055, F.S.; specifying that a forfeiture penalty may be deducted from certain resident refunds, except under certain circumstances; conforming a provision to changes made by the act; amending s. 651.081, F.S.; specifying the authority of residents’ councils and the eligibility of persons to participate in residents’ council matters; deleting a requirement for open meetings of residents’ councils; amending s. 651.083, F.S.; specifying that a resident has the right to access ombudsman staff; amending s. 651.085, F.S.; requiring residents’ councils to nominate and elect a designated resident representative to represent them on specified matters; providing requirements for designated resident representatives; revising meetings of the full governing body for which the designated resident representative must be notified; requiring each facility of certain providers to have its own designated resident representative; providing duties for certain designated resident representatives; amending s. 651.091, F.S.; providing reporting and notice requirements for continuing care facilities; providing a disclosure requirement for providers to prospective residents or their legal representatives; amending s. 651.105, F.S.; specifying requirements for the office’s examination of providers and applicants for certificates of authority; deleting a requirement for a provider’s representative to give examination reports and corrective action plans to the governing body’s executive officer within a certain timeframe; amending ss. 651.012 and 651.0261, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Yarborough, **CS for CS for HB 1573** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**CS for CS for CS for HB 1343**—A bill to be entitled An act relating to agricultural lands; amending s. 125.01, F.S.; prohibiting counties from levying specified special assessments on lands classified as agricultural; providing an exception; providing applicability; amending s.

163.3162, F.S.; authorizing construction or installation of housing for seasonal agricultural employees on certain lands; providing requirements for such housing; exempting such housing from certain local government approval; providing conditions under which such housing is subject to specified zoning, land use, and permit provisions; amending s. 193.461, F.S.; prohibiting a county or municipality from requiring the removal or relinquishment of an agricultural land classification for certain lands; requiring landowners to provide a county or municipality with certain written notice regarding such lands; providing an effective date.

—as amended May 3, was read the third time by title.

On motion by Senator Collins, **CS for CS for CS for HB 1343**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Trumbull

**CS for CS for CS for HB 425**—A bill to be entitled An act relating to transportation; amending s. 316.126, F.S.; requiring the driver of a vehicle to perform certain actions in the presence of a disabled motor vehicle; providing penalties; reenacting s. 318.18(2)(d), F.S., relating to the amount of certain penalties, to incorporate the amendment made to s. 316.126, F.S., in a reference thereto; creating s. 316.83, F.S.; requiring the Department of Transportation to coordinate with certain entities to establish standards by which roads on the State Highway System shall be graded according to their compatibility with the operation of autonomous vehicles; providing factors to be considered by the department in establishing such standards; requiring established standards to be incorporated into standards for certain transportation projects; amending s. 333.03, F.S.; requiring political subdivisions to consider certain factors in airport land use compatibility zoning regulations; authorizing certain airport owners to establish noise contours pursuant to a specified study accepted by the Federal Aviation Administration; authorizing mitigation of potential incompatible uses if a noise study has not been conducted; amending s. 334.044, F.S.; revising the department's powers and duties regarding a workforce development program; creating s. 334.066, F.S.; establishing the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) within the University of Florida; specifying the duties of I-STREET; requiring I-STREET to submit an annual report to the Governor and Legislature; requiring the creation of a certain advisory board; specifying the composition of the board; amending s. 334.179, F.S.; limiting certification of aggregate shipments to those in compliance with specified rules of the department; prohibiting a producer of aggregates from misrepresenting certification of aggregates; creating s. 334.181, F.S.; requiring a local governmental entity to accept an electronic proof of delivery as an official record for a material delivery on the local governmental entity's transportation project; amending s. 337.11, F.S.; requiring certain bridge construction or maintenance contracts to require certain marine general liability insurance; requiring the department to implement strategies to reduce certain costs and to make a record of such strategies and projected savings related thereto; authorizing the department to share a certain

portion of construction cost savings with certain consultants; amending s. 337.1101, F.S.; revising procedures for resolving certain protests through settlements requiring the payment of certain amounts; amending s. 337.14, F.S.; revising a limitation on the amount of a construction contract for which a bidder may submit annual or interim financial statements prepared by a certified public accountant; revising the effect of submission and approval of an application for a certificate of qualification; authorizing submission of a written request to maintain an existing certificate; amending s. 337.168, F.S.; deleting an exemption from public records requirements for identities of potential transportation project bidders; amending s. 337.408, F.S.; revising the maximum height of modular news racks or advertising thereon; amending s. 338.223, F.S.; deleting provisions prohibiting the department from requesting legislative approval of a proposed turnpike project until the design phase is partially completed; amending s. 339.175, F.S.; providing requirements for multiple M.P.O.'s designated for a single urbanized area; prohibiting an M.P.O. from performing project production or delivery for certain projects; revising duties of an M.P.O.; revising membership of an M.P.O.'s technical advisory committee; requiring the M.P.O.'s serving certain counties to submit a report to the Governor and Legislature by a specified date; removing obsolete provisions; authorizing multiple M.P.O.'s to merge into a single M.P.O.; requiring multiple M.P.O.'s within a contiguous urbanized area to coordinate plans and transportation improvement programs and ensure consistency of certain data; requiring an M.P.O.'s transportation improvement program to indicate coordination with transportation improvement plans of other M.P.O.'s within a contiguous urbanized area; revising powers and duties of the Metropolitan Planning Organization Advisory Council; authorizing the council to enter into certain contracts; providing prohibitions; creating s. 339.651, F.S.; providing legislative findings; requiring the department to specifically address movement and storage of construction aggregate in transportation plans; requiring specified funding for certain projects; providing considerations for funding; requiring priority to be given to certain projects; specifying the funding level authorized from the State Transportation Trust Fund; authorizing the department to adopt rules; providing for future repeal; creating s. 339.84, F.S.; requiring specified funds to be allocated to the department's workforce development program for certain purposes; amending s. 354.01, F.S.; requiring certain railroad police officers to be recognized as special officers for certain purposes; providing construction; removing provisions requiring the Governor to appoint special officers; amending ss. 354.02, 354.05, and 784.07, F.S.; conforming provisions to changes made by the act; amending s. 943.10, F.S.; revising definitions; providing effective dates.

—was read the third time by title.

On motion by Senator Hooper, **CS for CS for CS for HB 425** was 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 CS for HB 1259**—A bill to be entitled An act relating to education; amending s. 212.055, F.S.; conforming provisions to changes made by the act; amending s. 1013.62, F.S.; deleting obsolete language; making technical changes; revising charter school eligibility and ineligibility criteria to receive capital outlay funds; revising the calculation methodologies for the distribution of specified funds to eligible

charter schools; providing school district requirements for the distribution of capital outlay funds to eligible charter schools; providing requirements for the use of capital outlay funds; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for HB 1259** was passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—11

Berman	Pizzo	Stewart
Book	Polsky	Thompson
Davis	Powell	Torres
Jones	Rouson	

Vote after roll call:

Yea to Nay—Osgood

**CS for HB 733**—A bill to be entitled An act relating to middle school and high school start times; amending s. 1001.42, F.S.; providing requirements for middle school and high school start times; requiring such school start times to be implemented by a specified date; providing district school board requirements; amending s. 1002.33, F.S.; requiring charter schools to meet certain requirements relating to middle school and high school start times; providing an exception; providing an effective date.

—was read the third time by title.

On motion by Senator Burgess, **CS for HB 733** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—2

DiCeglie	Thompson
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**SPECIAL ORDER CALENDAR**

**CS for HB 389**—A bill to be entitled An act relating to menstrual hygiene products in public schools; creating s. 1006.064, F.S.; defining the term “menstrual hygiene products”; authorizing school districts to make menstrual hygiene products available, at no charge, in schools

within the district and at certain locations within such schools; requiring participating schools to notify students of the availability and locations of such products; encouraging school districts to partner with specified organizations to supply and maintain such menstrual hygiene products; providing an effective date.

—was read the second time by title.

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

Senator Grall moved the following amendment which was adopted:

**Amendment 1 (427820) (with title amendment)**—Delete line 27 and insert:  
*restrooms. The menstrual hygiene products may not display any advertisement, logo, or text except for the brand name and any product information provided by the manufacturer. Any associated dispensing mechanism may not display any advertisement, logo, or text except for the brand name and product information provided by the manufacturer or information necessary to maintain the dispensing mechanism. If the products or dispensing mechanism is provided, sponsored, or otherwise funded by a person or an organization other than the school district or the manufacturer, information related to the provider, sponsor, or person or organization making such donation may not be displayed.*

And the title is amended as follows:

Between lines 7 and 8 insert: specifying requirements for the menstrual hygiene products and the dispensers of such products;

On motion by Senator Book, by two-thirds vote, **CS for HB 389**, as amended, 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	Ingolia	Torres
Broxson	Jones	Trumbull
Burgess	Martin	Wright
Burton	Mayfield	Yarborough
Calatayud	Osgood	
Collins	Perry	

Nays—None

**SPECIAL GUESTS**

Senator Book recognized Representative Kelly Skidmore who was present in the chamber in support of CS for HB 389, related to Menstrual Hygiene Products in Public Schools.

**CS for HB 551**—A bill to be entitled An act relating to required African-American instruction; amending s. 1003.42, F.S.; requiring each school district to certify and provide certain evidence to the Department of Education regarding certain instruction; authorizing the department to seek input from and contract with certain educational organizations for specified purposes; requiring each school district to submit an implementation plan to the Commissioner of Education and post the plan on its website; providing requirements for the plan; requiring the commissioner or the department to provide certain notification; providing a timeframe within which a school district must submit revisions to its plan to the department; authorizing the State Board of Education to take certain actions under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Simon, by two-thirds vote, **CS for HB 551** 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 GUESTS

Senator Simon recognized Representative Christopher Benjamin who was present in the chamber in support of CS for HB 551, related to Required African-American Instruction.

#### RECESS

On motion by Senator Mayfield, the Senate recessed at 12:53 p.m. to reconvene in one hour or upon call of the President.

#### AFTERNOON SESSION

The Senate was called to order by President Passidomo at 2:06 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	

#### SPECIAL ORDER CALENDAR, continued

**HB 1373**—A bill to be entitled An act relating to county constitutional officers; creating s. 125.691, F.S.; prohibiting a county from creating any office, special district, or governmental unit, or expanding the powers or authority of such office, district, or unit, under certain conditions; providing that a county commissioner is guilty of misfeasance or malfeasance in office under certain conditions; authorizing the state to withhold certain county funding under certain conditions; authorizing certain county constitutional officers and residents to bring an action in circuit court under certain conditions; authorizing and prohibiting certain remedies; amending s. 129.01, F.S.; prohibiting a board of county commissioners' budget from providing funding to such offices, districts, and units under certain conditions; amending s. 129.021, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote, **HB 1373** 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
Baxley	Garcia	Polsky
Berman	Grall	Powell
Book	Gruters	Rodriguez
Boyd	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—Avila

#### SPECIAL GUESTS

Senator Garcia recognized Representative Juan Fernandez-Barquin who was present in the chamber in support of HB 1373, related to County Constitutional Officers.

**CS for CS for HB 1405**—A bill to be entitled An act relating to biosolids; creating s. 403.0674, F.S.; establishing a biosolids grant program within the Department of Environmental Protection; authorizing the department, subject to legislative appropriation, to provide grants to counties, special districts, and municipalities for certain wastewater conversion projects; providing eligibility, prioritization, and funding requirements; authorizing the department to waive the funding match requirement for specified projects; requiring the department to develop specified annual reporting requirements for counties, special districts, and municipalities awarded such grants; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **CS for CS for HB 1405** 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 CS for SB 1506**—A bill to be entitled An act relating to the Department of Health; creating s. 381.875, F.S.; defining terms; prohibiting certain research in this state relating to enhanced potential pandemic pathogens; requiring researchers applying for state or local funding to disclose certain information; requiring the Department of Health to enjoin violations of specified provisions; providing construction; amending s. 381.986, F.S.; defining the term “attractive to children”; prohibiting medical marijuana treatment centers from producing marijuana products that are attractive to children or manufactured in specified manners; prohibiting marijuana packaging and labeling from

including specified wording; prohibiting medical marijuana treatment centers from using certain content in their advertising which is attractive to children or promotes the recreational use of marijuana; revising background screening requirements for certain individuals; amending s. 381.988, F.S.; requiring medical marijuana testing laboratories to subject their employees to background screenings; revising background screening requirements for certain individuals; amending s. 382.005, F.S.; requiring local registrars to electronically file all live birth, death, and fetal death records in their respective jurisdictions in the department's electronic registration system; requiring the local registrars to file a paper record with the department if the electronic system is unavailable; requiring local registrars to make blank paper forms available in such instances; providing requirements for such paper records; amending s. 382.008, F.S.; conforming provisions to changes made by the act; amending s. 382.009, F.S.; revising the types of health care practitioners who may make certain determinations of death; amending ss. 382.013 and 382.015, F.S.; conforming provisions to changes made by the act; amending ss. 382.021 and 382.023, F.S.; revising the frequency with which circuit courts must transmit marriage licenses and certain dissolution-of-marriage records to the department; requiring that such records be transmitted electronically; amending s. 382.025, F.S.; extending the timeframe for the confidentiality of certain birth records; authorizing persons appointed by the department to issue certified copies of live birth, death, and fetal death certificates; amending s. 401.27, F.S.; revising requirements for applicants for certification or recertification as emergency medical technicians or paramedics; deleting a requirement that a certain certification examination be offered monthly; deleting related duties of the department; deleting a temporary certificate and related provisions; amending s. 401.2701, F.S.; exempting certain emergency medical services training program applicants from the requirement to have a certain affiliation agreement; amending s. 401.272, F.S.; revising the purpose of certain provisions; specifying requirements for the provision of specified services by paramedics and emergency medical technicians under certain circumstances; revising the department's rulemaking authority; amending s. 401.34, F.S.; deleting certain provisions and fees related to the department's grading of a certain certification examination; amending s. 401.435, F.S.; revising provisions related to minimum standards for emergency medical responder training; amending s. 464.203, F.S.; exempting certain applicants for certification as a certified nursing assistant from the skills-demonstration portion of a certain competency examination; amending s. 468.1115, F.S.; providing construction and applicability; conforming a cross-reference; reordering and amending s. 468.1125, F.S.; providing and revising definitions; amending ss. 468.1225 and 468.1245, F.S.; revising the scope of practice for audiologists as it relates to hearing aids to apply to prescription hearing aids only; requiring that hearing aids provided to persons younger than 18 years of age be prescription hearing aids and not over-the-counter hearing aids; amending s. 468.1246, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 468.1255, 468.1265, and 468.1275, F.S.; conforming provisions to changes made by the act; amending s. 484.0401, F.S.; revising legislative findings and intent to conform to changes made by the act; reordering and amending s. 484.041, F.S.; providing and revising definitions; amending s. 484.042, F.S.; revising membership requirements for members of the Board of Hearing Aid Specialists; amending s. 484.044, F.S.; revising the board's rulemaking authority; deleting obsolete language; amending ss. 484.0445, 484.045, 484.0501, and 484.051, F.S.; revising the scope of practice for hearing aid specialists and making conforming changes to licensure and practice requirements; amending s. 484.0512, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 484.0513, 484.053, and 484.054, F.S.; conforming provisions to changes made by the act; amending s. 484.059, F.S.; conforming provisions to changes made by the act; providing applicability; amending s. 1002.394, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1506**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1387** was withdrawn from the Committee on Rules.

On motion by Senator Rodriguez—

**CS for CS for HB 1387**—A bill to be entitled An act relating to the Department of Health; creating s. 381.875, F.S.; defining terms; pro-

hibiting certain research in this state relating to enhanced potential pandemic pathogens; requiring researchers applying for state or local funding to disclose certain information; requiring the Department of Health to enjoin violations of specified provisions; providing construction; amending s. 381.986, F.S.; defining the term “attractive to children”; prohibiting medical marijuana treatment centers from producing marijuana products that are attractive to children or manufactured in specified manners; prohibiting marijuana packaging and labeling from including specified wording; prohibiting medical marijuana treatment centers from using certain content in their advertising which is attractive to children or promotes the recreational use of marijuana; revising background screening requirements for certain individuals; amending s. 381.988, F.S.; requiring medical marijuana testing laboratories to subject their employees to background screenings; revising background screening requirements for certain individuals; amending s. 382.005, F.S.; requiring local registrars to electronically file all live birth, death, and fetal death records in their respective jurisdictions in the department's electronic registration system; requiring the local registrars to file a paper record with the department if the electronic system is unavailable; requiring local registrars to make blank paper forms available in such instances; providing requirements for such paper records; amending s. 382.008, F.S.; conforming provisions to changes made by the act; amending s. 382.009, F.S.; revising the types of health care practitioners who may make certain determinations of death; amending ss. 382.013 and 382.015, F.S.; conforming provisions to changes made by the act; amending ss. 382.021 and 382.023, F.S.; revising the reporting requirements and the frequency with which circuit courts must transmit marriage licenses and certain dissolution-of-marriage records to the department; requiring that such records be transmitted electronically; amending s. 382.025, F.S.; extending the timeframe for the confidentiality of certain birth records; authorizing persons appointed by the department to issue certified copies of live birth, death, and fetal death certificates; amending s. 401.27, F.S.; revising requirements for applicants for certification or recertification as emergency medical technicians or paramedics; deleting a requirement that a certain certification examination be offered monthly; deleting related duties of the department; deleting a temporary certificate and related provisions; amending s. 401.2701, F.S.; exempting certain emergency medical services training program applicants from the requirement to have a certain affiliation agreement; amending s. 401.272, F.S.; revising the purpose of certain provisions; specifying requirements for the provision of specified services by paramedics and emergency medical technicians under certain circumstances; revising the department's rulemaking authority; amending s. 401.34, F.S.; deleting certain provisions and fees related to the department's grading of a certain certification examination; amending s. 401.435, F.S.; revising provisions related to minimum standards for emergency medical responder training; amending s. 464.203, F.S.; exempting certain applicants for certification as a certified nursing assistant from the skills-demonstration portion of a certain competency examination; amending ss. 468.1225 and 468.1245, F.S.; revising the scope of practice for audiologists, as it relates to hearing aids to apply to prescription hearing aids only; amending s. 468.1246, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 468.1255, 468.1265, and 468.1275, F.S.; conforming provisions to changes made by the act; amending s. 484.0401, F.S.; revising legislative findings and intent to conform to changes made by the act; reordering and amending s. 484.041, F.S.; providing and revising definitions; amending s. 484.042, F.S.; revising membership requirements for members of the Board of Hearing Aid Specialists; amending s. 484.044, F.S.; revising the board's rulemaking authority; deleting obsolete language; amending ss. 484.0445, 484.045, 484.0501, and 484.051, F.S.; revising the scope of practice for hearing aid specialists and making conforming changes to licensure and practice requirements; amending s. 484.0512, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 484.0513, 484.053, and 484.054, F.S.; conforming provisions to changes made by the act; amending s. 484.059, F.S.; conforming provisions to changes made by the act; providing applicability; providing a directive to the Division of Law Revision; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1506** and read the second time by title.

Senator Grall moved the following amendment which was adopted:

**Amendment 1 (336516)**—Delete lines 665-672 and insert: neurologist, neurosurgeon, internist, *family medicine physician*, pediatrician, surgeon, or anesthesiologist.

(b) *If the patient's treating health care practitioner is an autonomous advanced practice registered nurse registered under s. 464.0123, the determination must be made by that practitioner and two physicians licensed under chapter 458 or chapter 459. Each physician must be a board-eligible or board-certified neurologist, neurosurgeon, internist, family medicine physician, pediatrician,*

The following amendment which was offered by Senators Harrell and Burton, moved by Senator Harrell, and adopted:

**Amendment 2 (509046) (with title amendment)**—Between lines 1298 and 1299 insert:

Section 18. Paragraph (b) of subsection (1) of section 465.1865, Florida Statutes, is amended to read:

465.1865 Collaborative pharmacy practice for chronic health conditions.—

(1) For purposes of this section, the term:

(b) “Chronic health condition” means:

1. Arthritis;
2. Asthma;
3. Chronic obstructive pulmonary diseases;
4. Type 2 diabetes;
5. Human immunodeficiency virus or acquired immune deficiency syndrome;
6. Obesity; or
7. Any other chronic condition adopted in rule by the board, in ~~agreement consultation~~ with the Board of Medicine and the Board of Osteopathic Medicine.

And the title is amended as follows:

Delete line 72 and insert: examination; amending s. 465.1865, F.S.; revising the definition of the term “chronic health condition”; amending ss. 468.1225 and 468.1245, F.S.;

On motion by Senator Rodriguez, by two-thirds vote, **CS for CS for HB 1387**, as amended, 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	Ingolia	Torres
Broxson	Jones	Trumbull
Burgess	Martin	Wright
Burton	Mayfield	Yarborough
Calatayud	Osgood	
Collins	Perry	

Nays—None

**CS for SB 7062**—A bill to be entitled An act relating to taxation; amending s. 125.01, F.S.; prohibiting a county from levying special as-

sessments on certain lands; deleting exceptions; deleting the definition of the term “agricultural pole barn”; amending s. 125.0104, F.S.; revising criteria for counties that may reimburse certain expenses from revenues received by a tourist development tax; requiring that a referendum to reenact such an expiring tax be held at a general election; limiting the occurrence of such a referendum; amending s. 125.0108, F.S.; requiring that a referendum to reenact an expiring tourist impact tax be held at a general election; limiting the occurrence of such a referendum; amending s. 125.901, F.S.; requiring that a referendum to approve a millage rate increase for a children’s services independent special district property tax be held at a general election; limiting the occurrence of such a referendum; amending s. 212.055, F.S.; requiring that a referendum to reenact a local government discretionary sales surtax be held at a general election; limiting the occurrence of such a referendum; amending ss. 336.021 and 336.025, F.S.; requiring that a referendum to adopt, amend, or reenact a ninth-cent fuel tax or local option fuel taxes, respectively, be held at a general election; limiting the occurrence of a referendum to reenact such a tax; amending s. 196.081, F.S.; specifying that certain permanently and totally disabled veterans or their surviving spouses are entitled to, rather than may receive, a prorated refund of ad valorem taxes paid under certain circumstances; making clarifying changes relating to the transfer of homestead tax exemptions by surviving spouses of certain veterans and first responders; providing construction; expanding eligibility for the prorated refund; removing a limitation on when certain surviving spouses are exempt from a specified tax; exempting from ad valorem taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty while employed by the Federal Government; expanding the definition of the term “first responder” to include certain federal law enforcement officers; providing applicability; amending s. 196.196, F.S.; making a technical change; providing construction relating to tax-exempt property used for a religious purpose; amending s. 196.198, F.S.; adding circumstances under which certain property used exclusively for educational purposes is deemed owned by an educational institution; specifying requirements for such educational institutions and property owners; amending s. 197.319, F.S.; revising definitions; revising requirements for applying for property tax refunds due to catastrophic events; revising duties of property appraisers and tax collectors; making technical changes; providing applicability; amending ss. 199.145 and 201.08, F.S.; providing requirements for taxation of specified loans in certain circumstances; amending s. 201.21, F.S.; exempting from documentary stamp taxes certain documents in connection with the sale of alarm systems; 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; prohibiting a certain tax passed after a specified date from being added to the local communications service tax until a future date; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; amending s. 206.996, F.S.; conforming a provision to changes made by the act; amending s. 212.08, F.S.; providing a sales tax exemption for the purchase of certain equipment necessary for the storage of electrical energy; defining the term “renewable natural gas”; providing a sales tax exemption for the purchase of certain machinery and equipment relating to renewable natural gas; requiring purchasers of such machinery and equipment to furnish the vendor with a certain affidavit; providing an exception; providing penalties, including a criminal penalty; authorizing the Department of Revenue to adopt rules; exempting the purchase of specified baby and toddler products from the sales and use tax; providing a presumption; exempting the sale for human use of diapers, incontinence undergarments, incontinence pads, and incontinence liners from the sales and use tax; exempting the sale of oral hygiene products from the sales and use tax; defining the term “oral hygiene products”; exempting the sale of certain firearm safety devices from the sales and use tax; defining the terms “private investigation services” and “small private investigative agency”; exempting the sale of private investigation services by a small private investigative agency to a client from the sales and use tax; providing applicability; amending s. 194.036, F.S.; revising a condition under which a property appraiser may appeal a decision of the value adjustment board; amending s. 212.0306, F.S.; authorizing certain cities and towns to levy a local option food and beverage tax if approved by referendum; amending s. 212.12,



F.S.; revising the amount of a sales tax collection allowance for certain dealers; amending s. 212.20, F.S.; requiring the Department of Revenue to distribute funds to the Florida Agricultural Promotional Campaign Trust Fund; providing for future repeal; creating s. 550.09516, F.S.; providing for a credit for thoroughbred racing permitholders; requiring the Florida Gaming Control Commission to require sufficient documentation; authorizing permitholders to apply the credits monthly beginning on a specified annual date to certain taxes and fees; providing for expiration of credits; authorizing the commission to adopt rules; amending s. 571.26, F.S.; requiring that certain funds be held separately in the trust fund for certain purposes; providing for the future expiration and reversion of specified statutory text; creating s. 571.265, F.S.; defining the terms “association” and “permitholder”; requiring that certain funds deposited into the trust fund be used for a specified purpose; providing for carryover of unused funds; specifying requirements for the use and distribution of funds; requiring recipients to submit a report; providing for future repeal; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the Department of Environmental Protection, the Division of Historical Resources of the Department of State, and the Federal Government; creating s. 220.199, F.S.; defining terms; providing a corporate income 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 are applied against the corporate income tax or franchise tax; amending s. 220.13, F.S.; requiring the addition of amounts taken for certain credits to taxable income; amending s. 220.1845, F.S.; authorizing additional amounts of contaminated site rehabilitation tax credits which may be granted for each fiscal year and for a specified timeframe; providing for future repeal; amending s. 376.30781, F.S.; authorizing additional amounts of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas which may be granted for each fiscal year and for a specified timeframe; providing for future repeal; creating s. 220.197, F.S.; providing a short title; defining terms; providing a credit against the state corporate income tax and the insurance premium tax for qualified expenses in rehabilitating certain historic structures; specifying eligibility requirements for the tax credit; specifying requirements for taxpayers claiming or transferring tax credits; specifying requirements for the Division of Historical Resources of the Department of State for evaluating and certifying applications for tax credits; specifying the allowable amounts of tax credits; providing construction; authorizing the carryforward, sale, and transfer of tax credits subject to certain requirements and limitations; providing the Department of Revenue and the division audit and examination powers for specified purposes; requiring the return of forfeited tax credits under certain circumstances; providing penalties; requiring the division to provide specified annual reports to the Legislature; providing duties of the Department of Revenue; providing applicability; authorizing the Department of Revenue and the division to adopt rules; amending s. 220.222, F.S.; requiring specified calculations relating to the underpayment of taxes to include the amount of certain credits; amending s. 402.62, F.S.; increasing the Strong Families Tax Credit cap; amending s. 624.509, F.S.; specifying the order in which the certified rehabilitation tax credit is applied against the insurance premium tax; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax specified disaster preparedness supplies during a specified timeframe; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax admissions to cer-

tain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax the retail sale of new ENERGY STAR appliances during a specified timeframe; defining the term “ENERGY STAR appliance”; exempting from sales and use tax the retail sale of gas ranges and cooktops during a specified timeframe; defining the term “gas ranges and cooktops”; authorizing the Department of Revenue to adopt emergency rules; authorizing tax collectors in certain counties to apply to the Department of Revenue for reimbursement of refunded property taxes; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 7062**, pursuant to Rule 3.11(3), there being no objection, **HB 7063** was withdrawn from the Committee on Appropriations.

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

**HB 7063**—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; revising the population limitation for reimbursement of certain expenses from revenues received by a certain tax; amending s. 196.081, F.S.; expanding eligibility for a certain prorated refund; removing a limitation on when certain surviving spouses are exempt from a specified tax; exempting from taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty while employed by the United States; expanding the definition of “first responder” to include certain federal law enforcement officers; providing applicability; amending s. 196.081, F.S.; specifying that certain permanently and totally disabled veterans or their surviving spouses are entitled to, rather than may receive, a prorated refund of ad valorem taxes paid under certain circumstances; making clarifying changes relating to the transfer of homestead tax exemptions by surviving spouses of certain veterans and first responders; amending s. 196.196, F.S.; specifying the circumstances under which property is used for religious purposes; providing applicability; amending s. 196.198, F.S.; providing an additional circumstance under which property is deemed to be owned by an educational institution; amending s. 197.319, F.S.; revising definitions; revising procedures for the refund of taxes in certain circumstances; providing the value of certain residential improvements; providing applicability; amending ss. 199.145 and 201.08, F.S.; providing requirements for taxation of specified loans in certain circumstances; amending s. 202.19, F.S.; revising the name of the discretionary communications services tax; requiring a certain tax remain the same rate as it was on a specified past date until a specified future date; prohibiting a certain tax passed after a specified date from being added to the local communications service tax until a future date; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; amending s. 206.996, F.S.; conforming a provision to changes made by the act; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.054, F.S.; specifying procedures when a specified surtax is found, in a final adjudication, to be unconstitutional; requiring certain entities to transfer tax proceeds and interest to the Department of Revenue within a specified time period; requiring the department to deposit such proceeds into a separate account in a specified trust fund; requiring certain surtaxes to be temporarily suspended in specified circumstances; requiring the department to distribute moneys in a specified manner; requiring temporarily suspended surtaxes to resume when the department estimates a certain condition is met; requiring the department to monitor certain transfers and make a specified estimate; requiring the department to provide notice a certain time before a specified condition is met; providing applicability; amending s. 212.08, F.S.; exempting from sales and use tax the sale of certain fencing used to contain, confine, or process cattle; defining the term “renewable natural gas”; providing a sales tax exemption for the purchase of certain machinery and equipment relating to renewable natural gas; requiring purchasers of such machinery and equipment to furnish the vendor

with a certain affidavit; providing an exception; providing penalties, including a criminal penalty; authorizing the Department of Revenue to adopt rules; providing a sales tax exemption for the purchase of specified products relating to babies and toddlers; exempting the sale for human use of diapers, incontinence undergarments, incontinence pads, and incontinence liners from the sales and use tax; exempting the sale of oral hygiene products from the sales and use tax; providing definitions; providing an exemption from the state tax on sales, use, and other transactions for private investigation services provided by a small private investigative agency; providing definitions; providing an exception; amending s. 213.053, F.S.; revising information which the Department of Revenue may share with the Department of Environmental Protection to include changes made by the act; amending s. 220.02, F.S.; revising the order in which credits may be taken to include credits created by the act; amending s. 220.03, F.S.; adopting the Internal Revenue Code in effect on a specified date; providing for retroactive operation; amending s. 220.13, F.S.; revising the definition of the term “adjusted federal income” to include credits created by the act; creating s. 220.199, F.S.; providing definitions; 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 and per developer or homebuilder; specifying information the developer or homebuilder must provide; requiring the Department of Environmental Protection to make certain determinations and to certify such determinations within a specified time frame; requiring such determinations be included on specified returns; prohibiting the certification of credits for tax years after a certain date; authorizing tax credits to be carried forward for up to a specified number of years; authorizing the Department of Revenue and the Department of Environmental Protection to adopt rules; providing for future repeal; creating s. 220.1991, F.S.; authorizing a tax credit for a portion of the cost of certain equipment used in the production of human breast milk fortifiers; requiring such credit be reduced using a specified calculation; providing requirements for qualifying equipment; providing the maximum amount of credits available for each taxpayer for certain fiscal years; providing applicability; authorizing the Department of Revenue to adopt specified rules; providing requirements for certain forms; requiring the credit to be approved by the department before it is used; requiring the Department of Revenue to take certain actions when processing applications; providing requirements for incomplete applications; authorizing credits to be carried forward for up to a specified number of years; authorizing credits to be used on a consolidated return in certain circumstances; prohibiting credits from specified transfers; providing an exception; requiring notification if such exception is used; requiring the Department of Revenue to take specified actions in relation to such notifications; providing requirements for a credit approved after a specified event; providing for the reduction of estimated payments in certain circumstances; providing for future repeal; amending s. 220.222, F.S.; requiring specified calculations relating to the underpayment of taxes to include the amount of certain credits; amending s. 402.62, F.S.; modifying the restrictions for designation as an eligible charitable organization under the Strong Families tax credit program; increasing the Strong Families tax credit cap; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; providing definitions; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holidays, subject to certain requirements; authorizing the department to adopt emergency rules; exempting from sales and use tax specified disaster preparedness supplies during a specified timeframe; providing definitions; specifying locations where the tax exemptions do not apply; authorizing the department to adopt emergency rules; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframe; providing definitions; specifying locations where the tax exemptions do not apply; authorizing the department to adopt emergency rules; exempting from the sales and use tax the retail sale of specified tools used by skilled trade workers during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the department to adopt emergency rules; exempting from sales and use tax the retail sale of new ENERGY STAR appliances during a specified timeframe; defining the term “ENERGY STAR appliance”; exempting from sales and use tax the retail sale of gas ranges and cooktops; defining the term “gas ranges and cooktops”; providing for a transfer of funds by a specified date;

authorizing the Department of Revenue to adopt emergency rules; providing for future expiration; providing for retroactive operation; providing effective dates.

—a companion measure, was substituted for **CS for SB 7062** and read the second time by title.

Senator Ingolia moved the following amendment:

**Amendment 1 (641882) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (r) of subsection (1) of section 125.01, Florida Statutes, is amended to read:

125.01 Powers and duties.—

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not inconsistent with general or special law, this power includes, but is not restricted to, the power to:

(r) Levy and collect taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit, and special assessments; borrow and expend money; and issue bonds, revenue certificates, and other obligations of indebtedness, which power shall be exercised in such manner, and subject to such limitations, as may be provided by general law. There shall be no referendum required for the levy by a county of ad valorem taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit.

1. Notwithstanding any other provision of law, a county may not levy special assessments ~~for the provision of fire protection services~~ on lands classified as agricultural lands under s. 193.461 unless the revenue from such assessments has been pledged for debt service and is necessary to meet obligations of bonds or certificates issued by the county which remain outstanding on July 1, 2023, including refundings thereof for debt service savings where the maturity of the debt is not extended. For bonds or certificates issued after July 1, 2023, special assessments securing such bonds may not be levied on lands classified as agricultural under s. 193.461.

2. The provisions of subparagraph 1. do not apply to residential structures and their curtilage ~~land contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this paragraph, the term “agricultural pole barn” means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.~~

Section 2. Paragraphs (d), (l), (m), and (n) of subsection (3), subsection (4), paragraph (c) of subsection (5), and subsection (6) of section 125.0104, Florida Statutes, are amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

(d) In addition to any 1-percent or 2-percent tax imposed under paragraph (c), the governing board of the county may levy, impose, and set an additional 1 percent of each dollar above the tax rate set under paragraph (c) ~~by the extraordinary vote of the governing board~~ for the purposes set forth in subsection (5) ~~or by referendum of approval by the registered electors within the county or subcounty special district pursuant to subsection (6). A No county may not shall~~ levy, impose, and set the tax authorized under this paragraph unless the county has imposed the 1-percent or 2-percent tax authorized under paragraph (c) for a minimum of 3 years ~~before prior to~~ the effective date of the levy and imposition of the tax authorized by this paragraph. Revenues raised by the additional tax authorized under this paragraph ~~may shall~~ not be used for debt service on or refinancing of existing facilities as specified in subparagraph (5)(a)1. unless approved by ~~resolution adopted by an extraordinary majority of the total membership of the governing board of the county.~~ *referendum pursuant to subsection (6)*. If the 1-percent

or 2-percent tax authorized in paragraph (c) is levied within a subcounty special taxing district, the additional tax authorized in this paragraph shall only be levied therein. The provisions of paragraphs (4)(a)-(d) shall not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph ~~is shall be~~ the first day of the second month following approval of the ordinance by ~~referendum the governing board~~ or the first day of any subsequent month ~~as may be~~ specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance.

(l) In addition to any other tax which is imposed pursuant to this section, a county may impose up to an additional 1-percent tax on the exercise of the privilege described in paragraph (a) by *ordinance approved by referendum pursuant to subsection (6)* ~~majority vote of the governing board of the county in order to:~~

1. Pay the debt service on bonds issued to finance the construction, reconstruction, or renovation of a professional sports franchise facility, or the acquisition, construction, reconstruction, or renovation of a retained spring training franchise facility, either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds.

2. Pay the debt service on bonds issued to finance the construction, reconstruction, or renovation of a convention center, and to pay the planning and design costs incurred prior to the issuance of such bonds.

3. Pay the operation and maintenance costs of a convention center for a period of up to 10 years. Only counties that have elected to levy the tax for the purposes authorized in subparagraph 2. may use the tax for the purposes enumerated in this subparagraph. Any county that elects to levy the tax for the purposes authorized in subparagraph 2. after July 1, 2000, may use the proceeds of the tax to pay the operation and maintenance costs of a convention center for the life of the bonds.

4. Promote and advertise tourism in the State of Florida and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event shall have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section, and the provisions of paragraphs (4)(a)-(d), shall not apply to the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph ~~is shall be~~ the first day of the second month following approval of the ordinance by ~~referendum the governing board~~ or the first day of any subsequent month ~~as may be~~ specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance.

(m)1. In addition to any other tax which is imposed pursuant to this section, a high tourism impact county may impose an additional 1-percent tax on the exercise of the privilege described in paragraph (a) by *ordinance approved by referendum pursuant to subsection (6)* ~~extraordinary vote of the governing board of the county~~. The tax revenues received pursuant to this paragraph shall be used for one or more of the authorized uses pursuant to subsection (5).

2. A county is considered to be a high tourism impact county after the Department of Revenue has certified to such county that the sales subject to the tax levied pursuant to this section exceeded \$600 million during the previous calendar year, or were at least 18 percent of the county's total taxable sales under chapter 212 where the sales subject to the tax levied pursuant to this section were a minimum of \$200 million, except that no county authorized to levy a convention development tax pursuant to s. 212.0305 shall be considered a high tourism impact county. Once a county qualifies as a high tourism impact county, it shall retain this designation for the period the tax is levied pursuant to this paragraph.

3. The provisions of paragraphs (4)(a)-(d) shall not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph ~~is shall be~~ the first day of the second month following approval of the ordinance by ~~referendum the governing board~~ or the first day of any subsequent month ~~as may be~~ specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance.

(n) In addition to any other tax that is imposed under this section, a county that has imposed the tax under paragraph (l) may impose an additional tax that is no greater than 1 percent on the exercise of the privilege described in paragraph (a) by *ordinance approved by referendum pursuant to subsection (6)* ~~a majority plus one vote of the membership of the board of county commissioners in order to:~~

1. Pay the debt service on bonds issued to finance:

a. The construction, reconstruction, or renovation of a facility either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds for a new professional sports franchise as defined in s. 288.1162.

b. The acquisition, construction, reconstruction, or renovation of a facility either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds for a retained spring training franchise.

2. Promote and advertise tourism in the State of Florida and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event shall have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

A county that imposes the tax authorized in this paragraph may not expend any ad valorem tax revenues for the acquisition, construction, reconstruction, or renovation of a facility for which tax revenues are used pursuant to subparagraph 1. The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section shall not apply to the additional tax authorized by this paragraph in counties which levy convention development taxes pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by ~~referendum the board of county commissioners~~ or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

(4) ORDINANCE LEVY TAX; PROCEDURE.—

(a) The tourist development tax shall be levied and imposed pursuant to an ordinance containing the county tourist development plan prescribed under paragraph (c), enacted by the governing board of the county. The ordinance levying and imposing the tourist development tax shall not be effective unless the electors of the county or the electors in the subcounty special district in which the tax is to be levied approve the ordinance authorizing the levy and imposition of the tax, in accordance with subsection (6). The effective date of the levy and imposition of the tax ~~is shall be~~ the first day of the second month following approval of the ordinance by referendum, ~~as prescribed in subsection (6)~~, or the first day of any subsequent month ~~as may be~~ specified in the ordinance. A certified copy of the ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance. The governing authority of any county levying such tax shall notify the department, within 10 days after approval of the ordinance by referendum, of the time period during which the tax will be levied.



tive date of the reenacted tax, and the referendum may appear on the ballot only once within the 48-month period.

Section 4. Subsection (1) of section 125.901, Florida Statutes, is amended to read:

125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption.—

(1) Each county may by ordinance create an independent special district, as defined in ss. 189.012 and 200.001(8)(e), to provide funding for children's services throughout the county in accordance with this section. The boundaries of such district shall be coterminous with the boundaries of the county. The county governing body shall obtain approval at a general election, as defined in s. 97.021, by a majority vote of those electors voting on the question, to annually levy ad valorem taxes which shall not exceed the maximum millage rate authorized by this section. Any district created pursuant to the provisions of this subsection shall be required to levy and fix millage subject to the provisions of s. 200.065. Once such millage is approved by the electorate, the district shall not be required to seek approval of the electorate in future years to levy the previously approved millage. *However, a referendum to increase the millage rate previously approved by the electors must be held at a general election, and the referendum may be held only once during the 48-month period preceding the effective date of the increased millage.*

(a) The governing body of the district shall be a council on children's services, which may also be known as a juvenile welfare board or similar name as established in the ordinance by the county governing body. Such council shall consist of 10 members, including the superintendent of schools; a local school board member; the district administrator from the appropriate district of the Department of Children and Families, or his or her designee who is a member of the Senior Management Service or of the Selected Exempt Service; one member of the county governing body; and the judge assigned to juvenile cases who shall sit as a voting member of the board, except that said judge shall not vote or participate in the setting of ad valorem taxes under this section. If there is more than one judge assigned to juvenile cases in a county, the chief judge shall designate one of said juvenile judges to serve on the board. The remaining five members shall be appointed by the Governor, and shall, to the extent possible, represent the demographic diversity of the population of the county. After soliciting recommendations from the public, the county governing body shall submit to the Governor the names of at least three persons for each vacancy occurring among the five members appointed by the Governor, and the Governor shall appoint members to the council from the candidates nominated by the county governing body. The Governor shall make a selection within a 45-day period or request a new list of candidates. All members appointed by the Governor shall have been residents of the county for the previous 24-month period. Such members shall be appointed for 4-year terms, except that the length of the terms of the initial appointees shall be adjusted to stagger the terms. The Governor may remove a member for cause or upon the written petition of the county governing body. If any of the members of the council required to be appointed by the Governor under the provisions of this subsection shall resign, die, or be removed from office, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the Governor, using the same method as the original appointment, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

(b) However, any county as defined in s. 125.011(1) may instead have a governing body consisting of 33 members, including the superintendent of schools, or his or her designee; two representatives of public postsecondary education institutions located in the county; the county manager or the equivalent county officer; the district administrator from the appropriate district of the Department of Children and Families, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the state attorney's designee; the chief judge assigned to juvenile cases, or another juvenile judge who is the chief judge's designee and who shall sit as a voting member of the board, except that the judge may not vote or participate in setting ad valorem taxes under this section; an individual who is selected by the board of the local United Way or its equivalent; a member of a locally recognized faith-based coalition, selected by that coalition; a member of the local chamber of commerce, selected by that chamber or, if more than one

chamber exists within the county, a person selected by a coalition of the local chambers; a member of the early learning coalition, selected by that coalition; a representative of a labor organization or union active in the county; a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county, selected by that alliance or coalition; a member of the local Parent-Teachers Association/Parent-Teacher-Student Association, selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and 4 members-at-large, appointed to the council by the majority of sitting council members. The remaining 7 members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic diversity of the population of the county. Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

(c) This subsection does not prohibit a county from exercising such power as is provided by general or special law to provide children's services or to create a special district to provide such services.

Section 5. Subsection (1) of section 194.036, Florida Statutes, is amended to read:

194.036 Appeals.—Appeals of the decisions of the board shall be as follows:

(1) If the property appraiser disagrees with the decision of the board, he or she may appeal the decision to the circuit court if one or more of the following criteria are met:

(a) The property appraiser determines and affirmatively asserts in any legal proceeding that there is a specific constitutional or statutory violation, or a specific violation of administrative rules, in the decision of the board, except that nothing herein shall authorize the property appraiser to institute any suit to challenge the validity of any portion of the constitution or of any duly enacted legislative act of this state.;

(b) There is a variance from the property appraiser's assessed value in excess of the following: ~~20~~ ~~15~~ percent variance from any assessment of ~~\$250,000~~ ~~\$50,000~~ or less; ~~15~~ ~~10~~ percent variance from any assessment in excess of ~~\$250,000~~ ~~\$50,000~~ but not in excess of ~~\$1 million~~ ~~\$500,000~~; ~~10~~ ~~7.5~~ percent variance from any assessment in excess of ~~\$1 million~~ ~~\$500,000~~ but not in excess of ~~\$2.5~~ ~~\$1~~ million; or 5 percent variance from any assessment in excess of ~~\$2.5~~ ~~\$1~~ million. ~~;~~ ~~or~~

(c) There is an assertion by the property appraiser to the Department of Revenue that there exists a consistent and continuous violation of the intent of the law or administrative rules by the value adjustment board in its decisions. The property appraiser shall notify the department of those portions of the tax roll for which the assertion is made. The department shall thereupon notify the clerk of the board who shall, within 15 days of the notification by the department, send the written decisions of the board to the department. Within 30 days of the receipt of the decisions by the department, the department shall notify the property appraiser of its decision relative to further judicial proceedings. If the department finds upon investigation that a consistent and continuous violation of the intent of the law or administrative rules by the board has occurred, it shall so inform the property appraiser, who may thereupon bring suit in circuit court against the value adjustment board for injunctive relief to prohibit continuation of the violation of the law or administrative rules and for a mandatory injunction to restore

the tax roll to its just value in such amount as determined by judicial proceeding. However, when a final judicial decision is rendered as a result of an appeal filed pursuant to this paragraph which alters or changes an assessment of a parcel of property of any taxpayer not a party to such procedure, such taxpayer shall have 60 days from the date of the final judicial decision to file an action to contest such altered or changed assessment pursuant to s. 194.171(1), and the provisions of s. 194.171(2) shall not bar such action.

Section 6. Effective upon this act becoming a law, paragraph (b) of subsection (1), subsection (3), paragraph (b) of subsection (4), and paragraph (b) of subsection (6) of section 196.081, Florida Statutes, are amended to read:

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans; exemption for surviving spouses of first responders who die in the line of duty.—

(1)

(b) If legal or beneficial title to property is acquired between January 1 and November 1 of any year by a veteran or his or her surviving spouse receiving an exemption under this section on another property for that tax year, the veteran or his or her surviving spouse *is entitled to* ~~may receive~~ a refund, prorated as of the date of transfer, of the ad valorem taxes paid for the newly acquired property if he or she applies for and receives an exemption under this section for the newly acquired property in the next tax year. If the property appraiser finds that the applicant is entitled to an exemption under this section for the newly acquired property, the property appraiser shall immediately make such entries upon the tax rolls of the county that are necessary to allow the prorated refund of taxes for the previous tax year.

(3) If the totally and permanently disabled veteran predeceases his or her spouse and if, upon the death of the veteran, the spouse holds the legal or beneficial title to the homestead and permanently resides thereon as specified in s. 196.031, the exemption from taxation carries over to the benefit of the veteran's spouse until such time as he or she remarries or sells or otherwise disposes of the property. If the spouse sells the property, *the spouse may transfer* an exemption not to exceed the amount granted from the most recent ad valorem tax roll ~~may be transferred~~ to his or her new residence, as long as it is used as his or her primary residence and he or she does not remarry.

(4) Any real estate that is owned and used as a homestead by the surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran who died from service-connected causes while on active duty is exempt from taxation if the veteran was a permanent resident of this state on January 1 of the year in which the veteran died.

(b) The tax exemption carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, *the spouse may transfer* an exemption not to exceed the amount granted under the most recent ad valorem tax roll ~~may be transferred~~ to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(6) Any real estate that is owned and used as a homestead by the surviving spouse of a first responder who died in the line of duty while employed by the state or any political subdivision of the state, including authorities and special districts, and for whom a letter from the state or appropriate political subdivision of the state, or other authority or special district, has been issued which legally recognizes and certifies that the first responder died in the line of duty while employed as a first responder is exempt from taxation if the first responder and his or her surviving spouse were permanent residents of this state on January 1 of the year in which the first responder died.

(b) The tax exemption applies as long as the surviving spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, *the spouse may transfer* an exemption not to

exceed the amount granted under the most recent ad valorem tax roll ~~may be transferred~~ to his or her new residence if it is used as his or her primary residence and he or she does not remarry.

Section 7. (1) *The amendments made by section 6 of this act to s. 196.081, Florida Statutes, are remedial and clarifying in nature and do not provide a basis for an assessment of any tax or create a right to a refund of any tax paid before the date this act becomes a law.*

(2) *This section takes effect upon becoming a law.*

Section 8. Paragraph (b) of subsection (1) and subsections (4) and (6) of section 196.081, Florida Statutes, as amended by this act, are amended to read:

196.081 Exemption for certain permanently and totally disabled veterans and for surviving spouses of veterans; exemption for surviving spouses of first responders who die in the line of duty.—

(1)

(b)1. If legal or beneficial title to property is acquired between January 1 and November 1 of any year by a veteran or his or her surviving spouse receiving an exemption under this section on another property for that tax year, the veteran or his or her surviving spouse is entitled to a refund, prorated as of the date of transfer, of the ad valorem taxes paid for the newly acquired property if he or she applies for and receives an exemption under this section for the newly acquired property in the next tax year. If the property appraiser finds that the applicant is entitled to an exemption under this section for the newly acquired property, the property appraiser shall immediately make such entries upon the tax rolls of the county that are necessary to allow the prorated refund of taxes for the previous tax year.

2. *If legal or beneficial title to property is acquired between January 1 and November 1 of any year by a veteran or his or her surviving spouse who is not receiving an exemption under this section on another property for that tax year, and as of January 1 of that tax year, the veteran was honorably discharged with a service-connected total and permanent disability and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran is totally and permanently disabled, the veteran or his or her surviving spouse is entitled to a refund, prorated as of the date of transfer, of the ad valorem taxes paid for the newly acquired property if he or she applies for and receives an exemption under this section for the newly acquired property in the next tax year. If the property appraiser finds that the applicant is entitled to an exemption under this section for the newly acquired property, the property appraiser shall immediately make such entries upon the tax rolls of the county that are necessary to allow the prorated refund of taxes for the previous tax year.*

(4) Any real estate that is owned and used as a homestead by the surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces and for whom a letter from the United States Government or United States Department of Veterans Affairs or its predecessor has been issued certifying that the veteran who died from service-connected causes while on active duty is exempt from taxation ~~if the veteran was a permanent resident of this state on January 1 of the year in which the veteran died.~~

(a) The production of the letter by the surviving spouse which attests to the veteran's death while on active duty is prima facie evidence that the surviving spouse is entitled to the exemption.

(b) The tax exemption carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, the spouse may transfer an exemption not to exceed the amount granted under the most recent ad valorem tax roll to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

(6) Any real estate that is owned and used as a homestead by the surviving spouse of a first responder who died in the line of duty while employed by *the United States Government, the state, or any political*

subdivision of the state, including authorities and special districts, and for whom a letter from the United States Government, the state, or appropriate political subdivision of the state, or other authority or special district, has been issued which legally recognizes and certifies that the first responder died in the line of duty while employed as a first responder is exempt from taxation if the first responder and his or her surviving spouse were permanent residents of this state on January 1 of the year in which the first responder died.

(a) The production of the letter by the surviving spouse which attests to the first responder's death in the line of duty is prima facie evidence that the surviving spouse is entitled to the exemption.

(b) The tax exemption applies as long as the surviving spouse holds the legal or beneficial title to the homestead, permanently resides thereon as specified in s. 196.031, and does not remarry. If the surviving spouse sells the property, the spouse may transfer an exemption not to exceed the amount granted under the most recent ad valorem tax roll to his or her new residence if it is used as his or her primary residence and he or she does not remarry.

(c) As used in this subsection only, and not applicable to the payment of benefits under s. 112.19 or s. 112.191, the term:

1. "First responder" means a federal law enforcement officer as defined in s. 901.1505(1), a law enforcement officer or correctional officer as defined in s. 943.10, a firefighter as defined in s. 633.102, or an emergency medical technician or paramedic as defined in s. 401.23 who is a full-time paid employee, part-time paid employee, or unpaid volunteer.

2. "In the line of duty" means:

- a. While engaging in law enforcement;
- b. While performing an activity relating to fire suppression and prevention;
- c. While responding to a hazardous material emergency;
- d. While performing rescue activity;
- e. While providing emergency medical services;
- f. While performing disaster relief activity;
- g. While otherwise engaging in emergency response activity; or
- h. While engaging in a training exercise related to any of the events or activities enumerated in this subparagraph if the training has been authorized by the employing entity.

A heart attack or stroke that causes death or causes an injury resulting in death must occur within 24 hours after an event or activity enumerated in this subparagraph and must be directly and proximately caused by the event or activity in order to be considered as having occurred in the line of duty.

Section 9. *The amendments made by section 8 of this act to s. 196.081, Florida Statutes, first apply to the 2024 ad valorem tax roll.*

Section 10. Subsection (3) of section 196.196, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

196.196 Determining whether property is entitled to charitable, religious, scientific, or literary exemption.—

(3) Property owned by an exempt organization is used for a religious purpose if the institution has taken affirmative steps to prepare the property for use as a house of public worship. The term "affirmative steps" means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate a commitment of the property to a religious use as a house of public worship. For purposes of this section subsection, the term "public worship" means religious worship services and those other activities that are incidental to religious worship services, such as educational activities, parking, recreation, partaking of meals, and fellowship.

(6) *Property that is used as a parsonage, burial grounds, or tomb and is owned by an exempt organization that owns a house of public worship is used for a religious purpose.*

Section 11. *The amendments made by this act to s. 196.196, Florida Statutes, are remedial and clarifying in nature and do not provide a basis for an assessment of any tax or create a right to a refund of any tax paid before July 1, 2023.*

Section 12. Section 196.198, Florida Statutes, is amended to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes are exempt from taxation. Sheltered workshops providing rehabilitation and retraining of individuals who have disabilities and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and are exempt from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process are exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and is exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property, or if the entity owning 100 percent of the educational institution and the entity owning the property are owned by the identical natural persons, or if the educational institution is a lessee that owns the leasehold interest in a bona fide lease for a nominal amount per year having an original term of 98 years or more. Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the land is a nonprofit entity and the land is used, under a ground lease or other contractual arrangement, by an educational institution that owns the buildings and other improvements to the real property, is a nonprofit entity under s. 501(c)(3) of the Internal Revenue Code, and provides education limited to students in pre-kindergarten through grade 8. Land, buildings, and other improvements to real property used exclusively for educational purposes are deemed owned by an educational institution if the educational institution that currently uses the land, buildings, and other improvements for educational purposes received the exemption under this section on the same property in any 10 consecutive prior years, or, is an educational institution described in s. 212.0602, and, under a lease, the educational institution is responsible for any taxes owed and for ongoing maintenance and operational expenses for the land, buildings, and other improvements. For such leasehold properties, the educational institution shall receive the full benefit of the exemption. The owner of the property shall disclose to the educational institution the full amount of the benefit derived from the exemption and the method for ensuring that the educational institution receives the benefit. Notwithstanding ss. 196.195 and 196.196, property owned by a house of public worship and used by an educational institution for educational purposes limited to students in preschool through grade 8 shall be exempt from ad valorem taxes. If legal title to property is held by a governmental agency that leases the property to a lessee, the property shall be deemed to be owned by the governmental agency and used exclusively for educational purposes if the governmental agency continues to use such property exclusively for educational purposes pursuant to a sublease or other contractual agreement with that lessee. If the title to land is held by the trustee of an irrevocable inter vivos trust and if the trust grantor owns 100 percent of the entity that owns an educational institution that is using the land exclusively for educational purposes, the land is deemed to be property owned by the educational institution for purposes of this exemption. Property owned by an educational institution shall be deemed to be used for an educational purpose if the institution has taken affirmative steps to prepare the property for educational use. The term "affirmative steps" means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate commitment of the property to an educational use.

Section 13. Section 197.319, Florida Statutes, is amended to read:

197.319 Refund of taxes for residential improvements rendered uninhabitable by a catastrophic event.—

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

(a) “Catastrophic event” means an event of misfortune or calamity that renders one or more residential improvements uninhabitable. *The term* ~~it~~ does not include an event caused, directly or indirectly, by the property owner with the intent to damage or destroy the residential improvement.

(b) “Catastrophic event refund” means the product arrived at by multiplying the damage differential by the amount of timely paid taxes that were initially levied in the year in which the catastrophic event occurred.

(c) “Damage differential” means the product arrived at by multiplying the percent change in value by a ratio, the numerator of which is the number of days the residential improvement was rendered uninhabitable in the year in which the catastrophic event occurred, and the denominator of which is 365.

(d) “Percent change in value” means the difference between ~~the a residential parcel’s~~ just value of a residential parcel as of January 1 of the year in which the catastrophic event occurred and its post-catastrophic event just value, expressed as a percentage of the parcel’s just value as of January 1 of the year in which the catastrophic event occurred.

(e) “Postcatastrophic event just value” means the just value of the residential parcel on January 1 of the year in which a catastrophic event occurred, *adjusted by subtracting* ~~reduced to reflect~~ the just value of the residential improvement on January 1 of the year in which a catastrophic event occurred of the residential parcel after the catastrophic event that rendered the residential improvement thereon uninhabitable and before any subsequent repairs. For purposes of this paragraph, a residential improvement that is uninhabitable has no value attached to it. The catastrophic event refund is determined only for purposes of calculating tax refunds for the year or years in which the residential improvement is uninhabitable as a result of the catastrophic event and does not determine a parcel’s just value as of January 1 each year.

(f) “Residential improvement” means a residential dwelling or house on real estate used and owned as a homestead as defined in s. 196.012(13) or as nonhomestead residential property as defined in s. 193.1554(1). A residential improvement does not include a structure that is not essential to the use and occupancy of the residential dwelling or house, including, but not limited to, a detached utility building, detached carport, detached garage, bulkhead, fence, or swimming pool, and does not include land.

(g) “Uninhabitable” means the loss of use and occupancy of a residential improvement for the purpose for which it was constructed resulting from damage to or destruction of, or from a condition that compromises the structural integrity of, the residential improvement which was caused by a catastrophic event, ~~as evidenced by documentation, including, but not limited to, utility bills, insurance information, contractors’ statements, building permit applications, or building inspection certificates of occupancy.~~

(2) If a residential improvement is rendered uninhabitable for at least 30 days due to a catastrophic event, taxes originally levied and paid for the year in which the catastrophic event occurred may be refunded in the following manner:

(a) The property owner must file an application for refund with the property appraiser *on a form prescribed by the department and furnished by the property appraiser*:

~~1. If the residential improvement is restored to a habitable condition before December 1 of the year in which the catastrophic event occurred, no sooner than 30 days after the residential improvement that was rendered uninhabitable has been restored to a habitable condition; or~~

~~2. no later than March 1 of the year immediately following the catastrophic event. The property appraiser may allow applications to be filed electronically.~~

~~The application for refund must be made on a form prescribed by the department and furnished by the property appraiser. The property appraiser may request supporting documentation be submitted along with the application, including, but not limited to, utility bills, insurance information, contractors’ statements, building permit applications, or building inspection certificates of occupancy, for purposes of determining conditions of uninhabitability and subsequent habitability following any repairs.~~

(b) The application for refund must *describe the catastrophic event and identify the residential parcel upon which the residential improvement was rendered uninhabitable by a catastrophic event, the date on which the catastrophic event occurred, and the number of days the residential improvement was uninhabitable during the calendar year in which the catastrophic event occurred. For purposes of determining uninhabitability, the application must be accompanied by supporting documentation, including, but not limited to, utility bills, insurance information, contractors’ statements, building permit applications, or building inspection certificates of occupancy.*

(c) The application for refund must be verified under oath and is subject to penalty of perjury.

(d) ~~Upon receipt of an application for refund,~~ The property appraiser *shall review* ~~must investigate the statements contained in the application and to determine if the applicant is entitled to a refund of taxes. No later than April 1 of the year following the date on which the catastrophic event occurred, the property appraiser must:~~

1. *Notify the applicant if the property appraiser determines that the applicant is not entitled to a refund. If the property appraiser determines that the applicant is not entitled to a refund, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the refund be granted. The petition must be filed with the value adjustment board on or before the 30th day following the issuance of the notice by the property appraiser.*

~~2. (c) If the property appraiser determines that the applicant is entitled to a refund, the property appraiser must~~ Issue an official written statement to the tax collector *and the applicant* within 30 days after the determination, but no later than by April 1 of the year following the date on which the catastrophic event occurred, *if the property appraiser determines that the applicant is entitled to a refund. The statement must provide, that provides:*

~~a.1.~~ The just value of the residential improvement as determined by the property appraiser on January 1 of the year in which the catastrophic event for which the applicant is claiming a refund occurred.

~~b.2.~~ The number of days during the calendar year during which the residential improvement was uninhabitable.

~~c.3.~~ The postcatastrophic event just value of the residential parcel as determined by the property appraiser.

~~d.4.~~ The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the damage differential pursuant to this section.

(a) *If the property taxes for the year in which the catastrophic event occurred have been paid, the tax collector must and* process a refund in an amount equal to the catastrophic event refund.

(b) *If the property taxes for the year in which the catastrophic event occurred have not been paid, the tax collector must process a refund in an amount equal to the catastrophic event refund only upon receipt of timely payment of the property taxes for the year in which the catastrophic event occurred.*

(4) Any person who is qualified to have his or her property taxes refunded under *this section* ~~subsection (2)~~ but fails to file an application by March 1 of the year immediately following the year in which the catastrophic event occurred may file an application for refund under *this section* ~~subsection~~ and may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that a refund under *this section* ~~subsection~~ be granted. Such petition may be filed at any time during the taxable year on or before the 25th day following the



mailing of the notice of proposed property taxes and non-ad valorem assessments by the property appraiser as provided in s. 194.011(1). Upon reviewing the petition, if the person is qualified to receive the refund under this ~~section subsection~~ and demonstrates particular extenuating circumstances determined by the property appraiser or the value adjustment board to warrant granting a late application for refund, the property appraiser or the value adjustment board may grant a refund.

(5) By September 1 of each year, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for a refund pursuant to this section for the year.

(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(6) For purposes of this section, a residential improvement that is uninhabitable has no value.

(7) The catastrophic event refund is determined only for purposes of calculating tax refunds for the year in which the residential improvement is uninhabitable as a result of the catastrophic event and does not determine a parcel's just value as of January 1 any subsequent year.

(8)(6) This section does not affect the requirements of s. 197.333.

Section 14. The amendments made by this act to s. 197.319, Florida Statutes, first apply to the 2024 tax roll.

Section 15. Subsection (2) of section 199.145, Florida Statutes, is amended to read:

199.145 Corrective mortgages; assignments; assumptions; refinancing.—

(2)(a) No additional nonrecurring tax shall be due upon the assignment by the obligee of a note, bond, or other obligation for the payment of money upon which a nonrecurring tax has previously been paid.

(b) A note or mortgage for a federal small business loan program transaction pursuant to 15 U.S.C. ss. 695-697g, also known as a 504 loan, which specifies the Small Business Administration as the obligee or mortgagee and increases the principal balance of a note or mortgage which is part of an interim loan for purposes of debenture guarantee funding upon which nonrecurring tax has previously been paid, is subject to additional tax only on the increase above the current principal balance. The obligor and mortgagor must be the same as on the prior note or mortgage and there may not be new or additional obligors or mortgagors. The prior note or the book and page number of the recorded interim mortgage must be referenced in the Small Business Administration note or mortgage.

Section 16. Subsection (3) of section 201.08, Florida Statutes, is amended to read:

201.08 Tax on promissory or nonnegotiable notes, written obligations to pay money, or assignments of wages or other compensation; exception.—

(3)(a) No tax shall be required on promissory notes executed for students to receive financial aid from federal or state educational assistance programs, from loans guaranteed by the Federal Government or the state when federal regulations prohibit the assessment of such taxes against the borrower, or for any financial aid program administered by a state university or community college, and the holders of such promissory notes shall not lose any rights incident to the payment of such tax.

(b) A note or mortgage for a federal small business loan program transaction pursuant to 15 U.S.C. ss. 695-697g, also known as a 504 loan, which specifies the Small Business Administration as the obligee or mortgagee and increases the principal balance of a note or mortgage which is part of an interim loan for purposes of debenture guarantee funding upon which documentary stamp tax has previously been paid, is subject to additional tax only on the increase above the current principal balance. The obligor and mortgagor must be the same as on the prior

note or mortgage and there may not be new or additional obligors or mortgagors. The prior note or the book and page number of the recorded interim mortgage must be referenced in the Small Business Administration note or mortgage.

Section 17. Subsections (1) and (5) of section 202.19, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

202.19 Authorization to impose local communications services tax.—

(1) The governing authority of each county and municipality may, by ordinance, levy a local ~~discretionary~~ communications services tax as provided in this section.

(2)

(d) The local communications services tax rate in effect on January 1, 2023, may not be increased before January 1, 2026.

(5) In addition to the communications services taxes authorized by subsection (1), a discretionary sales surtax that a county or school board has levied under s. 212.055 is imposed as a local communications services tax under this section, and the rate shall be determined in accordance with s. 202.20(3). However, any increase to the discretionary sales surtax levied under s. 212.055 on or after January 1, 2023, may not be added to the local communications services tax under this section before January 1, 2026.

(a) Except as otherwise provided in this subsection, each such tax rate shall be applied, in addition to the other tax rates applied under this chapter, to communications services subject to tax under s. 202.12 which:

1. Originate or terminate in this state; and
2. Are charged to a service address in the county.

(b) With respect to private communications services, the tax shall be on the sales price of such services provided within the county, which shall be determined in accordance with the following provisions:

1. Any charge with respect to a channel termination point located within such county;
2. Any charge for the use of a channel between two channel termination points located in such county; and
3. Where channel termination points are located both within and outside of such county:
  - a. If any segment between two such channel termination points is separately billed, 50 percent of such charge; and
  - b. If any segment of the circuit is not separately billed, an amount equal to the total charge for such circuit multiplied by a fraction, the numerator of which is the number of channel termination points within such county and the denominator of which is the total number of channel termination points of the circuit.

Section 18. Subsections (3) and (8) of section 206.9952, Florida Statutes, are amended to read:

206.9952 Application for license as a natural gas fuel retailer.—

(3)(a) Any person who acts as a natural gas retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of \$200 for each month of operation without a license. This paragraph expires December 31, 2025 ~~2023~~.

(b) Effective January 1, 2026 ~~2024~~, any person who acts as a natural gas fuel retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of 25 percent of the tax assessed on the total purchases made during the unlicensed period.

(8) With the exception of a state or federal agency or a political subdivision licensed under this chapter, each person, as defined in this part, who operates as a natural gas fuel retailer shall report monthly to

the department and pay a tax on all natural gas fuel purchases beginning January 1, 2026 ~~2024~~.

Section 19. Subsection (2) of section 206.9955, Florida Statutes, is amended to read:

206.9955 Levy of natural gas fuel tax.—

(2) Effective January 1, 2026 ~~2024~~, the following taxes shall be imposed:

(a) An excise tax of 4 cents upon each motor fuel equivalent gallon of natural gas fuel.

(b) An additional tax of 1 cent upon each motor fuel equivalent gallon of natural gas fuel, which is designated as the “ninth-cent fuel tax.”

(c) An additional tax of 1 cent on each motor fuel equivalent gallon of natural gas fuel by each county, which is designated as the “local option fuel tax.”

(d) An additional tax on each motor fuel equivalent gallon of natural gas fuel, which is designated as the “State Comprehensive Enhanced Transportation System Tax,” at a rate determined pursuant to this paragraph. Before January 1, 2026 ~~2024~~, and each year thereafter, the department shall determine the tax rate applicable to the sale of natural gas fuel for the following 12-month period beginning January 1, rounded to the nearest tenth of a cent, by adjusting the tax rate of 5.8 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

(e)1. An additional tax is imposed on each motor fuel equivalent gallon of natural gas fuel for the privilege of selling natural gas fuel. Before January 1, 2026 ~~2024~~, and each year thereafter, the department shall determine the tax rate applicable to the sale of natural gas fuel, rounded to the nearest tenth of a cent, for the following 12-month period beginning January 1, by adjusting the tax rate of 9.2 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

2. The department is authorized to adopt rules and publish forms to administer this paragraph.

Section 20. Subsection (1) of section 206.996, Florida Statutes, is amended to read:

206.996 Monthly reports by natural gas fuel retailers; deductions.—

(1) For the purpose of determining the amount of taxes imposed by s. 206.9955, each natural gas fuel retailer shall file beginning with February 2026 ~~2024~~, and each month thereafter, no later than the 20th day of each month, monthly reports electronically with the department showing information on inventory, purchases, nontaxable disposals, taxable uses, and taxable sales in gallons of natural gas fuel for the preceding month. However, if the 20th day of the month falls on a Saturday, Sunday, or federal or state legal holiday, a return must be accepted if it is electronically filed on the next succeeding business day. The reports must include, or be verified by, a written declaration stating that such report is made under the penalties of perjury. The natural gas fuel retailer shall deduct from the amount of taxes shown by the report to be payable an amount equivalent to 0.67 percent of the taxes on natural gas fuel imposed by s. 206.9955(2)(a) and (e), which deduction is allowed to the natural gas fuel retailer to compensate it for services rendered and expenses incurred in complying with the requirements of this part. This allowance is not deductible unless payment of applicable taxes is made on or before the 20th day of the month. This subsection may not be construed as authorizing a deduction from the constitutional fuel tax or the fuel sales tax.

Section 21. Paragraph (d) of subsection (2) of section 212.0306, Florida Statutes, is amended to read:

212.0306 Local option food and beverage tax; procedure for levying; authorized uses; administration.—

(2)

(d) Sales in cities or towns presently imposing a municipal resort tax as authorized by chapter 67-930, Laws of Florida, are exempt from the taxes authorized by subsection (1); *however, the tax authorized by paragraph (1)(b) may be levied in such city or town if the governing authority of the city or town adopts an ordinance that is subsequently approved by a majority of the registered electors in such city or town at a referendum held at a general election as defined in s. 97.021. Any tax levied in a city or town pursuant to this paragraph takes effect on the first day of January following the general election in which the ordinance was approved. A referendum to reenact an expiring tax authorized under this paragraph must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted tax, and the referendum may appear on the ballot only once within the 48-month period.*

Section 22. Effective December 1, 2023, paragraphs (c) and (d) of subsection (1) of section 212.031, Florida Statutes, are amended to read:

212.031 Tax on rental or license fee for use of real property.—

(1)

(c) For the exercise of such privilege, a tax is levied at the rate of 4.5 ~~5.5~~ percent of and on the total rent or license fee charged for such real property by the person charging or collecting the rental or license fee. The total rent or license fee charged for such real property shall include payments for the granting of a privilege to use or occupy real property for any purpose and shall include base rent, percentage rents, or similar charges. Such charges shall be included in the total rent or license fee subject to tax under this section whether or not they can be attributed to the ability of the lessor’s or licensor’s property as used or operated to attract customers. Payments for intrinsically valuable personal property such as franchises, trademarks, service marks, logos, or patents are not subject to tax under this section. In the case of a contractual arrangement that provides for both payments taxable as total rent or license fee and payments not subject to tax, the tax shall be based on a reasonable allocation of such payments and shall not apply to that portion which is for the nontaxable payments.

(d) If the rental or license fee of any such real property is paid by way of property, goods, wares, merchandise, services, or other thing of value, the tax shall be at the rate of 4.5 ~~5.5~~ percent of the value of the property, goods, wares, merchandise, services, or other thing of value.

Section 23. Subsection (10) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(10) DATES FOR REFERENDA.—A referendum to adopt, ~~or~~ amend, or reenact a local government discretionary sales surtax under this section must be held at a general election as defined in s. 97.021. A referendum to reenact an expiring surtax must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted surtax. Such a referendum may appear on the ballot only once within the 48-month period.

Section 24. Paragraph (a) of subsection (5) of section 212.08, Florida Statutes, as amended by chapter 2023-17, Laws of Florida, is amended, paragraph (w) is added to subsection (5), and paragraphs (qq) through (uuu) are added to subsection (7) of that section, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the

consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) *Items in agricultural use and certain nets.*—There are exempt from the tax imposed by this chapter nets designed and used exclusively by commercial fisheries; disinfectants, fertilizers, insecticides, pesticides, herbicides, fungicides, and weed killers used for application on crops or groves, including commercial nurseries and home vegetable gardens, used in dairy barns or on poultry farms for the purpose of protecting poultry or livestock, or used directly on poultry or livestock; animal health products that are administered to, applied to, or consumed by livestock or poultry to alleviate pain or cure or prevent sickness, disease, or suffering, including, but not limited to, antiseptics, absorbent cotton, gauze for bandages, lotions, vaccines, vitamins, and worm remedies; aquaculture health products that are used by aquaculture producers, as defined in s. 597.0015, to prevent or treat fungi, bacteria, and parasitic diseases; portable containers or movable receptacles in which portable containers are placed, used for processing farm products; field and garden seeds, including flower seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; seeds, seedlings, cuttings, and plants used to produce food for human consumption; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, used in agricultural production on lands classified as agricultural lands under s. 193.461; materials used to construct or repair permanent or temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands under s. 193.461; stakes used by a farmer to support plants during agricultural production; generators used on poultry farms; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption is not allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein. Also exempt are cellophane wrappers, glue for tin and glass (apiarists), mailing cases for honey, shipping cases, window cartons, and baling wire and twine used for baling hay, when used by a farmer to contain, produce, or process an agricultural commodity.

(w) *Renewable natural gas machinery and equipment.*—

1. As used in this paragraph, the term “renewable natural gas” means anaerobically generated biogas, landfill gas, or wastewater treatment gas refined to a methane content of 90 percent or greater, which may be used as transportation fuel or for electric generation or is of a quality capable of being injected into a natural gas pipeline. For purposes of this paragraph, any reference to natural gas includes renewable natural gas.

2. The purchase of machinery and equipment that is primarily used in the production, storage, transportation, compression, or blending of renewable natural gas and that is used at a fixed location is exempt from the tax imposed by this chapter.

3. Purchasers of machinery and equipment qualifying for the exemption provided in this paragraph must furnish the vendor with an affidavit stating that the item or items to be exempted are for the use designated herein. Purchasers with self-accrual authority pursuant to s. 212.183 are not required to provide this affidavit, but shall maintain all documentation necessary to prove the exempt status of purchases.

4. A person furnishing a false affidavit to the vendor for the purpose of evading payment of the tax imposed under this chapter is subject to the penalty set forth in s. 212.085 and as otherwise provided by law.

5. The department may adopt rules to administer this paragraph.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any

transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(qqq) *Baby and toddler products.*—Also exempt from the tax imposed by this chapter are:

1. Baby cribs, including baby playpens and baby play yards;
2. Baby strollers;
3. Baby safety gates;
4. Baby monitors;
5. Child safety cabinet locks and latches and electrical socket covers;
6. Bicycle child carrier seats and trailers designed for carrying young children, including any adaptors and accessories for these seats and trailers;
7. Baby exercisers, jumpers, bouncer seats, and swings;
8. Breast pumps, bottle sterilizers, baby bottles and nipples, pacifiers, and teething rings;
9. Baby wipes;
10. Changing tables and changing pads;
11. Children’s diapers, including single-use diapers, reusable diapers, and reusable diaper inserts; and
12. Baby and toddler clothing, apparel, and shoes, primarily intended for and marketed for children age 5 or younger. Baby and toddler clothing size 5T and smaller and baby and toddler shoes size 13T and smaller are presumed to be primarily intended for and marketed for children age 5 or younger.

(rrr) *Diapers and incontinence products.*—The sale for human use of diapers, incontinence undergarments, incontinence pads, or incontinence liners is exempt from the tax imposed by this chapter.

(sss) *Oral hygiene products.*—

1. Also exempt from the tax imposed by this chapter are oral hygiene products.

2. As used in this paragraph, the term “oral hygiene products” means electric and manual toothbrushes, toothpaste, dental floss, dental picks, oral irrigators, and mouthwash.

(ttt) *Firearm safety devices.*—The sale of the following are exempt from the tax imposed by this chapter:

1. A firearm safe, firearm lockbox, firearm case, or other device that is designed to be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

2. A firearm trigger lock or firearm cable lock that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device and that is designed to be unlocked only by means of a key, a combination, or other similar means.

(uuu) *Small private investigative agencies.*—

1. As used in this paragraph, the term:

a. “Private investigation services” has the same meaning as “private investigation,” as defined in s. 493.6101(17).

b. “Small private investigative agency” means a private investigator licensed under s. 493.6201 which:

(I) Employs three or fewer full-time or part-time employees, including those performing services pursuant to an employee leasing arrangement as defined in s. 468.520(4), in total; and

(II) During the previous calendar year, performed private investigation services otherwise taxable under this chapter in which the charges for the services performed were less than \$150,000 for all its businesses related through common ownership.

2. The sale of private investigation services by a small private investigative agency to a client is exempt from the tax imposed by this chapter.

3. The exemption provided by this paragraph may not apply in the first calendar year a small private investigative agency conducts sales of private investigation services taxable under this chapter.

Section 25. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000

under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169.

e. The department shall distribute up to \$83,333 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to \$166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

f. The department shall distribute \$15,333 monthly to the State Transportation Trust Fund.

g.(I) On or before July 25, 2021, August 25, 2021, and September 25, 2021, the department shall distribute \$324,533,334 in each of those months to the Unemployment Compensation Trust Fund, less an adjustment for refunds issued from the General Revenue Fund pursuant to s. 443.131(3)(e)3. before making the distribution. The adjustments made by the department to the total distributions shall be equal to the total refunds made pursuant to s. 443.131(3)(e)3. If the amount of refunds to be subtracted from any single distribution exceeds the distribution, the department may not make that distribution and must subtract the remaining balance from the next distribution.

(II) Beginning July 2022, and on or before the 25th day of each month, the department shall distribute \$90 million monthly to the Unemployment Compensation Trust Fund.

(III) If the ending balance of the Unemployment Compensation Trust Fund exceeds \$4,071,519,600 on the last day of any month, as determined from United States Department of the Treasury data, the Office of Economic and Demographic Research shall certify to the department that the ending balance of the trust fund exceeds such amount.

(IV) This sub-subparagraph is repealed, and the department shall end monthly distributions under sub-sub-subparagraph (II), on the date the department receives certification under sub-sub-subparagraph (III).

*h. Beginning July 1, 2023, in each fiscal year, the department shall distribute \$27.5 million to the Florida Agricultural Promotional Campaign Trust Fund under s. 571.26, for further distribution in accordance with s. 571.265. This sub-subparagraph is repealed June 30, 2025.*

7. All other proceeds must remain in the General Revenue Fund.

Section 26. Paragraph (o) of subsection (8) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(o) Information relative to ss. 220.1845, 220.199, and 376.30781 to the Department of Environmental Protection in the conduct of its official business.

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 27. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, ~~and~~ those enumerated in s. 220.1915, ~~those enumerated in s. 220.199, and those enumerated in s. 220.1991.~~

Section 28. Effective upon this act becoming a law, paragraph (n) of subsection (1) and paragraph (c) of subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) “Internal Revenue Code” means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, 2023 ~~2022~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code has the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, 2023 ~~2022~~. However, if subsection (3) is implemented, the meaning of a term shall be taken at the time the term is applied under this code.

Section 29. (1) *The amendments made by this act to s. 220.03, Florida Statutes, operate retroactively to January 1, 2023.*

(2) *This section shall take effect upon becoming a law.*

Section 30. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875, s. 220.1876, or s. 220.1877 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers’ cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit

against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.

13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

14. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

15. The amount taken as a credit for the taxable year pursuant to s. 220.194.

16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

17. The amount taken as a credit for the taxable year pursuant to s. 220.198.

18. The amount taken as a credit for the taxable year pursuant to s. 220.195.

19. *The amount taken as a credit for the taxable year pursuant to s. 220.199.*

20. *The amount taken as a credit for the taxable year pursuant to s. 220.1991.*

Section 31. Paragraph (f) of subsection (2) of section 220.1845, Florida Statutes, is amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(2) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(f) *Beginning in fiscal year 2023-2024, the total amount of the tax credits which may be granted under this section is \$35 ~~\$27.5 million in the 2021-2022 fiscal year and \$10 million in each fiscal year thereafter.~~*

Section 32. Section 220.199, Florida Statutes, is created to read:

220.199 Residential graywater system tax credit.—

(1) For purposes of this section, the term:

(a) “Developer” has the same meaning as in s. 380.031(2).

(b) “Graywater” has the same meaning as in s. 381.0065(2)(f).

(2) For taxable years beginning on or after January 1, 2024, a developer or homebuilder is eligible to receive a credit against the tax imposed by this chapter in an amount up to 50 percent of the cost of each NSF/ANSI 350 Class R certified noncommercial, residential graywater system purchased during the taxable year. The tax credit may not exceed \$4,200 for each system purchased. A developer or homebuilder may not receive total credits in excess of \$2 million per taxable year.

(3)(a) To claim a credit under this section, a developer or homebuilder must submit an application to the Department of Environmental Protection which includes documentation showing that the developer or homebuilder has purchased for use in this state a graywater system meeting the requirements of subsection (2) and that the graywater system meets the functionality assurances provided in s. 403.892(3)(c). The Department of Environmental Protection shall make a determination on the eligibility of the applicant for the credit sought and shall certify the determination to the applicant and the Department of Revenue within 60 days after receipt of a completed application. The taxpayer must attach the certification from the Department of Environmental Protection to the tax return on which the credit is claimed.

(b) No credits may be certified by the Department of Environmental Protection for taxable years beginning on or after January 1, 2027.

(4) Any unused tax credit authorized under this section may be carried forward and claimed by the taxpayer for up to 2 taxable years.

(5) The department may adopt rules to administer this section, including, but not limited to, rules prescribing the method to claim a credit certified by the Department of Environmental Protection under this section.

(6) The Department of Environmental Protection may adopt rules to administer this section, including, but not limited to, rules relating to application forms for credit approval and certification and the application and certification procedures, guidelines, and requirements necessary to administer this section.

(7) This section is repealed December 31, 2030.

Section 33. Section 220.1991, Florida Statutes, is created to read:

220.1991 Credit for manufacturing of human breast milk derived human milk fortifiers.—

(1)(a) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 50 percent of the cost of manufacturing equipment purchased for use in the production of human breast milk derived human milk fortifiers in this state. Such purchase must be made on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section must be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(b) Qualifying manufacturing equipment must be equipment for use in the production of human breast milk derived human milk fortifiers:

1. That can be sold as a product using a pasteurization or sterilization process.

2. In compliance with all applicable United States Food and Drug Administration provisions.

(c) Tax credits under this section are available only for purchases of qualifying manufacturing equipment made during the state fiscal year for which the application is submitted, or during the 6 months preceding such state fiscal year.

(2)(a) The combined total amount of tax credits which may be granted to taxpayers under this section is \$5 million in each of state fiscal years 2023-2024 and 2024-2025.

(b) The annual limitation under paragraph (a) applies for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(3)(a) The department may adopt rules governing the manner and form of applications for the tax credit and establishing qualification requirements for the tax credit. The form must include an affidavit certifying that all information contained in the application is true and correct, and must require documentation of all costs incurred for which a credit is being claimed.

(b) The department must approve the tax credit prior to the taxpayer taking the credit on a return. The department must approve credits on a first-come, first-served basis. If the department determines that an application is incomplete, the department shall notify the taxpayer in writing and the taxpayer shall have 30 days after receiving such notification to correct any deficiency. If corrected in a timely manner, the application shall be deemed completed as of the date the application was first submitted; however, no additional costs may be added to the application and the amount of credit requested on the application may not be increased during the correction period.

(c) A taxpayer may carry forward any unused portion of a tax credit under this section for up to 5 taxable years.

(4)(a) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis.

(b) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, transferred, or assigned in the same transaction. However, a tax credit under this section may be conveyed, transferred, or assigned between members of an affiliated group of corporations. A taxpayer shall notify the department of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the department.

(c) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (b), the department shall provide a copy of its approval or denial letter to the corporation.

(5) If a taxpayer applies and is approved for a credit under this section after timely requesting an extension to file under s. 220.222(2), the:

(a) Credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) Taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) Taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes. For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34, the final amount due is the amount after credits earned under this section are deducted.

(6) For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under this section, reduce any estimated payment in that taxable year by the amount of the credit.

(7) This section is repealed December 31, 2031.

Section 34. Paragraph (c) of subsection (2) of section 220.222, Florida Statutes, as amended by section 22 of chapter 2023-17, Laws of Florida, is amended to read:

220.222 Returns; time and place for filing.—

(2)

(c)1. For purposes of this subsection, a taxpayer is not in compliance with s. 220.32 if the taxpayer underpays the required payment by more than the greater of \$2,000 or 30 percent of the tax shown on the return when filed.

2. For the purpose of determining compliance with s. 220.32 as referenced in subparagraph 1., the tax shown on the return when filed must include the amount of the allowable credits taken on the return pursuant to s. 220.1875, s. 220.1876, s. 220.1877, or s. 220.1878.

Section 35. Paragraph (a) of subsection (4) of section 336.021, Florida Statutes, is amended to read:

336.021 County transportation system; levy of ninth-cent fuel tax on motor fuel and diesel fuel.—

(4)(a)1. A certified copy of the ordinance proposing to levy the tax pursuant to referendum shall be furnished by the county to the department within 10 days after approval of such ordinance.

2. A referendum to adopt, amend, or reenact a tax under this subsection must ~~shall~~ be held ~~only~~ at a general election, as defined in s. 97.021. A referendum to reenact an expiring tax must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted tax, and the referendum may appear on the ballot only once within the 48-month period.

3. The county levying the tax pursuant to referendum shall notify the department within 10 days after the passage of the referendum of

such passage and of the time period during which the tax will be levied. The failure to furnish the certified copy will not invalidate the passage of the ordinance.

Section 36. Paragraph (b) of subsection (1) and paragraph (b) of subsection (3) of section 336.025, Florida Statutes, are amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(1)

(b) In addition to other taxes allowed by law, there may be levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-cent, 4-cent, or 5-cent local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provisions of part I of chapter 206. The tax shall be levied by an ordinance adopted by a majority plus one vote of the membership of the governing body of the county or by referendum. A referendum to adopt, amend, or reenact a tax under this subsection must ~~shall~~ be held ~~only~~ at a general election, as defined in s. 97.021. A referendum to reenact an expiring tax must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted tax, and the referendum may appear on the ballot only once within the 48-month period.

1. All impositions and rate changes of the tax shall be levied before October 1, to be effective January 1 of the following year. However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate provided the tax is levied before July 1 and is effective September 1 of the year of expiration.

2. The county may, prior to levy of the tax, establish by interlocal agreement with one or more municipalities located therein, representing a majority of the population of the incorporated area within the county, a distribution formula for dividing the entire proceeds of the tax among county government and all eligible municipalities within the county. If no interlocal agreement is adopted before the effective date of the tax, tax revenues shall be distributed pursuant to the provisions of subsection (4). If no interlocal agreement exists, a new interlocal agreement may be established prior to June 1 of any year pursuant to this subparagraph. However, any interlocal agreement agreed to under this subparagraph after the initial levy of the tax or change in the tax rate authorized in this section shall under no circumstances materially or adversely affect the rights of holders of outstanding bonds which are backed by taxes authorized by this paragraph, and the amounts distributed to the county government and each municipality shall not be reduced below the amount necessary for the payment of principal and interest and reserves for principal and interest as required under the covenants of any bond resolution outstanding on the date of establishment of the new interlocal agreement.

3. County and municipal governments shall use moneys received pursuant to this paragraph for transportation expenditures needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. For purposes of this paragraph, expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads shall be deemed to increase capacity and such projects shall be included in the capital improvements element of an adopted comprehensive plan. Expenditures for purposes of this paragraph shall not include routine maintenance of roads.

(3) The tax authorized pursuant to paragraph (1)(a) shall be levied using either of the following procedures:

(b) If no interlocal agreement or resolution is adopted pursuant to subparagraph (a)1. or subparagraph (a)2., municipalities representing more than 50 percent of the county population may, prior to June 20, adopt uniform resolutions approving the local option tax, establishing the duration of the levy and the rate authorized in paragraph (1)(a), and setting the date for a countywide referendum on whether to levy the tax. A referendum to adopt, amend, or reenact a tax under this subsection must ~~shall~~ be held ~~only~~ at a general election, as defined in s. 97.021. A referendum to reenact an expiring tax must be held at a general election

occurring within the 48-month period immediately preceding the effective date of the reenacted surtax, and the referendum may appear on the ballot only once within the 48-month period. The tax shall be levied and collected countywide on January 1 following 30 days after voter approval.

Section 37. Subsection (4) of section 376.30781, Florida Statutes, is amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(4) The Department of Environmental Protection is responsible for allocating the tax credits provided for in s. 220.1845, which may not exceed \$35 a total of ~~\$27.5 million in tax credits in fiscal year 2021-2022 and \$10 million in tax credits each fiscal year thereafter.~~

Section 38. Paragraph (a) of subsection (5) of section 402.62, Florida Statutes, is amended to read:

402.62 Strong Families Tax Credit.—

(5) STRONG FAMILIES TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in fiscal year 2023-2024 ~~2022-2023~~, the tax credit cap amount is \$20 ~~\$10~~ million in each state fiscal year.

Section 39. Section 550.09516, Florida Statutes, is created to read:

550.09516 Credit for eligible permitholders conducting thoroughbred racing.—

(1) Beginning July 1, 2023, each permitholder authorized to conduct pari-mutuel wagering meets of thoroughbred racing under this chapter is eligible for a credit equal to the amount paid by the permitholder in the prior state fiscal year to the federal Horseracing Integrity and Safety Authority, inclusive of any applicable true-up calculations or credits made, granted, or applied to the assessment imposed on the permitholder or the state by such authority, for covered horse racing in the state, pursuant to the Horseracing Integrity and Safety Act of 2020 as set forth in the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260.

(2) The commission shall require sufficient documentation to substantiate the amounts paid by an eligible permitholder to qualify for the tax credit under this section.

(3) Beginning July 1, 2023, and each July 1 thereafter, each permitholder granted a credit pursuant to this section may apply the credit to the taxes and fees due under ss. 550.0951, 550.09515, and 550.3551(3), less any credit received by the permitholder under s. 550.09515(6), and less the amount of state taxes that would otherwise be due to the state for the conduct of charity day performances under s. 550.0351(4). The unused portion of the credit may be carried forward and applied each month as taxes and fees become due. Any unused credit remaining at the end of a fiscal year expires and may not be used.

(4) The commission may adopt rules to implement this section.

Section 40. Section 571.26, Florida Statutes, is amended to read:

571.26 Florida Agricultural Promotional Campaign Trust Fund.— There is hereby created the Florida Agricultural Promotional Campaign Trust Fund within the Department of Agriculture and Consumer Services to receive all moneys related to the Florida Agricultural Promotional Campaign. Moneys deposited in the trust fund shall be appropriated for the sole purpose of implementing the Florida Agricultural Promotional Campaign, except for money deposited in the trust fund pursuant to s. 212.20(6)(d)6.h., which shall be held separately and used solely for the purposes identified in s. 571.265.

Section 41. The amendments made by this act to s. 571.26, Florida Statutes, expire on July 1, 2025, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 42. Section 571.265, Florida Statutes, is created to read:

571.265 Promotion of Florida thoroughbred breeding and of thoroughbred racing at Florida thoroughbred tracks; distribution of funds.—

(1) For purposes of this section, the term:

(a) “Association” means the Florida Thoroughbred Breeders’ Association, Inc.

(b) “Permitholder” has the same meaning as in s. 550.002(23).

(2) Funds deposited into the Florida Agricultural Promotional Campaign Trust Fund pursuant to s. 212.20(6)(d)6.h. shall be used by the department to encourage the agricultural activity of breeding thoroughbred racehorses in this state and to enhance thoroughbred racing conducted at thoroughbred tracks in this state as provided in this section. If the funds made available under this section are not fully used in any one fiscal year, any unused amounts shall be carried forward in the trust fund into future fiscal years and made available for distribution as provided in this section.

(3) The department shall distribute the funds made available under this section as follows:

(a) Five million dollars shall be distributed to the association to be used for the following:

1. Purses or purse supplements for Florida-bred or Florida-sired horses registered with the association that participate in Florida thoroughbred races.

2. Awards to breeders of Florida-bred horses registered with the association that win, place, or show in Florida thoroughbred races.

3. Awards to owners of stallions who sired Florida-bred horses registered with the association that win Florida thoroughbred stakes races, if the stallions are registered with the association as Florida stallions standing in this state.

4. Other racing incentives connected to Florida-bred or Florida-sired horses registered with the association that participate in thoroughbred races in Florida.

5. Awards administration.

6. Promotion of the Florida thoroughbred breeding industry.

(b) Five million dollars shall be distributed to Tampa Bay Downs, Inc., to be used as purses in thoroughbred races conducted at its pari-mutuel facilities and for the maintenance and operation of that facility, pursuant to an agreement with its local majority horsemen’s group.

(c) Fifteen million dollars shall be distributed to Gulfstream Park Racing Association, Inc., to be used as purses in thoroughbred races conducted at its pari-mutuel facility and for the maintenance and operation of its facility, pursuant to an agreement with the Florida Horsemen’s Benevolent and Protective Association, Inc.

(d) Two and one-half million dollars shall be distributed as follows:

1. Two million dollars to Gulfstream Park Racing Association, Inc., to be used as purses and purse supplements for Florida-bred or Florida-sired horses registered with the association that participate in thoroughbred races at the permitholder’s pari-mutuel facility, pursuant to a written agreement filed with the department establishing the rates, procedures, and eligibility requirements entered into by the permitholder, the association, and the Florida Horsemen’s Benevolent and Protective Association, Inc.

2. Five hundred thousand dollars to Tampa Bay Downs, Inc., to be used as purses and purse supplements for Florida-bred or Florida-sired horses registered with the association that participate in thoroughbred races at the permitholder’s pari-mutuel facility, pursuant to a written agreement filed with the department establishing the rates, procedures, and eligibility requirements entered into by the permitholder, the association, and the local majority horsemen’s group at the permitholder’s pari-mutuel facility.



(4) On or before the first day of the August following each fiscal year in which a recipient under this section received or used funds pursuant to this section, each such recipient must submit a report to the department detailing how all funds were used in the prior fiscal year.

(5) This section is repealed July 1, 2025, unless reviewed and saved from repeal by the Legislature.

Section 43. Clothing, wallets, and bags; school supplies; learning aids and jigsaw puzzles; personal computers and personal computer-related accessories; sales tax holidays.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from July 24, 2023, through August 6, 2023, or during the period from January 1, 2024, through January 14, 2024, on the retail sale of:

(a) Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$100 or less per item. As used in this paragraph, the term “clothing” means:

1. Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and

2. All footwear, excluding skis, swim fins, roller blades, and skates.

(b) School supplies having a sales price of \$50 or less per item. As used in this paragraph, the term “school supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.

(c) Learning aids and jigsaw puzzles having a sales price of \$30 or less. As used in this paragraph, the term “learning aids” means flashcards or other learning cards, matching or other memory games, puzzle books and search-and-find books, interactive or electronic books and toys intended to teach reading or math skills, and stacking or nesting blocks or sets.

(d) Personal computers or personal computer-related accessories purchased for noncommercial home or personal use having a sales price of \$1,500 or less. As used in this paragraph, the term:

1. “Personal computers” includes electronic book readers, laptops, desktops, handhelds, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

2. “Personal computer-related accessories” includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, monitors with a television tuner, or peripherals that are designed or intended primarily for recreational use.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The tax exemptions provided in this section apply at the option of the dealer if less than 5 percent of the dealer’s gross sales of tangible personal property in the prior calendar year consisted of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by July 17, 2023, for the tax holiday beginning July 24, 2023, and by December 23, 2023, for the tax holiday beginning January 1, 2024, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

(4) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 44. Disaster preparedness supplies; sales tax holiday.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from May 27, 2023, through June 9, 2023, or during the period from August 26, 2023, through September 8, 2023, on the sale of:

(a) A portable self-powered light source with a sales price of \$40 or less.

(b) A portable self-powered radio, two-way radio, or weather-band radio with a sales price of \$50 or less.

(c) A tarpaulin or other flexible waterproof sheeting with a sales price of \$100 or less.

(d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit with a sales price of \$100 or less.

(e) A gas or diesel fuel tank with a sales price of \$50 or less.

(f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, with a sales price of \$50 or less.

(g) A nonelectric food storage cooler with a sales price of \$60 or less.

(h) A portable generator used to provide light or communications or preserve food in the event of a power outage with a sales price of \$3,000 or less.

(i) Reusable ice with a sales price of \$20 or less.

(j) A portable power bank with a sales price of \$60 or less.

(k) A smoke detector or smoke alarm with a sales price of \$70 or less.

(l) A fire extinguisher with a sales price of \$70 or less.

(m) A carbon monoxide detector with a sales price of \$70 or less.

(n) The following supplies necessary for the evacuation of household pets purchased for noncommercial use:

1. Bags of dry dog food or cat food weighing 50 or fewer pounds with a sales price of \$100 or less per bag.

2. Cans or pouches of wet dog food or cat food with a sales price of \$10 or less per can or pouch or the equivalent if sold in a box or case.

3. Over-the-counter pet medications with a sales price of \$100 or less per item.

4. Portable kennels or pet carriers with a sales price of \$100 or less per item.

5. Manual can openers with a sales price of \$15 or less per item.

6. Leashes, collars, and muzzles with a sales price of \$20 or less per item.

7. Collapsible or travel-sized food bowls or water bowls with a sales price of \$15 or less per item.

8. Cat litter weighing 25 or fewer pounds with a sales price of \$25 or less per item.

9. Cat litter pans with a sales price of \$15 or less per item.

10. Pet waste disposal bags with a sales price of \$15 or less per package.

11. Pet pads with a sales price of \$20 or less per box or package.

12. Hamster or rabbit substrate with a sales price of \$15 or less per package.

13. Pet beds with a sales price of \$40 or less per item.

(o) Common household consumable items with a sales price of \$30 or less. For purposes of this exemption, common household consumable items means:

1. The following laundry detergent and supplies: powder detergent; liquid detergent; or pod detergent, fabric softener, dryer sheets, stain removers, and bleach.

2. Toilet paper.

3. Paper towels.

4. Paper napkins and tissues.

5. Facial tissues.

6. Hand soap, bar soap and body wash.

7. Sunscreen and sunblock.

8. Dish soap and detergents, including powder detergents, liquid detergents, or pod detergents or rinse agents that can be used in dishwashers.

9. Cleaning or disinfecting wipes and sprays.

10. Hand sanitizer.

11. Trash bags.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(4) This section shall take effect upon this act becoming a law.

Section 45. Freedom Summer; sales tax holiday.—

(1) The taxes levied under chapter 212, Florida Statutes, may not be collected on purchases made during the period from May 29, 2023, through September 4, 2023, on:

(a) The sale by way of admissions, as defined in s. 212.02(1), Florida Statutes, for:

1. A live music event scheduled to be held on any date or dates from May 29, 2023, through December 31, 2023;

2. A live sporting event scheduled to be held on any date or dates from May 29, 2023, through December 31, 2023;

3. A movie to be shown in a movie theater on any date or dates from May 29, 2023, through December 31, 2023;

4. Entry to a museum, including any annual passes;

5. Entry to a state park, including any annual passes;

6. Entry to a ballet, play, or musical theatre performance scheduled to be held on any date or dates from May 29, 2023, through December 31, 2023;

7. Season tickets for ballets, plays, music events, or musical theatre performances;

8. Entry to a fair, festival, or cultural event scheduled to be held on any date or dates from May 29, 2023, through December 31, 2023; or

9. Use of or access to private and membership clubs providing physical fitness facilities from May 29, 2023, through December 31, 2023.

(b) The retail sale of boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, residential pool supplies, children's toys and children's athletic equipment. As used in this section, the term:

1. "Boating and water activity supplies" means life jackets and coolers with a sales price of \$75 or less; recreational pool tubes, pool floats, inflatable chairs, and pool toys with a sales price of \$35 or less; safety flares with a sales price of \$50 or less; water skis, wakeboards, kneeboards, and recreational inflatable water tubes or floats capable of being towed with a sales price of \$150 or less; paddleboards and surfboards with a sales price of \$300 or less; canoes and kayaks with a sales price of \$500 or less; paddles and oars with a sales price of \$75 or less; and snorkels, goggles, and swimming masks with a sales price of \$25 or less.

2. "Camping supplies" means tents with a sales price of \$200 or less; sleeping bags, portable hammocks, camping stoves, and collapsible camping chairs with a sales price of \$50 or less; and camping lanterns and flashlights with a sales price of \$30 or less.

3. "Fishing supplies" means rods and reels with a sales price of \$75 or less if sold individually, or \$150 or less if sold as a set; tackle boxes or bags with a sales price of \$30 or less; and bait or fishing tackle with a sales price of \$5 or less if sold individually, or \$10 or less if multiple items are sold together. The term does not include supplies used for commercial fishing purposes.

4. "General outdoor supplies" means sunscreen, sunblock, or insect repellent with a sales price of \$15 or less; sunglasses with a sales price of \$100 or less; binoculars with a sales price of \$200 or less; water bottles with a sales price of \$30 or less; hydration packs with a sales price of \$50 or less; outdoor gas or charcoal grills with a sales price of \$250 or less; bicycle helmets with a sales price of \$50 or less; and bicycles with a sales price of \$500 or less.

5. "Residential pool supplies" means individual residential pool and spa replacement parts, nets, filters, lights, and covers with a sales price of \$100 or less; and residential pool and spa chemicals purchased by an individual with a sales price of \$150 or less.

6. "Children's athletic equipment" means a consumer product with a sales price of \$100 or less designed or intended by the manufacturer for use by a child 12 years of age or younger when the child engages in an athletic activity. In determining whether consumer products are designed or intended for use by a child 12 years of age or younger, the following factors shall be considered:

a. A statement by a manufacturer about the intended use of such product, including a label on such product if such statement is reasonable.

b. Whether the product is represented in its packaging, display, promotion, or advertising as appropriate for use by children 12 years of age or younger.

7. "Children's toys" means a consumer product with a sales price of \$75 or less designed or intended by the manufacturer for a child 12 years of age or younger for use by the child when the child plays. In determining whether consumer products are designed or intended for use by a child 12 years of age or younger, the following factors shall be considered:

a. A statement by a manufacturer about the intended use of such product, including a label on such product if such statement is reasonable.

b. Whether the product is represented in its packaging, display, promotion, or advertising as appropriate for use by children 12 years of age or younger.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) If a purchaser of an admission purchases the admission exempt from tax pursuant to this section and subsequently resells the admission, the purchaser shall collect tax on the full sales price of the resold admission.

(4) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 46. Tools commonly used by skilled trade workers; Tool Time sales tax holiday.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from September 2, 2023, through September 8, 2023, on the retail sale of:

- (a) Hand tools with a sales price of \$50 or less per item.
- (b) Power tools with a sales price of \$300 or less per item.
- (c) Power tool batteries with a sales price of \$150 or less per item.
- (d) Work gloves with a sales price of \$25 or less per pair.
- (e) Safety glasses with a sales price of \$50 or less per pair, or the equivalent if sold in sets of more than one pair.
- (f) Protective coveralls with a sales price of \$50 or less per item.
- (g) Work boots with a sales price of \$175 or less per pair.
- (h) Tool belts with a sales price of \$100 or less per item.
- (i) Duffle bags or tote bags with a sales price of \$50 or less per item.
- (j) Tool boxes with a sales price of \$75 or less per item.
- (k) Tool boxes for vehicles with a sales price of \$300 or less per item.
- (l) Industry textbooks and code books with a sales price of \$125 or less per item.
- (m) Electrical voltage and testing equipment with a sales price of \$100 or less per item.
- (n) LED flashlights with a sales price of \$50 or less per item.
- (o) Shop lights with a sales price of \$100 or less per item.
- (p) Handheld pipe cutters, drain opening tools, and plumbing inspection equipment with a sales price of \$150 or less per item.
- (q) Shovels with a sales price of \$50 or less.
- (r) Rakes with a sales price of \$50 or less.
- (s) Hard hats and other head protection with a sales price of \$100 or less.
- (t) Hearing protection items with a sales price of \$75 or less.
- (u) Ladders with a sales price of \$250 or less.
- (v) Fuel cans with a sales price of \$50 or less.
- (w) High visibility safety vests with a sales price of \$30 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

Section 47. (1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from July 1, 2023, through June

30, 2024, on the retail sale of a new ENERGY STAR appliance for noncommercial use.

(2) As used in this section, the term “ENERGY STAR appliance” means one of the following products, if such product is designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each agency’s requirements under the ENERGY STAR program, and is affixed with an ENERGY STAR label:

- (a) A washing machine with a sales price of \$1,500 or less;
- (b) A clothes dryer with a sales price of \$1,500 or less;
- (c) A water heater with a sales price of \$1,500 or less; or
- (d) A refrigerator or combination refrigerator/freezer with a sales price of \$4,500 or less.

(3) This section shall take effect upon this act becoming a law.

Section 48. (1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from July 1, 2023, through June 30, 2024, on the retail sale of gas ranges and cooktops.

(2) As used in this section, the term “gas ranges and cooktops” means any range or cooktop fueled by combustible gas such as natural gas, propane, butane, liquefied petroleum gas, or other flammable gas. It does not include outdoor gas grills, camping stoves, or other portable stoves.

(3) This section shall take effect upon this act becoming a law.

Section 49. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to implement the amendments made by this act to ss. 212.031 and 212.08, Florida Statutes; the creation by this act of ss. 220.199 and 220.1991, Florida Statutes; and the creation by this act of the temporary tax exemptions for ENERGY STAR appliances, and gas ranges and cooktops. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section shall take effect upon this act becoming a law and expires July 1, 2026.

Section 50. (1) For fiscal year 2023-2024, the sum of \$35 million is appropriated from the General Revenue Fund to the Department of Revenue to offset the reductions in ad valorem tax revenue experienced by local taxing jurisdictions in complying with s. 197.3181, Florida Statutes.

(2) To participate in the distribution of the appropriation, each affected taxing jurisdiction must apply to the Department of Revenue by October 1, 2023, and provide documentation supporting the taxing jurisdiction’s reduction in ad valorem tax revenue in the form and manner prescribed by the department. The documentation must include a copy of the notice required by s. 197.3181(5)(b), Florida Statutes, from the tax collector who reports to the affected taxing jurisdiction of the reduction in ad valorem taxes the taxing jurisdiction will incur as a result of the implementation of s. 197.3181, Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(4) This section shall take effect upon becoming a law and is repealed June 30, 2025.

Section 51. (1) For the 2022-2023 fiscal year, the sum of \$19,014 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing the changes to s. 220.222, Florida Statutes, and chapter 212, Florida Statutes, made by this act.

(2) This section shall take effect upon becoming a law.

Section 52. *For the 2023-2024 fiscal year, the sum of \$110,536 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing the provisions of the Residential Graywater System Tax Credit and the Credit for Manufacturing of Human Breast Milk Derived Human Milk Fortifiers as created by this act, and the amendment made by this act to s. 212.031, Florida Statutes.*

Section 53. *Contingent upon the issuance of an order by the court in Emerson v. Florida Department of Revenue, No. 21-CA-487 (Fla. 2d Cir. Ct.), awarding attorney fees and costs, the Department of Revenue shall submit a nonoperating budget amendment for the transfer of funds from the Discretionary Sales Surtax Clearing Trust Fund to the Department of Revenue's Operating Trust Fund in an amount equal to the attorney fees and costs awarded by the court. Within 30 days of the date the order is issued by the court, the Department of Revenue shall submit a budget amendment to the Legislative Budget Commission requesting an appropriation to pay such attorney fees and costs.*

Section 54. Except as otherwise provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2023.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 125.01, F.S.; prohibiting a county from levying special assessments on certain lands; providing and deleting exceptions; providing applicability; deleting the definition of the term "agricultural pole barn"; amending s. 125.0104, F.S.; requiring that certain tourist development taxes be enacted or renewed by referendum, rather than approval by governing boards; revising criteria for counties that may reimburse certain expenses from revenues received by a tourist development tax; requiring that a referendum to reenact such an expiring tax be held at a general election; limiting the occurrence of such a referendum; amending s. 125.0108, F.S.; requiring that a referendum to reenact an expiring tourist impact tax be held at a general election; limiting the occurrence of such a referendum; amending s. 125.901, F.S.; requiring that a referendum to approve a millage rate increase for a children's services independent special district property tax be held at a general election; limiting the occurrence of such a referendum; amending s. 194.036, F.S.; revising a condition under which a property appraiser may appeal a decision of the value adjustment board; amending s. 196.081, F.S.; specifying that certain permanently and totally disabled veterans or their surviving spouses are entitled to, rather than may receive, a prorated refund of ad valorem taxes paid under certain circumstances; making clarifying changes relating to the transfer of homestead tax exemptions by surviving spouses of certain veterans and first responders; providing construction; expanding eligibility for the prorated refund; removing a limitation on when certain surviving spouses are exempt from a specified tax; exempting from ad valorem taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty while employed by the United States Government; removing a limitation on when first responders and their surviving spouses are exempt from a specified tax; expanding the definition of the term "first responder" to include certain federal law enforcement officers; providing applicability; amending s. 196.196, F.S.; making a technical change; providing construction relating to tax-exempt property used for a religious purpose; amending s. 196.198, F.S.; adding circumstances under which certain property used exclusively for educational purposes is deemed owned by an educational institution; amending s. 197.319, F.S.; revising definitions; revising requirements for applying for property tax refunds due to catastrophic events; revising duties of property appraisers and tax collectors; making technical changes; providing applicability; amending ss. 199.145 and 201.08, F.S.; providing requirements for taxation of specified loans in certain circumstances; 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; prohibiting a certain tax passed after a specified date from being added to the local communications services tax until a future date; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; amending s. 206.996, F.S.; conforming a provision to changes made by the act; amending s. 212.0306, F.S.; authorizing certain cities and towns to levy a local option food and beverage tax if adopted by ordinance approved by referendum; providing for the effective date of

such tax levy; requiring that a referendum to reenact an expiring local option food and beverage tax be held at a general election; limiting the occurrence of such a referendum; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.055, F.S.; requiring that a referendum to reenact a local government discretionary sales surtax be held at a general election; limiting the occurrence of such a referendum; amending s. 212.08, F.S.; exempting from sales and use tax the sale of materials used to construct or repair fencing used for certain purposes; defining the term "renewable natural gas"; providing a sales tax exemption for the purchase of certain machinery and equipment relating to renewable natural gas; requiring purchasers of such machinery and equipment to furnish the vendor with a certain affidavit; providing an exception; providing penalties, including a criminal penalty; authorizing the Department of Revenue to adopt rules; exempting the purchase of specified baby and toddler products from the sales and use tax; providing a presumption; exempting the sale for human use of diapers, incontinence undergarments, incontinence pads, and incontinence liners from the sales and use tax; exempting the sale of oral hygiene products from the sales and use tax; defining the term "oral hygiene products"; exempting the sale of certain firearm safety devices from the sales and use tax; defining the terms "private investigation services" and "small private investigative agency"; exempting the sale of private investigation services by a small private investigative agency to a client from the sales and use tax; providing applicability; amending s. 212.20, F.S.; requiring the Department of Revenue to annually distribute funds to the Florida Agricultural Promotional Campaign Trust Fund beginning on a specified date; providing for future repeal; amending s. 213.053, F.S.; revising information which the Department of Revenue may share with the Department of Environmental Protection to include changes made by the act; amending s. 220.02, F.S.; revising the order in which credits may be taken to include credits created by the act; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; amending s. 220.13, F.S.; requiring the addition of amounts taken for certain credits to taxable income; amending s. 220.1845, F.S.; increasing the amount of contaminated site rehabilitation tax credits which may be granted for each fiscal year; creating s. 220.199, F.S.; defining terms; providing a corporate income tax credit to developers and homebuilders for certain graywater systems purchased during the taxable year; specifying limits on credits received; specifying information the developer or homebuilder must provide; requiring the Department of Environmental Protection to make certain determinations and to certify such determinations within a specified timeframe; requiring such determinations be included on specified returns; prohibiting the certification of credits for tax years after a certain date; authorizing tax credits to be carried forward for up to a specified number of years; authorizing the Department of Revenue and the Department of Environmental Protection to adopt rules; providing for future repeal; creating s. 220.1991, F.S.; authorizing a corporate income tax credit for a portion of the cost of certain equipment used in the production of human breast milk derived human milk fortifiers; requiring such credit be reduced using a specified calculation; providing requirements for qualifying equipment; providing the maximum amount of credits available for each taxpayer for certain fiscal years; providing applicability; authorizing the Department of Revenue to adopt specified rules; providing requirements for certain forms; requiring the credit to be approved by the Department of Revenue before it is used; requiring the Department of Revenue to take certain actions when processing applications; providing requirements for incomplete applications; authorizing credits to be carried forward for up to a specified number of years; authorizing credits to be used on a consolidated return in certain circumstances; prohibiting taxpayers from conveying, transferring, or assigning approved tax credits; providing an exception; requiring notification if such exception is used; requiring the Department of Revenue to take specified actions in relation to such notifications; providing requirements for a credit approved after a specified event; providing for the reduction of estimated payments in certain circumstances; providing for future repeal; amending s. 220.222, F.S.; requiring specified calculations relating to the underpayment of taxes to include the amount of certain credits; amending ss. 336.021 and 336.025, F.S.; requiring that a referendum to adopt, amend, or reenact a ninth-cent fuel tax or local option fuel taxes, respectively, be held at a general election; limiting the occurrence of a referendum to reenact such a tax; amending s. 376.30781, F.S.; increasing the amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas which may be granted

for each fiscal year; amending s. 402.62, F.S.; increasing the Strong Families Tax Credit cap; creating s. 550.09516, F.S.; providing for a credit for thoroughbred racing permitholders; requiring the Florida Gaming Control Commission to require sufficient documentation; authorizing permitholders to apply the credits monthly beginning on a specified annual date to certain taxes and fees; providing for expiration of credits; authorizing the commission to adopt rules; amending s. 571.26, F.S.; requiring that certain funds be held separately in the trust fund for certain purposes; providing for the future expiration and reversion of specified statutory text; creating s. 571.265, F.S.; defining the terms “association” and “permitholder”; requiring that certain funds deposited into the trust fund be used for a specified purpose; providing for carryover of unused funds; specifying requirements for the use and distribution of funds; requiring recipients to submit a report; providing for future repeal; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax specified disaster preparedness supplies during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax the retail sale of new ENERGY STAR appliances during a specified timeframe; defining the term “ENERGY STAR appliance”; exempting from sales and use tax the retail sale of gas ranges and cooktops during a specified timeframe; defining the term “gas ranges and cooktops”; authorizing the Department of Revenue to adopt emergency rules; authorizing local taxing jurisdictions to apply to the Department of Revenue for a distribution to offset certain reductions in ad valorem tax revenue; providing application requirements; authorizing the Department of Revenue to adopt rules; providing for future repeal; providing appropriations; requiring the Department of Revenue to submit a budget amendment for the transfer of funds under certain circumstances; providing effective dates.

Senator Ingoglia moved the following amendment to **Amendment 1 (641882)** which was adopted:

**Amendment 1A (758356) (with title amendment)**—Delete lines 2553-2563.

And the title is amended as follows:

Delete lines 2809-2811 and insert: appropriations; providing effective

**Amendment 1 (641882)**, as amended, was adopted.

Pursuant to Rule 4.19, **HB 7063**, as amended, was placed on the calendar of Bills on Third Reading.

## SENATOR BAXLEY PRESIDING

## THE PRESIDENT PRESIDING

### BILLS ON THIRD READING, continued

**CS for HB 965**—A bill to be entitled An act relating to driver license, identification card, and motor vehicle registration applications; amending ss. 320.02 and 322.08, F.S.; requiring that the motor vehicle registration form and registration renewal form and the driver license or identification card application form, respectively, include an option to make a voluntary contribution to Best Buddies International; providing an effective date.

—was read the third time by title.

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

Senator Berman moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (834476) (with title amendment)**—Delete lines 13-115 and insert:

Section 1. Paragraph (b) of subsection (2) of section 316.066, Florida Statutes, as amended by section 1 of chapter 2022-198, Laws of Florida, is amended to read:

316.066 Written reports of crashes.—

(2)

(b) Crash reports held by an agency under paragraph (a) may be made immediately available to the parties involved in the crash, their legal representatives, their licensed insurance agents, their insurers or insurers to which they have applied for coverage, persons under contract with such insurers to provide claims or underwriting information, *law enforcement agencies and their contracted service providers*, victim services programs, and any federal, state, or local governmental agency or any private person or entity acting on behalf of a federal, state, or local governmental agency in carrying out its functions, but not for redistribution to any person or entity not listed in this subsection. Crash reports held by an agency under paragraph (a) which do not contain the home or employment street addresses, driver license or identification card numbers, dates of birth, and home and employment telephone numbers of the parties involved in the crash shall be made immediately available to radio and television stations licensed by the Federal Communications Commission and newspapers qualified to publish legal notices under ss. 50.011 and 50.031. A crash report may also be made available to any third party acting on behalf of a person or entity authorized under this section to access the crash report, except that the third party may disclose the crash report only to the person or entity authorized to access the crash report under this section on whose behalf the third party has sought the report. This section shall not prevent an agency, pursuant to a memorandum of understanding, from providing data derived from crash reports to a third party solely for the purpose of identifying vehicles involved in crashes if such data does not reveal the identity, home or employment telephone number or home or employment address, or other personal information of the parties involved in the crash.

Section 2. Paragraph (b) of subsection (1) of section 316.2935, Florida Statutes, is amended to read:

316.2935 Air pollution control equipment; tampering prohibited; penalty.—

(1)

(b) At the time of sale, lease, or transfer of title of a motor vehicle, the seller, lessor, or transferor shall certify in writing to the purchaser, lessee, or transferee that the air pollution control equipment of the motor vehicle has not been tampered with by the seller, lessor, or transferor or their agents, employees, or other representatives. A licensed motor vehicle dealer shall also visually observe those air pollution control devices listed by department rule pursuant to subsection (7), and certify that they are in place, and appear properly connected and undamaged. Such certification shall not be deemed or construed as a warranty that the pollution control devices of the subject vehicle are in functional condition, nor does the execution or delivery of this certification create by itself grounds for a cause of action between the parties to this transaction. *This paragraph does not apply when the purchaser of the motor vehicle is a lessee purchasing the leased motor vehicle and the licensed motor vehicle dealer is not in possession of the motor vehicle at the time of sale.*

Section 3. Paragraph (v) is added to subsection (16) of section 320.02, Florida Statutes, to read:

320.02 Registration required; application for registration; forms.—

(16)

(v) *The application form for motor vehicle registration and renewal of registration must include language permitting a voluntary contribution of \$1 to Best Buddies International, Inc. Such contributions shall be distributed monthly by the department to Best Buddies International Inc., a corporation not for profit under s. 501(c)(3) of the Internal Revenue Code.*

For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

Section 4. Subsection (1) of section 320.0657, Florida Statutes, is amended to read:

320.0657 Permanent registration; fleet license plates.—

(1) As used in this section, the term “fleet” means nonapportioned motor vehicles owned or leased by a company and used for business purposes. *A fleet consists of a minimum of 100 motor vehicles or a minimum of 25 trailers or semitrailers. Vehicle numbers comprising a “fleet” shall be established by the department.* Vehicles registered as short-term rental vehicles are excluded from the provisions of this section.

Section 5. Subsection (8) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(8) The application form for an original, renewal, or replacement driver license or identification card must include language permitting the following:

(a) A voluntary contribution of \$1 per applicant, which contribution shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b) A voluntary contribution of \$1 per applicant, which shall be distributed to the Florida Council of the Blind.

(c) A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d) A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e) A voluntary contribution of \$1 per applicant, which shall be distributed to the Children’s Hearing Help Fund.

(f) A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

(g) A voluntary contribution of \$1 per applicant to Stop Heart Disease, which shall be distributed to the Florida Heart Research Institute, a nonprofit organization.

(h) A voluntary contribution of \$1 per applicant to Senior Vision Services, which shall be distributed to the Florida Association of Agencies Serving the Blind, Inc., a not-for-profit organization.

(i) A voluntary contribution of \$1 per applicant for services for persons with developmental disabilities, which shall be distributed to The Arc of Florida.

(j) A voluntary contribution of \$1 to the Ronald McDonald House, which shall be distributed each month to Ronald McDonald House Charities of Tampa Bay, Inc.

(k) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant, which shall be distributed to the League Against Cancer/La Liga Contra el Cancer, a not-for-profit organization.

(l) A voluntary contribution of \$1 per applicant to Prevent Child Sexual Abuse, which shall be distributed to Lauren’s Kids, Inc., a nonprofit organization.

(m) A voluntary contribution of \$1 per applicant, which shall be distributed to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state.

(n) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant to the state homes for veterans, to be distributed on a quarterly basis by the department to the Operations and Maintenance Trust Fund within the Department of Veterans’ Affairs.

(o) A voluntary contribution of \$1 per applicant to the Disabled American Veterans, Department of Florida, which shall be distributed quarterly to Disabled American Veterans, Department of Florida, a nonprofit organization.

(p) A voluntary contribution of \$1 per applicant for Autism Services and Supports, which shall be distributed to Achievement and Rehabilitation Centers, Inc., Autism Services Fund.

(q) A voluntary contribution of \$1 per applicant to Support Our Troops, which shall be distributed to Support Our Troops, Inc., a Florida not-for-profit organization.

(r) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant to aid the homeless. Contributions made pursuant to this paragraph shall be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness to supplement grants made under s. 420.622(4) and (5), provide information to the public about homelessness in the state, and provide literature for homeless persons seeking assistance.

(s) A voluntary contribution of \$1 or more per applicant to End Breast Cancer, which shall be distributed to the Florida Breast Cancer Foundation.

(t) Notwithstanding s. 322.081(1), a voluntary contribution of \$1 or more per applicant to Childhood Cancer Care, which shall be distributed to the Live Like Bella Childhood Cancer Foundation.

*(u) A voluntary contribution of \$1 or more per applicant to Best Buddies International, Inc., which shall be distributed monthly to Best Buddies International, Inc., a corporation not for profit under s. 501(c)(3) of the Internal Revenue Code.*

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided under s. 215.20, contributions received under paragraphs (b)-(u) ~~(b)-(t)~~ are not income of a revenue nature.

Section 6. Paragraph (c) of subsection (9) of section 324.021, Florida Statutes, is amended to read:

324.021 Definitions; minimum insurance required.—The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(9) OWNER; OWNER/LESSOR.—

(c) *Application.*—

1. The limits on liability in subparagraphs (b)2. and 3. do not apply to an owner of motor vehicles that are used for commercial activity in the owner’s ordinary course of business, other than a rental company that rents or leases motor vehicles. For purposes of this paragraph, the term “rental company” includes only an entity that is engaged in the business of renting or leasing motor vehicles to the general public and that rents or leases a majority of its motor vehicles to persons with no direct or indirect affiliation with the rental company. The term “rental company” also includes:

a. A related rental or leasing company that is a subsidiary of the same parent company as that of the renting or leasing company that rented or leased the vehicle.

b. The holder of a motor vehicle title or an equity interest in a motor vehicle title if the title or equity interest is held pursuant to or to facilitate an asset-backed securitization of a fleet of motor vehicles used solely in the business of renting or leasing motor vehicles to the general public and under the dominion and control of a rental company, as

described in this subparagraph, in the operation of such rental company's business.

2. Furthermore, with respect to commercial motor vehicles as defined in s. 627.732, the limits on liability in subparagraphs (b)2. and 3. do not apply if, at the time of the incident, the commercial motor vehicle is being used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is required pursuant to such act to carry placards warning others of the hazardous cargo, unless at the time of lease or rental either:

a. The lessee indicates in writing that the vehicle will not be used to transport materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

b. The lessee or other operator of the commercial motor vehicle has in effect insurance with limits of at least \$5,000,000 combined property damage and bodily injury liability.

3.a. A motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that provides a temporary replacement vehicle at no charge or at a reasonable daily charge to a service customer whose vehicle is being held for repair, service, or adjustment by the motor vehicle dealer is immune from any cause of action and is not liable, vicariously or directly, under general law solely by reason of being the owner of the temporary replacement vehicle for harm to persons or property that arises out of the use, or operation, of the temporary replacement vehicle by any person during the period the temporary replacement vehicle has been entrusted to the motor vehicle dealer's service customer if there is no negligence or criminal wrongdoing on the part of the motor vehicle owner, or its leasing or rental affiliate.

b. For purposes of this section, and notwithstanding any other provision of general law, a motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that gives possession, control, or use of a temporary replacement vehicle to a motor vehicle dealer's service customer may not be adjudged liable in a civil proceeding absent negligence or criminal wrongdoing on the part of the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, if the motor vehicle dealer or the motor vehicle dealer's leasing or rental affiliate executes a written rental or use agreement and obtains from the person receiving the temporary replacement vehicle a copy of the person's driver license and insurance information reflecting at least the minimum motor vehicle insurance coverage required in the state. Any subsequent determination that the driver license or insurance information provided to the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, was in any way false, fraudulent, misleading, nonexistent, canceled, not in effect, or invalid does not alter or diminish the protections provided by this section, unless the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, had actual knowledge thereof at the time possession of the temporary replacement vehicle was provided.

c. For purposes of this subparagraph, the term:

(I) "Control" means the power to direct the management and policies of a person, whether through ownership of voting securities or otherwise.

(II) "Motor vehicle dealer's leasing or rental affiliate" means a person who directly or indirectly controls, is controlled by, or is under common control with the motor vehicle dealer.

d. For purposes of this subparagraph, the term "service customer" does not include an agent or a principal of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate, and does not include an employee of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate unless the employee was provided a temporary replacement vehicle:

(I) While the employee's personal vehicle was being held for repair, service, or adjustment by the motor vehicle dealer;

(II) In the same manner as other customers who are provided a temporary replacement vehicle while the customer's vehicle is being held for repair, service, or adjustment; and

(III) The employee was not acting within the course and scope of his or her employment.

Section 7. Subsection (3) of section 324.0221, Florida Statutes, is amended to read:

324.0221 Reports by insurers to the department; suspension of driver license and vehicle registrations; reinstatement.—

(3) An operator or owner whose driver license or registration has been suspended under this section or s. 316.646 may ~~effect~~ ~~effect~~ its reinstatement upon compliance with the requirements of this section and upon payment to the department of a nonrefundable reinstatement fee of \$150 for the first reinstatement. The reinstatement fee is \$250 for the second reinstatement and \$500 for each subsequent reinstatement during the 3 years following the first reinstatement. A person reinstating her or his insurance under this subsection must also secure ~~noncancelable~~ coverage as described in ss. 324.021(8), 324.023, and 627.7275(2) and present to the appropriate person proof that the coverage is in force on a form adopted by the department, and such proof shall be maintained for 2 years. If the person does not have a second reinstatement within 3 years after her or his initial reinstatement, the reinstatement fee is \$150 for the first reinstatement after that 3-year period. If a person's license and registration are suspended under this section or s. 316.646, only one reinstatement fee must be paid to reinstate the license and the registration. All fees shall be collected by the department at the time of reinstatement. The department shall issue proper receipts for such fees and shall promptly deposit those fees in the Highway Safety Operating Trust Fund. One-third of the fees collected under this subsection shall be distributed from the Highway Safety Operating Trust Fund to the local governmental entity or state agency that employed the law enforcement officer seizing the license plate pursuant to s. 324.201. The funds may be used by the local governmental entity or state agency for any authorized purpose.

Section 8. Section 324.131, Florida Statutes, is amended to read:

324.131 Period of suspension.—Such license, registration and non-resident's operating privilege shall remain so suspended and shall not be renewed, nor shall any such license or registration be thereafter issued in the name of such person, including any such person not previously licensed, unless and until every such judgment is stayed, satisfied in full or to the extent of the limits stated in s. 324.021(7) and until the said person gives proof of financial responsibility as provided in s. 324.031, such proof to be maintained for 3 years. In addition, if the person's license or registration has been suspended or revoked due to a violation of s. 316.193 or pursuant to s. 322.26(2), that person shall maintain ~~noncancelable~~ liability coverage for each motor vehicle registered in his or her name, as described in s. 627.7275(2), and must present proof that coverage is in force on a form adopted by the Department of Highway Safety and Motor Vehicles, such proof to be maintained for 3 years.

Section 9. Paragraph (g) of subsection (3) of section 627.311, Florida Statutes, is amended to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(3) The office may, after consultation with insurers licensed to write automobile insurance in this state, approve a joint underwriting plan for purposes of equitable apportionment or sharing among insurers of automobile liability insurance and other motor vehicle insurance, as an alternate to the plan required in s. 627.351(1). All insurers authorized to write automobile insurance in this state shall subscribe to the plan and participate therein. The plan shall be subject to continuous review by the office which may at any time disapprove the entire plan or any part thereof if it determines that conditions have changed since prior approval and that in view of the purposes of the plan changes are warranted. Any disapproval by the office shall be subject to the provisions of chapter 120. The Florida Automobile Joint Underwriting Association is created under the plan. The plan and the association:

(g) Must make available ~~noncancelable~~ coverage as provided in s. 627.7275(2).

Section 10. Paragraph (b) of subsection (2) of section 627.7275, Florida Statutes, is amended to read:

627.7275 Motor vehicle liability.—

(2)

(b) The policies described in paragraph (a) shall be issued for at least 6 months ~~and, as to the minimum coverages required under this~~

section, may not be canceled by the insured for any reason or by the insurer after 60 days, during which period the insurer is completing the underwriting of the policy. After the insurer has issued completed underwriting the policy, the insurer shall notify the Department of Highway Safety and Motor Vehicles that the policy is in full force and effect and is not cancelable for the remainder of the policy period. A premium shall be collected and the coverage is in effect for the 60 day period during which the insurer is completing the underwriting of the policy whether or not the person's driver license, motor vehicle tag, and motor vehicle registration are in effect. Once the noncancelable provisions of the policy become effective, the coverages for bodily injury, property damage, and personal injury protection may not be reduced below the minimum limits required under s. 324.021 or s. 324.023 during the policy period.

And the title is amended as follows:

Delete lines 2-9 and insert: An act relating to driver license, identification card, and motor vehicle registration; amending s. 316.066, F.S.; revising the parties that may receive confidential crash reports to include law enforcement agencies and their contracted service providers; amending s. 316.2935, F.S.; providing applicability relating to air pollution control equipment certification requirements; amending ss. 320.02 and 322.08, F.S.; requiring that the motor vehicle registration form and registration renewal form and the driver license or identification card application form, respectively, include an option to make a voluntary contribution to Best Buddies International, Inc.; amending s. 320.0657, F.S.; revising the definition of the term "fleet"; amending s. 324.021, F.S.; defining the terms "control" and "motor vehicle dealer's leasing or rental affiliate" for purposes of ch. 324, F.S.; amending ss. 324.0221 and 324.131, F.S.; revising motor vehicle insurance coverage requirements for certain persons; amending s. 627.311, F.S.; revising a requirement for coverage made available by the Florida Automobile Joint Underwriting Association and the joint underwriting plan approved by the Office of Insurance Regulation; amending s. 627.7275, F.S.; revising requirements for motor vehicle insurance policies; providing an effective date.

On motion by Senator Berman, **CS for HB 965**, as amended, was 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

**LOCAL BILL CALENDAR**

**MOTIONS**

On motion by Senator Mayfield, the rules were waived and **HB 227**, **HB 567**, **CS for HB 773**, **CS for HB 815**, **HB 943**, **HB 945**, **CS for HB 947**, **HB 1027**, **CS for HB 1049**, **CS for HB 1083**, **HB 1169**, **CS for HB 1175**, **HB 1225**, **HB 1237**, **HB 1255**, **HB 1467**, **HB 1561**, **HB 1563**, **CS for HB 1565**, **HB 1603**, **CS for HB 1611**, **CS for HB 1643**, and **CS for HB 1645** on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

**HB 227**—A bill to be entitled An act relating to Lee Memorial Health System, Lee County; amending chapter 2000-439, Laws of Florida; providing quorum requirements for system board meetings; removing a requirement that the health system's annual audit and annual budget

be filed with the clerk of the circuit court; revising provisions relating to purchasing real property, entering into financial agreements, and managing funds; providing a process by which the health system may convert to a nonprofit entity; providing construction; removing provisions relating to execution and enforcement of liens; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Albritton, by two-thirds vote, **HB 227** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 567**—A bill to be entitled An act relating to the Lake Padgett Estates Independent Special District, Pasco County; amending chapter 2006-317, Laws of Florida; revising the terms of certain members elected to the board of supervisors of the district to provide for staggered terms; providing an effective date.

—was read the second time by title. On motion by Senator Burgess, by two-thirds vote, **HB 567** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 773**—A bill to be entitled An act relating to the Hernando County School District, Hernando County; providing legislative findings; repealing the School Board of Hernando County resolution which provides for an appointed superintendent of schools; providing for an elected superintendent of schools; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Ingoglia, by two-thirds vote, **CS for HB 773** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Madam President	Berman	Brodeur
Albritton	Book	Broxson
Avila	Boyd	Burgess
Baxley	Bradley	Burton



Calatayud	Hutson	Powell
Collins	Ingoglia	Rodriguez
Davis	Jones	Rouson
DiCeglie	Martin	Simon
Garcia	Mayfield	Stewart
Grall	Osgood	Thompson
Gruters	Perry	Torres
Harrell	Pizzo	Trumbull
Hooper	Polsky	Wright

Nays—None

**CS for HB 815**—A bill to be entitled An act relating to the Ocean City-Wright Fire Control District, Okaloosa County; amending ch. 99-478, Laws of Florida, as amended; providing for future annexation of certain unincorporated territory; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **CS for HB 815** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 943**—A bill to be entitled An act relating to the Acme Improvement District and Pine Tree Water Control District, Palm Beach County; transferring land referred to as the Wellington Preserve at the Marjory Stoneman Douglas Everglades Habitat and the Moncada Property from the Pine Tree Water Control District to the Acme Improvement District; providing purposes; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **HB 943** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 945**—A bill to be entitled An act relating to the Jupiter Inlet District, Palm Beach County; codifying, amending, reenacting, and repealing special acts relating to the district; providing purpose and

construction; providing severability; repealing chs. 2000-412 and 2002-354, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **HB 945** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 947**—A bill to be entitled An act relating to Manatee County; authorizing the county to construct a certain parking facility and amenities within the territorial boundaries of the City of Holmes Beach under certain circumstances; requiring a permit for such construction to be issued by the county; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **CS for HB 947** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1027**—A bill to be entitled An act relating to the Ave Maria Stewardship Community District, Collier County; amending chapter 2004-461, Laws of Florida; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Baxley, by two-thirds vote, **HB 1027** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Madam President	Brodeur	Garcia
Albritton	Broxson	Grall
Avila	Burgess	Gruters
Baxley	Burton	Harrell
Berman	Calatayud	Hooper
Book	Collins	Hutson
Boyd	Davis	Ingoglia
Bradley	DiCeglie	Jones

Martin	Polsky	Stewart
Mayfield	Powell	Thompson
Osgood	Rodriguez	Torres
Perry	Rouson	Trumbull
Pizzo	Simon	Wright

Nays—None

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**CS for HB 1049**—A bill to be entitled An act relating to the Boca Raton Airport Authority, Palm Beach County; amending chapter 2004-468, Laws of Florida; providing boundaries; providing definitions; providing that the authority is an independent special district; providing for title of land to be vested in the authority; revising frequency of meetings; providing additional powers and duties; providing an attendance fee for members; providing for budget amendments; requiring the Board of Trustees of the Internal Improvement Trust Fund to transfer title of such land to the authority; revising employment of airport manager; providing that the authority is a political subdivision of the state for sovereign immunity purposes; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **CS for HB 1049** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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**CS for HB 1083**—A bill to be entitled An act relating to Manatee County; creating the East River Ranch Stewardship District; providing a short title, legislative findings and intent, and definitions; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board; providing for membership, election, and terms of office; providing for meetings; providing administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amending the charter; providing for required notices to purchasers of residential units within the district; providing for merger; providing for construction; providing severability; providing for a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **CS for HB 1083** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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**HB 1169**—A bill to be entitled An act relating to Hamilton County; creating the Hamilton County Development Authority; providing definitions; providing for appointment and terms of the members of the board of the authority; providing powers; providing for annual budget and annual financial reporting; limiting authority to incur debt; providing purpose and construction; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Simon, by two-thirds vote, **HB 1169** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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**CS for HB 1175**—A bill to be entitled An act relating to Sarasota County; creating the Three Rivers Stewardship District; providing a short title, legislative findings and intent, and definitions; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board; providing for membership, election, and terms of office; providing for meetings; providing administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing that the exercise of the special powers by the district is limited until such time as the district enters into an interlocal agreement with Sarasota County; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amending the charter; providing for required notices to purchasers of residential units within the district; defining the term “district public property”; providing for merger; providing for

construction; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **CS for HB 1175** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1225**—A bill to be entitled An act relating to the Sanford Airport Authority, Seminole County; amending chapter 71-924, Laws of Florida, as amended by chapter 2005-306, Laws of Florida; revising the authorized term for which the authority may enter into exclusive or nonexclusive contracts, leases, franchises, or other arrangements with any person; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **HB 1225** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1237**—A bill to be entitled An act relating to North River Fire District, Manatee County; amending chapter 2007-280, Laws of Florida; specifying real property not subject to special assessments; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **HB 1237** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Madam President	Bradley	Davis
Albritton	Brodeur	DiCeglie
Avila	Broxson	Garcia
Baxley	Burgess	Grall
Berman	Burton	Gruters
Book	Calatayud	Harrell
Boyd	Collins	Hooper

Hutson	Perry	Simon
Ingoglia	Pizzo	Stewart
Jones	Polsky	Thompson
Martin	Powell	Torres
Mayfield	Rodriguez	Trumbull
Osgood	Rouson	Wright

Nays—None

**HB 1255**—A bill to be entitled An act relating to the West Orange Healthcare District, Orange County; abolishing the district, transferring assets and liabilities of the district; requiring certain books to be deposited into the Winter Garden Heritage Museum; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **HB 1255** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1467**—A bill to be entitled An act relating to the City of Kissimmee, Osceola County; creating an overlay district; providing a short title; providing boundaries; providing an exception to general law; requiring the Division of Alcohol Beverages and Tobacco of the Department of Business and Professional Regulation to issue special alcohol beverage license to certain restaurant establishments meeting specified space, seating, and minimum gross revenues requirements; providing penalties for any licensee that fails to meet such requirements; prohibiting subsequent licensure application for a specified period; providing an effective date.

—was read the second time by title. On motion by Senator Torres, by two-thirds vote, **HB 1467** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1561**—A bill to be entitled An act relating to Duval County; amending chapter 87-471, Laws of Florida, as amended; adding special zones in the City of Jacksonville; providing exceptions for space and seating requirements for liquor licenses for restaurants and event centers in the zones; creating a special zone in the City of Jacksonville Beach; providing exceptions for space and seating requirements for liquor licenses for restaurants in the zone; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote, **HB 1561** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1563**—A bill to be entitled An act relating to the Greater Seminole Area Special Recreation District, Pinellas County; repealing chapter 2003-383, Laws of Florida; abolishing the district; transferring real property owned by the district, subject to a restriction; providing an effective date.

—was read the second time by title. On motion by Senator DiCeglie, by two-thirds vote, **HB 1563** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 1565**—A bill to be entitled An act relating to the Town of Fort White, Columbia County; amending ch. 57-1334, Laws of Florida; deleting boundaries; revising general powers to borrow money; revising the election and terms of members of the Town Council; providing council districts; providing for the presiding officer of the council; providing for the salaries of the Mayor and members of the Town Council, powers of the town, and vacancies in Town Council; removing provisions relating to special meetings, ordinances and resolutions, and publication of ordinances and resolutions; removing provisions relating to the municipal court; providing that the Columbia County court system will handle all matters requiring court hearings or appearances; revising provisions relating to the police department and the fire department; providing and revising requirements for the Town Clerk; removing provisions relating to the town auditor, town tax assessor, town treasurer, tax administration, and canvass of election returns; revising re-

quirements for the election of candidates to the office of Town Council; removing a provision requiring elections to be conducted in a specified manner; revising the terms of office of councilmembers; providing an effective date.

—was read the second time by title. On motion by Senator Bradley, by two-thirds vote, **CS for HB 1565** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**HB 1603**—A bill to be entitled An act relating to Okeechobee County; transferring real property from the Board of Trustees of the Internal Improvement Fund to the Board of Trustees of Indian River State College; requiring a certain survey and report; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **HB 1603** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 1611**—A bill to be entitled An act relating to City of Bartow, Polk County; creating the Clear Springs Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds;

providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amendment to charter; providing for required notices to purchasers of residential units within the district; defining district public property; providing for merger; providing severability; providing for a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Albritton, by two-thirds vote, **CS for HB 1611** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 1643**—A bill to be entitled An act relating to the Mid-Bay Bridge Authority, Okaloosa County; amending chapter 2000-411, Laws of Florida; providing that the authority is an independent special district; revising provisions relating to the budget; deleting a requirement that the authority’s fiscal year be the same as the county fiscal year; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **CS for HB 1643** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for HB 1645**—A bill to be entitled An act relating to the City of Gainesville, Alachua County; amending chapter 12760, Laws of Florida (1927), as amended by chapter 90-394, Laws of Florida, relating to the City’s charter; repealing section 3.06 of the charter, relating to the general manager for utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and establishing it as the governing board of Gainesville Regional Utilities; providing an effective date.

—was read the second time by title. On motion by Senator Perry, by two-thirds vote, **CS for HB 1645** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—30

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

Nays—9

Berman	Jones	Powell
Book	Osgood	Thompson
Davis	Pizzo	Torres

**REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS**

The Honorable Kathleen Passidomo May 4, 2023  
 President, The Florida Senate  
 Suite 409, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

Dear President Passidomo:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Athletic Training Appointee: Riddle, Kari	10/31/2026
Florida Building Code Administrators and Inspectors Board Appointee: Grenier, Mark	10/31/2026
Florida Building Commission Appointees: Batts, James T., III John, David A. Langille, Brian	11/05/2024 02/03/2027 06/30/2025
Board of Chiropractic Medicine Appointee: Roberts, Michael	10/31/2026
Board of Trustees of Broward College Appointees: Zachariah, Zachariah “Reggie” P., Jr. Zanotti-Cavazzoni Riera, Mario Luis	05/31/2026 05/31/2025
Board of Trustees of Chipola College Appointee: Worley, Karla N.	05/31/2025
Board of Trustees of Gulf Coast State College Appointee: Windham, Caroline	05/31/2025
Board of Trustees of Hillsborough Community College Appointee: Lametto, Brian	05/31/2026
Board of Trustees of Lake-Sumter State College Appointee: Hidalgo, David	05/31/2026
Board of Cosmetology Appointee: Giddens, Trena	10/31/2026
Board of Funeral, Cemetery, and Consumer Services Appointee: Williams, Darrin R.	09/30/2025
Governor’s Mansion Commission Appointee: Mica, Mary	09/30/2023

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Medicine Appointees: Benson, Matthew R. Coffman, Gregory Derick, Amy Diamond, David A. Hunter, Patrick Justice, Nicole Romanello, Nicholas William	10/31/2026 10/31/2026 10/31/2025 10/31/2025 10/31/2024 10/31/2024 10/31/2024	Board of Trustees, Florida Polytechnic University Appointee: Williams, David B.	07/15/2024
Board of Nursing Home Administrators Appointee: DeBiasi, Philip	10/31/2025	Board of Trustees, University of Florida Appointee: Zalupski, Patrick	01/06/2028
Board of Pharmacy Appointees: Hickman, Jonathan M. Kirk, Daniel E.	10/31/2025 10/31/2026	Board of Trustees, University of North Florida Appointee: Moore, Clarence S.	01/06/2026
Board of Supervisors of the Central Florida Tourism Oversight District Appointees: Aungst, Brian J., Jr. Garcia, Martin L., Esquire Peri, Ronald J. Sasso, Michael Adam Ziegler, Bridget	02/26/2027 02/26/2027 02/26/2025 02/26/2027 02/26/2025	Board of Trustees, University of South Florida Appointee: Donnelly, Rogan	01/06/2026
Reemployment Assistance Appeals Commission Appointee: Epsky, Thomas D.	06/30/2023	The following executive appointments were referred to the Senate Committee on Education Pre-K -12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Trustees, Florida Atlantic University Appointee: Levine, Bradley M.	01/06/2028	<i>Office and Appointment</i>	
Board of Trustees, University of Central Florida Appointee: Cardenas, Ricardo	01/06/2028	State Board of Education Appointees: Byrd, Esther Christie, Grazie	12/31/2025 12/31/2025
Board of Trustees, Florida State University Appointee: Henderson, Jim W.	01/06/2028	The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Trustees, University of South Florida Appointee: Horton, Oscar J.	01/06/2028	<i>Office and Appointment</i>	
Board of Trustees, University of West Florida Appointee: Scott, Alonzie, III	01/06/2026	Central Florida Expressway Authority Appointees: Maier, Christopher Martinez, Rafael E.	12/31/2026 12/31/2026
The following executive appointments were referred to the Senate Committee on Education Postsecondary and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:		The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointee but did not hold a public hearing for the following appointee. Therefore, the Senate Committee on Ethics and Elections makes no recommendation and in accordance with s. 114.05(1)(c), F.S., respectfully submits for Senate consideration:	
<i>Office and Appointment</i>		<i>For Term Ending</i>	
Board of Governors of the State University System Appointee: Mateer, Craig C.	01/06/2027	Board of Governors of the State University System Appointee: Oliva, Jose R.	01/06/2026
Board of Trustees, Florida Atlantic University Appointee: Flippo, Robert	01/06/2026	Except as specifically noted above, the referenced committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:	
Board of Trustees, Florida State University Appointee: Roth, Justin	01/06/2026	(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;	
Board of Trustees, Florida Gulf Coast University Appointees: Donalds, Erika Eide, Richard P., Jr. Rivera, Luis E., II Sulick, Peter Wynn, Michael	01/06/2025 01/06/2028 01/06/2026 01/06/2026 01/06/2026	(2) Senate action on said appointments be taken prior to the adjournment of the 2023 Regular Session; and	
Board of Trustees, Florida International University Appointee: Tovar, Rogelio "Roger"	01/06/2028	(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.	
Board of Trustees, New College of Florida Appointees: Anderson, Ryan Bauerlein, Mark Jenks, Debra A. Kesler, Charles R. Rufo, Christopher F. Spalding, Matthew	01/06/2028 01/06/2026 01/06/2026 01/06/2025 01/06/2026 01/06/2028	Respectfully submitted, Danny Burgess, Chair	
		On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of	

the committee to the offices and for the terms indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

Vote Preference:

Senator Berman was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Berman was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Book was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Book was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Davis was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Davis was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Jones was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Jones was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Osgood was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Osgood was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding. Senator Osgood was also recorded as voting “nay” on the appointments of the State Board of Education: Esther Byrd and Grazie Christie.

Senator Pizzo was recorded as voting “nay” on the appointment of the Board of Supervisors of the Central Florida Tourism Oversight District: Ronald J. Peri. Senator Pizzo was also recorded as voting “nay” on the appointment of New College of Florida, Board of Trustees: Christopher F. Rufo.

Senator Polsky was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Polsky was also

recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Powell was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Powell was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Rouson was recorded as voting “nay” on the appointment of New College of Florida, Board of Trustees: Christopher F. Rufo.

Senator Stewart was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Stewart was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Thompson was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Thompson was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

Senator Torres was recorded as voting “nay” on the appointments of the Board of Supervisors of the Central Florida Tourism Oversight District: Brian J. Aungst, Jr., Martin L. Garcia, Esquire, Ronald J. Peri, Michael Adam Sasso, and Bridget Ziegler. Senator Torres was also recorded as voting “nay” on the appointments of New College of Florida, Board of Trustees: Ryan Anderson, Mark Bauerlein, Debra A. Jenks, Charles R. Kesler, Christopher F. Rufo, and Matthew Spalding.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (582164) with House Amendment 1 (232621), concurred in the same as amended, and passed CS/CS/HB 225 as further amended, and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Education & Employment Committee, Education Quality Subcommittee and Representative(s) Hawkins, Canady, Brackett, Garcia, Melo, Rizo, Trabulsy—

**CS for CS for HB 225**—A bill to be entitled An act relating to interscholastic and intrascholastic activities; amending s. 1006.20, F.S.; providing for the approval of athletic associations that meet certain requirements; providing a definition; requiring certain athletic associations to operate under a contract with the State Board of Education; requiring the State Board of Education to annually review specified information relating to such athletic associations; providing that private schools and traditional public schools are considered high schools for specified purposes; prohibiting public schools from maintaining memberships in or paying dues or fees to certain athletic associations; providing that approved athletic associations are subject to certain requirements; requiring approved athletic associations to afford the same benefits to all member schools; requiring approved athletic associations to adopt certain bylaws; requiring approved athletic associations to establish a certain appeals process; authorizing certain sports medicine advisory committees to establish specified definitions related to concussions; authorizing certain approved athletic associations to establish sports medicine advisory committees that meet certain membership requirements; providing that the FHSAA's board of directors has the legislative authority of the association and must approve, reject, or amend any legislative recommendations; revising the membership requirements of the FHSAA's board of directors; requiring the FHSAA's

executive director and budget to be approved by the State Board of Education; revising the duties of the FHSAA's representative assembly; authorizing members of the FHSAA's representative assembly to serve on a specified committee; revising requirements for amending the FHSAA's bylaws; authorizing the Commissioner of Education to direct the FHSAA's board of directors to amend its bylaws; requiring the State Board of Education to approve any amendment to such bylaws; amending s. 1006.15, F.S.; authorizing home education students, Florida Virtual School students, charter school students, and private school students to participate in interscholastic and intrascholastic activities at certain schools; revising the requirements for such students to participate in such activities; providing for the continued participation in such activities by certain students who transfer from a public school; conforming cross-references and provisions to changes made by the act; creating s. 1006.185, F.S.; requiring certain athletic associations to adopt bylaws, policies, or procedures allowing opening remarks at specified events; providing requirements for such remarks; requiring certain announcements before such remarks; providing that opening remarks at specified events are at the discretion of each school; amending ss. 768.135, 1002.20, 1002.33, 1002.42, 1006.165, 1006.18, 1006.195, 1012.468, 1012.795, and 1012.796, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

**House Amendment 1 (232621) to Senate Amendment 1 (582164)**—Remove line 181 of the amendment and insert: private schools consisting of 200 ~~±25~~ students or fewer are eligible

On motion by Senator Collins, the Senate concurred in **House Amendment 1 (232621) to Senate Amendment 1 (582164)**.

**CS for CS for HB 225** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—28

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

Nays—12

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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (463652) with House Amendment 1 (855607), concurred in the same as amended, and passed CS/HB 667 as further amended, and requests the concurrence of the Senate.

*Jeff Takacs*, Clerk

By Criminal Justice Subcommittee and Representative(s) Baker, Yarkosky, Daniels, López, J., Plasencia—

**CS for HB 667**—A bill to be entitled An act relating to victim's right to candor in criminal proceedings; amending s. 960.001, F.S.; requiring a victim to be notified that he or she has the right to be informed of specified information when contacted by certain persons acting on behalf of a defendant in a criminal proceeding; providing an effective date.

**House Amendment 1 (855607) (with title amendment) to Senate Amendment 1 (463652)**—Remove lines 11-40 of the amendment and insert:

(6)(a) *In any criminal proceeding, before the defendant may take a discovery deposition of a victim of a sexual offense who is under the age of 16, the court must conduct a hearing to determine whether it is appropriate to take a deposition of the victim and, if so, whether to order any limitations or other specific conditions under which the victim's deposition may be conducted.*

(b) *Except as provided in paragraph (c), in determining whether it is appropriate to take a deposition of a victim of a sexual offense who is under the age of 16, the court must consider:*

1. *The mental and physical age and maturity of the victim.*
2. *The nature and duration of the offense.*
3. *The relationship of the victim to the defendant.*
4. *The complexity of the issues involved.*
5. *Whether the evidence sought is reasonably available by other means, including whether the victim was the subject of a forensic interview related to the sexual offense.*
6. *Any other factors the court deems relevant to ensure the protection of the victim and the integrity of the judicial process.*

(c) *If the victim of a sexual offense is under the age of 12, there is a presumption that the taking of the victim's deposition is not appropriate if:*

1. *The state has not filed a notice of intent to seek the death penalty; and*
2. *A forensic interview of the sexual offense victim is available to the defendant.*

(d) *If the court determines the taking of the victim's deposition is appropriate, in addition to any other condition required by law, the court may order limitations or other specific conditions including, but not limited to:*

1. *Requiring the defendant to submit questions to the court before the victim's deposition.*
2. *Setting the appropriate place and conditions under which the victim's deposition may be conducted.*
3. *Permitting or prohibiting the attendance of any person at the victim's deposition.*
4. *Limiting the duration of the victim's deposition.*
5. *Any other condition the court finds just and appropriate.*

(e) *The court must enter a written order finding whether the taking of the deposition of the victim is appropriate. If the court finds that the taking of the deposition of the victim is appropriate, the order must include any limitations or other specific conditions under which the victim's deposition must be conducted.*

And the title is amended as follows:

Remove lines 47-51 of the amendment and insert: 92.55, F.S.; requiring a court to conduct a hearing to determine whether the taking of a deposition of a victim of a sexual offense who is under the age of 16 is appropriate; creating a presumption that a deposition of a victim of a sexual offense who is under the age of 12 is not appropriate in specified circumstances; providing factors a court may consider in determining whether any limitations or other specific conditions on the taking of a deposition are appropriate; requiring the court to enter a written order including specified information; amending s. 960.001, F.S.;

On motion by Senator Burgess, the Senate concurred in **House Amendment 1 (855607) to Senate Amendment 1 (463652)**.

**CS for HB 667** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:



Yeas—36

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

Nays—4

Garcia	Grall	Osgood
Thompson		

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment 1 (730292) to CS/HB 179 and requests the Senate to recede.

Jeff Takacs, Clerk

**CS for HB 179**—A bill to be entitled An act relating to the Florida Kratom Consumer Protection Act; creating s. 500.92, F.S.; providing a short title; defining the term "kratom product"; prohibiting the sale, delivery, bartering, furnishing, or giving of any kratom product to a person under 21 years of age; providing criminal penalties; requiring the Department of Agriculture and Consumer Services to adopt rules; providing an effective date.

On motion by Senator Gruters, the Senate receded from **Senate Amendment 1 (730292)**.

**CS for HB 179** passed, as amended, and the action of the Senate was 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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 262, with 3 amendments, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for CS for SB 262**—A bill to be entitled An act relating to technology transparency; creating s. 112.23, F.S.; defining terms; prohibiting officers or salaried employees of governmental entities from using their positions or state resources to make certain requests of so-

cial media platforms; prohibiting governmental entities from initiating or maintaining agreements or working relationships with social media platforms under a specified circumstance; providing exceptions; providing directives to the Division of Law Revision; creating s. 501.701, F.S.; providing a short title; creating s. 501.702, F.S.; defining terms; creating s. 501.703, F.S.; providing applicability; creating s. 501.704, F.S.; providing exemptions; creating s. 501.705, F.S.; providing that a consumer may submit requests to controllers to exercise specified rights; requiring controllers to comply with certain authenticated consumer requests; creating s. 501.706, F.S.; providing timeframes within which controllers must respond to consumer requests; providing notice requirements for controllers that cannot take action regarding a consumer's request; providing that controllers are not required to comply with certain consumer requests; providing notice requirements for controllers' compliance with consumer requests; requiring responses to consumer requests to be made free of charge; providing exceptions; specifying the methods by which controllers may be considered to be in compliance with consumer requests for the controller to delete their personal data; creating s. 501.707, F.S.; requiring controllers to establish a process for consumers to appeal the controller's refusal to take action on the consumer's request within a specified timeframe; providing requirements for such process; creating s. 501.708, F.S.; providing that contracts or agreements that waive or limit specified consumer rights are void and unenforceable; creating s. 501.709, F.S.; requiring controllers to establish methods for submitting consumer requests; prohibiting controllers from requiring consumers to create new accounts to exercise their consumer rights; requiring controllers to provide a certain mechanism on their websites for consumers to submit certain requests; creating s. 501.71, F.S.; requiring controllers to limit the collection of personal data according to certain parameters; requiring controllers to establish, implement, and maintain specified practices regarding personal data; prohibiting controllers from taking certain actions regarding a consumer's personal data; prohibiting controllers from discriminating against consumers exercising their consumer rights; providing construction; requiring a controller that operates a search engine to make certain information available on its webpage; creating s. 501.711, F.S.; requiring controllers to provide consumers with privacy notices that meet certain requirements; requiring controllers that engage in the sale of sensitive or biometric personal data to provide notices that meet certain requirements; requiring controllers that sell personal data or process personal data for targeted advertising to disclose certain information; prohibiting controllers from collecting additional categories of personal information or using such information for additional purposes without providing specified notice; creating s. 501.712, F.S.; requiring processors to adhere to controller instructions and to assist the controller in meeting or complying with certain requirements; providing requirements for contracts between controllers and processors regarding data processing procedures; providing construction; providing that the determination of whether a person is acting as a controller or processor is a fact-based determination; creating s. 501.713, F.S.; requiring controllers to conduct and document data protection assessments of specified processing activities involving personal data; providing requirements for such assessments; providing applicability; creating s. 501.714, F.S.; requiring controllers in possession of deidentified data to take certain actions; providing construction; providing that specified consumer rights and controller duties do not apply to pseudonymous data or aggregate consumer information under certain circumstances; requiring controllers that disclose pseudonymous data, deidentified data, or aggregate consumer information to exercise reasonable oversight and take appropriate steps to address breaches of contractual agreements; creating s. 501.715, F.S.; requiring certain persons to receive consumer consent before engaging in the sale of sensitive personal data; requiring a specified notice; providing for penalties; creating s. 501.716, F.S.; providing exemptions for specified controller or processor uses of consumer personal data; providing that controllers or processors may provide personal data concerning a consumer to certain covered persons; creating s. 501.717, F.S.; authorizing controllers and processors to collect, use, or retain data for specified purposes; providing that certain requirements do not apply if such compliance would violate certain laws; creating s. 501.718, F.S.; providing circumstances under which processors are not in violation of this act for the disclosure of personal data to a third-party controller or processor; providing that third-party controllers or processors that comply with this part are not liable for violations committed by controllers or processors from whom they receive personal data; creating s. 501.719, F.S.; providing requirements for the processing of certain personal data by controllers; requiring controllers and processors to

adopt and implement a retention schedule that meets certain requirements; requiring controllers or processors that process certain personal data to demonstrate that such processing qualifies for a specified exemption; creating s. 501.72, F.S.; authorizing the Department of Legal Affairs to bring an action under the Florida Deceptive and Unfair Trade Practices Act for violations of the act; providing for civil penalties; providing for enhanced civil penalties for certain violations; authorizing the department to grant a specified timeframe within which an alleged violation may be cured; providing an exception; providing certain factors the department may take into consideration; requiring the department to make a report regarding certain enforcement actions publicly available on the department's website; providing requirements for the report; requiring the department to adopt rules; authorizing the department to collaborate and cooperate with specified enforcement authorities; specifying that the act does not create a private cause of action; authorizing the department to employ or use outside legal counsel for specified purposes; providing for jurisdiction; creating s. 501.721, F.S.; declaring that the act is a matter of statewide concern; preempting the collection, processing, sharing, and sale of consumer personal data to the state; amending s. 501.171, F.S.; revising the definition of the term "personal information"; amending s. 16.53, F.S.; requiring that certain attorney fees, costs, and penalties recovered by the Attorney General be deposited in the Legal Affairs Revolving Trust Fund; providing an effective date.

**House Amendment 1 (471655) (with title amendment)**—Remove lines 147-189 and insert:

Section 1. Effective July 1, 2023, section 112.23, Florida Statutes, is created to read:

*112.23 Government-directed content moderation of social media platforms prohibited.—*

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

(a) *“Governmental entity” means any officer or employee of a state, county, district, authority, municipality, department, agency, division, board, bureau, commission, or other separate unit of government created or established by law, and includes any other public or private entity acting on behalf of such governmental entity.*

(b) *“Social media platform” means a form of electronic communication through which users create online communities or groups to share information, ideas, personal messages, and other content.*

(2) *A governmental entity may not communicate with a social media platform to request that it remove content or accounts from the social media platform.*

(3) *A governmental entity may not initiate or maintain any agreements or working relationships with a social media platform for the purpose of content moderation.*

(4) *Subsections (2) and (3) do not apply if the governmental entity or an officer or an employee acting on behalf of a governmental entity is acting as part of any of the following:*

(a) *Routine account management of the governmental entity’s account, including, but not limited to, the removal or revision of the governmental entity’s content or account or identification of accounts falsely posing as a governmental entity, officer, or salaried employee.*

(b) *An attempt to remove content that pertains to the commission of a crime or violation of this state’s public records law.*

(c) *An attempt to remove an account that pertains to the commission of a crime or violation of this state’s public records law.*

(d) *An investigation or inquiry related to an effort to prevent imminent bodily harm, loss of life, or property damage.*

Section 2. Section 501.173, Florida Statutes, is created to read:

*501.173 Use of tracking technology; consumer consent.—*

(1) **DEFINITIONS.**—*As used in this section, the term:*

(a) *“Collect” means to buy, rent, gather, obtain, receive, save, store, or access any tracking information pertaining to a consumer.*

(b) *“Consent” means a clear affirmative act signifying a consumer’s freely given, specific, informed, express, and unambiguous agreement to collect tracking information of the consumer.*

(c) *“Consumer” means an identified natural person who resides in or is domiciled in this state.*

(d) *“Department” means the Department of Legal Affairs.*

(e) *“Tracking entity” means a person, sole proprietorship, partnership, limited liability company, corporation, association, or legal entity organized or operated for the profit or financial benefit of its shareholders or owners that does business in this state and collects tracking information about consumers, or is the entity on behalf of which such information is collected.*

(f) *“Tracking information” means:*

1. *Precise geolocation data, which means information which enables the tracking entity to collect specific location data which directly identifies the specific location of a consumer with precision and accuracy within a radius of 1,750 feet.*

2. *Voice, photo, or sensory information, which means the following information collected by the tracking entity and linked to a consumer by the tracking entity:*

a. *Voice, spoken word or other sounds, voiceprint, or voice recognition;*

b. *Photo, image, facial recognition, eye tracking, retina imagery, or iris imagery;*

c. *Fingerprint, palm print, thermal imagery, skin recognition, or skin temperature; and*

d. *Olfactory receptors and sense of smell.*

(2) **APPLICABILITY.**—*This section does not apply to:*

(a) *Compliance with federal, state, or local laws.*

(b) *Compliance with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities.*

(c) *Cooperation with law enforcement agencies concerning conduct or activity that the tracking entity reasonably and in good faith believes may violate federal, state, or local law or is necessary to assure the physical security of persons.*

(d) *An identifier used for a consumer for the sole purpose of alerting the tracking entity or any person whether such consumer has consented to the collection of tracking information.*

(3) **PROHIBITION OF SURVEILLANCE.**—*A tracking entity, may not:*

(a) *Collect a consumer’s tracking information without the consumer’s consent.*

(b) *Collect a consumer’s tracking information while the collecting technology is not in active use by the consumer without the consumer’s consent for continued collection.*

(4) **ENFORCEMENT AND IMPLEMENTATION BY THE DEPARTMENT.**—

(a) *Any violation of this section is an unfair and deceptive trade practice actionable under part II of chapter 501 solely by the department against a tracking entity. If the department has reason to believe that any tracking entity is in violation of this section, the department, as the enforcing authority, may bring an action against such tracking entity for an unfair or deceptive act or practice. For the purpose of bringing an action pursuant to this section, ss. 501.211 and 501.212 do not apply. In addition to other remedies under part II of chapter 501, the department may collect a civil penalty of up to \$50,000 per violation of this section. Civil penalties may be tripled for any violation involving a Florida*

consumer who the tracking entity has actual knowledge is under 18 years of age.

(b) After the department has notified a tracking entity in writing of an alleged violation, the department may in its discretion grant a 45-day period to cure the alleged violation. If the violation is cured to the satisfaction of the department and proof of such cure is provided to the department, the department may not bring an action for the alleged violation but in its discretion may issue a letter of guidance that indicates that the tracking entity will not be offered a 45-day cure period for any future violations. If the tracking entity fails to cure the violation within 45 calendar days, the department may bring an action against the tracking entity for the alleged violation.

(c) Any action brought by the department may be brought only on behalf of a Florida consumer.

(d) The department may adopt rules to implement this section, including standards for consent, enforcement, data security, and authorized persons who may act on a consumer's behalf.

(e) Liability for a tort, contract claim, or consumer protection claim that is unrelated to an action brought under this subsection does not arise solely from the failure of a tracking entity to comply with this section.

(f) This section does not establish a private cause of action.

(5) **JURISDICTION.**—For purposes of bringing an action pursuant to subsection (4), any person who meets the definition of tracking entity which collects the tracking information or precise geolocation data of Florida consumers pursuant to subsection (3) is considered to be both engaged in substantial and not isolated activities within this state and operating, conducting, engaging in, or carrying on a business, and doing business in this state, and is therefore subject to the jurisdiction of the courts of this state.

Section 3. Section 501.1735, Florida Statutes, is created to read:

501.1735 Protection of children in online spaces.—

(1) **DEFINITIONS.**—As used in this section, the term:

(a) “Child” or “children” means a consumer or consumers who are under 18 years of age.

(b) “Collect” has the same meaning as in s. 501.173(1).

(c) “Dark pattern” means a user interface designed or manipulated with the substantial effect of subverting or impairing user autonomy, decision-making, or choice and includes, but is not limited to, any practice the Federal Trade Commission refers to as a dark pattern.

(d) “Department” means the Department of Legal Affairs.

(e) “Online platform” means a social media platform as defined in s. 112.23(1), online game, or online gaming platform.

(f) “Personal information” means information that is linked or reasonably linkable to an identified or identifiable child, including biometric information and unique identifiers to the child.

(g) “Precise geolocation data” means information identified through technology which enables the online platform to collect specific location data which directly identifies the specific location of a child with precision and accuracy within a radius of 1,750 feet.

(h) “Processing” means any operation or set of operations performed on personal information or on sets of personal information, regardless of whether by automated means.

(i) “Profile” or “profiling” means any form of automated processing performed on personal information to evaluate, analyze, or predict personal aspects relating to the economic situation, health, personal preferences, interests, reliability, behavior, location, or movements of a child.

(j) “Sell” means to sell, rent, release, disclose, disseminate, make available, transfer, or otherwise communicate orally, in writing, or by electronic or other means, a child's personal information or information

that relates to a group or category of children by an online platform to another online platform or an affiliate or third party for monetary or other valuable consideration.

(k) “Share” means to share, rent, release, disclose, disseminate, make available, transfer, or access a child's personal information for advertising or marketing. The term includes:

1. Allowing a third party to advertise or market based on a child's personal information without disclosure of the personal information to the third party.

2. Monetary transactions, nonmonetary transactions, and transactions for other valuable consideration between an online platform and a third party for advertising or marketing.

(l) “Substantial harm or privacy risk to children” means the processing of personal information in a manner that may result in any reasonably foreseeable substantial physical injury, economic injury, or offensive intrusion into the privacy expectations of a reasonable child under the circumstances, including:

1. Mental health disorders or associated behaviors, including the promotion or exacerbation of self-harm, suicide, eating disorders, and substance abuse disorders;

2. Patterns of use that indicate or encourage addictive behaviors;

3. Physical violence, online bullying, and harassment;

4. Sexual exploitation, including enticement, sex trafficking, and sexual abuse and trafficking of online sexual abuse material;

5. Promotion and marketing of tobacco products, gambling, alcohol, or narcotic drugs as defined in s. 102 of the Controlled Substances Act, 21 U.S.C. 802; or

6. Predatory, unfair, or deceptive marketing practices or other financial harms.

(2) **PROHIBITIONS.**—An online platform that provides an online service, product, game, or feature likely to be predominantly accessed by children may not:

(a) Process the personal information of any child if the online platform has actual knowledge of or willfully disregards that the processing may result in substantial harm or privacy risk to children.

(b) Profile a child unless both of the following criteria are met:

1. The online platform can demonstrate it has appropriate safeguards in place to protect children.

2.a. Profiling is necessary to provide the online service, product, or feature requested for the aspects of the online service, product, or feature with which the child is actively and knowingly engaged; or

b. The online platform can demonstrate a compelling reason that profiling does not pose a substantial harm or privacy risk to children.

(c) Collect, sell, share, or retain any personal information that is not necessary to provide an online service, product, or feature with which a child is actively and knowingly engaged unless the online platform can demonstrate a compelling reason that collecting, selling, sharing, or retaining the personal information does not pose a substantial harm or privacy risk to children.

(d) Use personal information of a child for any reason other than the reason for which the personal information was collected, unless the online platform can demonstrate a compelling reason that the use of the personal information does not pose a substantial harm or privacy risk to children.

(e) Collect, sell, or share any precise geolocation data of children unless the collection of the precise geolocation data is strictly necessary for the online platform to provide the service, product, or feature requested and then only for the limited time that the collection of the precise geolocation data is necessary to provide the service, product, or feature.

(f) *Collect any precise geolocation data of a child without providing an obvious sign to the child for the duration of the collection that the precise geolocation data is being collected.*

(g) *Use dark patterns to lead or encourage children to provide personal information beyond what personal information would otherwise be reasonably expected to be provided for that online service, product, game, or feature; to forego privacy protections; or to take any action that the online platform has actual knowledge of or willfully disregards that may result in substantial harm or privacy risk to children.*

(h) *Use any personal information collected to estimate age or age range for any other purpose or retain that personal information longer than necessary to estimate age. The age estimate must be proportionate to the risks and data practice of an online service, product, or feature.*

(3) **BURDEN OF PROOF.**—*If an online platform processes personal information pursuant to subsection (2), the online platform bears the burden of demonstrating that such processing does not violate subsection (2).*

(4) **ENFORCEMENT AND IMPLEMENTATION BY THE DEPARTMENT.**—

(a) *Any violation of subsection (2) is an unfair and deceptive trade practice actionable under part II of chapter 501 solely by the department against an online platform. If the department has reason to believe that an online platform is in violation of subsection (2), the department, as the enforcing authority, may bring an action against such online platform for an unfair or deceptive act or practice. For the purpose of bringing an action pursuant to this section, ss. 501.211 and 501.212 do not apply. In addition to other remedies under part II of chapter 501, the department may collect a civil penalty of up to \$50,000 per violation of this section. Civil penalties may be tripled for any violation involving a Florida child who the online platform has actual knowledge is under 18 years of age.*

(b) *After the department has notified an online platform in writing of an alleged violation, the department may in its discretion grant a 45-day period to cure the alleged violation. If the violation is cured to the satisfaction of the department and proof of such cure is provided to the department, the department may not bring an action for the alleged violation but in its discretion may issue a letter of guidance that indicates that the online platform will not be offered a 45-day cure period for any future violations. If the online platform fails to cure the violation within 45 calendar days, the department may bring an action against the online platform for the alleged violation.*

(c) *Any action brought by the department may be brought only on behalf of a Florida child.*

(d) *The department may adopt rules to implement this section.*

(e) *Liability for a tort, contract claim, or consumer protection claim that is unrelated to an action brought under this subsection does not arise solely from the failure of an online platform to comply with this section.*

(f) *This section does not establish a private cause of action.*

(5) **JURISDICTION.**—*For purposes of bringing an action pursuant to this section, any person who meets the definition of online platform which operates an online service, product, game, or feature likely to be predominantly accessed by children and accessible by Florida children located in this state is considered to be both engaged in substantial and not isolated activities within this state and operating, conducting, engaging in, or carrying on a business, and doing business in this state, and is therefore subject to the jurisdiction of the courts of this state.*

And the title is amended as follows:

Remove line 10 and insert: providing exceptions; creating s. 501.173, F.S.; defining terms; providing applicability; prohibiting a tracking entity from collecting certain consumer information without the consumer's authorization; authorizing the Department of Legal Affairs to bring an action under the Florida Deceptive and Unfair Trade Practices Act and to adopt rules; providing for civil penalties; providing that the department may grant a tracking entity a timeframe to cure

any violations; providing jurisdiction; creating s. 501.1735, F.S.; providing definitions; prohibiting certain conduct by an online platform that provides online services, products, games, or features likely to be predominantly accessed by children; providing exceptions; providing for enforcement; providing construction; authorizing the department to bring an action under the Florida Deceptive and Unfair Trade Practices Act; providing for civil penalties; providing that the department may grant an online platform a timeframe to cure any violations; providing jurisdiction; providing directives to the

**House Amendment 2 (703943)**—Remove lines 448-630 and insert:

(33) *“Targeted advertising” means displaying to a consumer an advertisement selected based on personal data obtained from that consumer’s activities over time. The term does not include an advertisement that is:*

(a) *Based on the context of a consumer’s current search query on the controller’s own website or online application; or*

(b) *Directed to a consumer search query on the controller’s own website or online application in response to the consumer’s request for information or feedback.*

(34) *“Third party” means a person, other than the consumer, the controller, the processor, or an affiliate of the controller or processor.*

(35) *“Trade secret” has the same meaning as in s. 812.081.*

(36) *“Voice recognition feature” means the function of a device which enables the collection, recording, storage, analysis, transmission, interpretation, or other use of spoken words or other sounds.*

Section 5. Section 501.703, Florida Statutes, is created to read:

501.703 *Applicability.*—

(1) *This part applies only to a person who:*

(a) *Conducts business in this state or produces a product or service used by residents of this state; and*

(b) *Processes or engages in the sale of personal data.*

(2) *This part does not apply to any of the following:*

(a) *A state agency or a political subdivision of the state.*

(b) *A financial institution or data subject to Title V, Gramm-Leach-Bliley Act, 15 U.S.C. ss. 6801 et seq.*

(c) *A covered entity or business associate governed by the privacy, security, and breach notification regulations issued by the United States Department of Health and Human Services, 45 C.F.R. parts 160 and 164, established under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq., and the Health Information Technology for Economic and Clinical Health Act, Division A, Title XIII and Division B, Title IV, Pub. L. No. 111-5.*

(d) *A nonprofit organization.*

(e) *A postsecondary education institution.*

(f) *The processing of personal data:*

1. *By a person in the course of a purely personal or household activity.*

2. *Solely for measuring or reporting advertising performance, reach, or frequency.*

(3) *A controller or processor that complies with the authenticated parental consent requirements of the Children’s Online Privacy Protection Act, 15 U.S.C. ss. 6501 et seq., with respect to data collected online, is considered to be in compliance with any requirement to obtain parental consent under this part.*

Section 6. Section 501.704, Florida Statutes, is created to read:

501.704 Exemptions.—All of the following information is exempt from this part:

(1) Protected health information under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.

(2) Health records.

(3) Patient identifying information for purposes of 42 U.S.C. s. 290dd-2.

(4) Identifiable private information:

(a) For purposes of the federal policy for the protection of human subjects under 45 C.F.R. part 46;

(b) Collected as part of human subjects research under the good clinical practice guidelines issued by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use or the protection of human subjects under 21 C.F.R. parts 50 and 56; or

(c) That is personal data used or shared in research conducted in accordance with this part or other research conducted in accordance with applicable law.

(5) Information and documents created for purposes of the Health Care Quality Improvement Act of 1986, 42 U.S.C. ss. 11101 et seq.

(6) Patient safety work product for purposes of the Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. ss. 299b-21 et seq.

(7) Information derived from any of the health care-related information listed in this section which is deidentified in accordance with the requirements for deidentification under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.

(8) Information originating from, and intermingled to be indistinguishable with, or information treated in the same manner as, information exempt under this section which is maintained by a covered entity or business associate as defined by the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq. or by a program or a qualified service organization as defined by 42 U.S.C. s. 290dd-2.

(9) Information included in a limited data set as described by 45 C.F.R. s. 164.514(e), to the extent that the information is used, disclosed, and maintained in the manner specified by 45 C.F.R. s. 164.514(e).

(10) Information used only for public health activities and purposes as described in 45 C.F.R. s. 164.512.

(11) Information collected or used only for public health activities and purposes as authorized by the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.

(12) The collection, maintenance, disclosure, sale, communication, or use of any personal data bearing on a consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living by a consumer reporting agency or furnisher that provides information for use in a consumer report, or by a user of a consumer report, but only to the extent that the activity is regulated by and authorized under the Fair Credit Reporting Act, 15 U.S.C. ss. 1681 et seq.

(13) Personal data collected, processed, sold, or disclosed in compliance with the Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq.

(14) Personal data regulated by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. s. 1232g.

(15) Personal data collected, processed, sold, or disclosed in compliance with the Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq.

(16) Data processed or maintained in the course of an individual applying to, being employed by, or acting as an agent or independent

contractor of a controller, processor, or third party, to the extent that the data is collected and used within the context of that role.

(17) Data processed or maintained as the emergency contact information of an individual under this part which is used for emergency contact purposes.

(18) Data that is processed or maintained and that is necessary to retain to administer benefits for another individual which relates to an individual described in subsection (16) and which is used for the purposes of administering those benefits.

(19) Personal data collected and transmitted which is necessary for the sole purpose of sharing such personal data with a financial service provider solely to facilitate short-term, transactional payment processing for the purchase of products or services.

(20) Personal data collected, processed, sold, or disclosed in relation to price, route, or service as those terms are used in the Airline Deregulation Act, 49 U.S.C. ss. 40101 et seq., by entities subject to that act, to the extent the provisions of this act are preempted by 49 U.S.C. s. 41713.

(21) Personal data shared between a manufacturer of a tangible product and authorized third-party distributors or vendors of the product, as long as such personal data is used solely for advertising, marketing, or servicing the product that is acquired directly through such manufacturer and such authorized third-party distributors or vendors. Such personal data may not be sold or shared unless otherwise authorized under this part.

Section 7. Section 501.705, Florida Statutes, is created to read:

501.705 Consumer rights.—

(1) A consumer is entitled to exercise the consumer rights authorized by this section at any time by submitting a request to a controller which specifies the consumer rights that the consumer wishes to exercise. With respect to the processing of personal data belonging to a known child, a parent or legal guardian of the child may exercise these rights on behalf of the child.

(2) A controller shall comply with an authenticated consumer request to exercise any of the following rights:

(a) To confirm whether a controller is processing the consumer's personal data and to access the personal data.

(b) To correct inaccuracies in the consumer's personal data, taking into account the nature of the personal data and the purposes of the processing of the consumer's personal data.

(c) To delete any or all personal data provided by or obtained about the consumer.

(d) To obtain a copy of the consumer's personal data in a portable and, to the extent technically feasible, readily usable format if the data is available in a digital format.

(e) To opt out of the processing of the personal data for purposes of:

1. Targeted advertising;

2. The sale of personal data; or

3. Profiling in furtherance of a decision that produces a legal or similarly significant effect concerning a consumer.

(f) To opt out of the:

1. Collection of sensitive data not subject to s. 501.173.

2. Processing of sensitive data.

(g) To opt out of the collection of personal data not subject to s. 501.173 collected through the operation of a voice recognition feature.

**House Amendment 3 (338513) (with title amendment)**—Remove lines 1329-1334 and insert: Florida False Claims Act, ~~or~~ state or federal antitrust laws, s. 501.173, s. 501.1735, or part V of chapter 501.

(8) *All moneys recovered by the Attorney General for attorney fees, costs, and penalties in an action for a violation of s. 501.173, s. 501.1735, or part V of chapter 501 must be deposited in the fund.*

Section 5. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2024.

And the title is amended as follows:

Remove lines 139-143 and insert: information”; amending s. 16.53, F.S.; revising the purpose of the Legal Affairs Revolving Trust Fund; requiring that certain attorney fees, costs, and penalties recovered by the Attorney General be deposited in the trust fund; providing effective dates.

Senator Bradley moved the following amendment to **House Amendment 1 (471655)** which was adopted:

**Senate Amendment 1 (519510) (with title amendment) to House Amendment 1 (471655)**—Delete lines 43-153 and insert:

Section 2. Section 501.1735, Florida Statutes, is created to read:

501.1735 *Protection of children in online spaces.*—

(1) *DEFINITIONS.*—As used in this section, the term:

(a) *“Child” or “children” means a consumer or consumers who are under 18 years of age.*

(b) *“Collect” means to buy, rent, gather, obtain, receive, save, store, or access any personal information pertaining to a child.*

And the title is amended as follows:

Delete lines 322-331 and insert: providing exceptions; creating s. 501.1735, F.S.;

Senator Bradley moved the following amendment to **House Amendment 2 (703943)** which was adopted:

**Senate Amendment 2 (338388) (with title amendment) to House Amendment 2 (703943)**—Delete lines 7-185 and insert: *that consumer’s activities over time across affiliated or unaffiliated websites and online applications used to predict the consumer’s preferences or interests. The term does not include an advertisement that is:*

(a) *Based on the context of a consumer’s current search query on the controller’s own website or online application; or*

(b) *Directed to a consumer search query on the controller’s own website or online application in response to the consumer’s request for information or feedback.*

(34) *“Third party” means a person, other than the consumer, the controller, the processor, or an affiliate of the controller or processor.*

(35) *“Trade secret” has the same meaning as in s. 812.081.*

(36) *“Voice recognition feature” means the function of a device which enables the collection, recording, storage, analysis, transmission, interpretation, or other use of spoken words or other sounds.*

Section 5. Section 501.703, Florida Statutes, is created to read:

501.703 *Applicability.*—

(1) *This part applies only to a person who:*

(a) *Conducts business in this state or produces a product or service used by residents of this state; and*

(b) *Processes or engages in the sale of personal data.*

(2) *This part does not apply to any of the following:*

(a) *A state agency or a political subdivision of the state.*

(b) *A financial institution or data subject to Title V, Gramm-Leach-Bliley Act, 15 U.S.C. ss. 6801 et seq.*

(c) *A covered entity or business associate governed by the privacy, security, and breach notification regulations issued by the United States Department of Health and Human Services, 45 C.F.R. parts 160 and 164, established under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq., and the Health Information Technology for Economic and Clinical Health Act, Division A, Title XIII and Division B, Title IV, Pub. L. No. 111-5.*

(d) *A nonprofit organization.*

(e) *A postsecondary education institution.*

(f) *The processing of personal data:*

1. *By a person in the course of a purely personal or household activity.*

2. *Solely for measuring or reporting advertising performance, reach, or frequency.*

(3) *A controller or processor that complies with the authenticated parental consent requirements of the Children’s Online Privacy Protection Act, 15 U.S.C. ss. 6501 et seq., with respect to data collected online, is considered to be in compliance with any requirement to obtain parental consent under this part.*

Section 6. Section 501.704, Florida Statutes, is created to read:

501.704 *Exemptions.*—All of the following information is exempt from this part:

(1) *Protected health information under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.*

(2) *Health records.*

(3) *Patient identifying information for purposes of 42 U.S.C. s. 290dd-2.*

(4) *Identifiable private information:*

(a) *For purposes of the federal policy for the protection of human subjects under 45 C.F.R. part 46;*

(b) *Collected as part of human subjects research under the good clinical practice guidelines issued by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use or the protection of human subjects under 21 C.F.R. parts 50 and 56; or*

(c) *That is personal data used or shared in research conducted in accordance with this part or other research conducted in accordance with applicable law.*

(5) *Information and documents created for purposes of the Health Care Quality Improvement Act of 1986, 42 U.S.C. ss. 11101 et seq.*

(6) *Patient safety work product for purposes of the Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. ss. 299b-21 et seq.*

(7) *Information derived from any of the health-care-related information listed in this section which is deidentified in accordance with the requirements for deidentification under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.*

(8) *Information originating from, and intermingled to be indistinguishable with, or information treated in the same manner as, information exempt under this section which is maintained by a covered entity or business associate as defined by the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq. or by a program or a qualified service organization as defined by 42 U.S.C. s. 290dd-2.*

(9) *Information included in a limited data set as described by 45 C.F.R. s. 164.514(e), to the extent that the information is used, disclosed, and maintained in the manner specified by 45 C.F.R. s. 164.514(e).*

(10) Information used only for public health activities and purposes as described in 45 C.F.R. s. 164.512.

(11) Information collected or used only for public health activities and purposes as authorized by the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. ss. 1320d et seq.

(12) The collection, maintenance, disclosure, sale, communication, or use of any personal data bearing on a consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living by a consumer reporting agency or furnisher that provides information for use in a consumer report, or by a user of a consumer report, but only to the extent that the activity is regulated by and authorized under the Fair Credit Reporting Act, 15 U.S.C. ss. 1681 et seq.

(13) Personal data collected, processed, sold, or disclosed in compliance with the Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq.

(14) Personal data regulated by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. s. 1232g.

(15) Personal data collected, processed, sold, or disclosed in compliance with the Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq.

(16) Data processed or maintained in the course of an individual applying to, being employed by, or acting as an agent or independent contractor of a controller, processor, or third party, to the extent that the data is collected and used within the context of that role.

(17) Data processed or maintained as the emergency contact information of an individual under this part which is used for emergency contact purposes.

(18) Data that is processed or maintained and that is necessary to retain to administer benefits for another individual which relates to an individual described in subsection (16) and which is used for the purposes of administering those benefits.

(19) Personal data collected and transmitted which is necessary for the sole purpose of sharing such personal data with a financial service provider solely to facilitate short-term, transactional payment processing for the purchase of products or services.

(20) Personal data collected, processed, sold, or disclosed in relation to price, route, or service as those terms are used in the Airline Deregulation Act, 49 U.S.C. ss. 40101 et seq., by entities subject to that act, to the extent the provisions of this act are preempted by 49 U.S.C. s. 41713.

(21) Personal data shared between a manufacturer of a tangible product and authorized third-party distributors or vendors of the product, as long as such personal data is used solely for advertising, marketing, or servicing the product that is acquired directly through such manufacturer and such authorized third-party distributors or vendors. Such personal data may not be sold or shared unless otherwise authorized under this part.

(c) To delete any or all personal data provided by or obtained about the consumer.

(d) To obtain a copy of the consumer's personal data in a portable and, to the extent technically feasible, readily usable format if the data is available in a digital format.

(e) To opt out of the processing of the personal data for purposes of:

1. Targeted advertising;
2. The sale of personal data; or
3. Profiling in furtherance of a decision that produces a legal or similarly significant effect concerning a consumer.

(f) To opt out of the collection of sensitive data, including precise geolocation data, or the processing of sensitive data.

(g) To opt out of the collection of personal data collected through the operation of a voice recognition or facial recognition feature.

(3) A device that has a voice recognition feature, a facial recognition feature, a video recording feature, an audio recording feature, or any other electronic, visual, thermal, or olfactory feature that collects data may not use those features for the purpose of surveillance by the controller, processor, or affiliate of a controller or processor when such features are not in active use by the consumer, unless otherwise expressly authorized by the consumer.

And the title is amended as follows:

After line 185 insert: Between lines 18 and 19 insert: prohibiting certain devices from being used for surveillance purposes without the express authorization of the consumer under certain circumstances;

Senator Bradley moved the following amendment to **House Amendment 3 (338513)** which was adopted:

**Senate Amendment 3 (816662) to House Amendment 3 (338513)**—Delete lines 6-9 and insert:  
501.1735 or part V of chapter 501.

(8) All moneys recovered by the Attorney General for attorney fees, costs, and penalties in an action for a violation of s. 501.1735 or part V of chapter 501 must be

On motion by Senator Bradley, the Senate concurred in **House Amendment 1 (471655)**, as amended, **House Amendment 2 (703943)**, as amended, and **House Amendment 3 (338513)**, as amended, and requested the House to concur in **Senate Amendment 1 (519510) to House Amendment 1 (471655)**, **Senate Amendment 2 (338388) to House Amendment 2 (703943)**, and **Senate Amendment 3 (816662) to House Amendment 3 (338513)**.

**CS for CS for SB 262** passed, as amended, and the action of the Senate was 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

Section 7. Section 501.705, Florida Statutes, is created to read:

501.705 Consumer rights.—

(1) A consumer is entitled to exercise the consumer rights authorized by this section at any time by submitting a request to a controller which specifies the consumer rights that the consumer wishes to exercise. With respect to the processing of personal data belonging to a known child, a parent or legal guardian of the child may exercise these rights on behalf of the child.

(2) A controller shall comply with an authenticated consumer request to exercise any of the following rights:

(a) To confirm whether a controller is processing the consumer's personal data and to access the personal data.

(b) To correct inaccuracies in the consumer's personal data, taking into account the nature of the personal data and the purposes of the processing of the consumer's personal data.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1648, with 1 amendment, by the required constitutional two-thirds vote of the members voting and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for CS for SB 1648**—A bill to be entitled An act relating to public records; amending s. 501.722, F.S.; providing an exemption from public records requirements for information relating to investigations by the Department of Legal Affairs and law enforcement agencies of certain data privacy violations; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

**House Amendment 1 (356481) (with title amendment)**—Between lines 13 and 14, insert:

Section 1. Subsection (6) is added to section 501.173, Florida Statutes, as created by SB 262 or similar legislation, 2023 Regular Session, to read:

501.173 Use of tracking technology; consumer consent.—

(6) **PUBLIC RECORDS EXEMPTION.**—

(a) All information received by the department pursuant to a notification of a violation under this section, or received by the department pursuant to an investigation by the department or a law enforcement agency of a violation of this section, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, until such time as the investigation is completed or ceases to be active. This exemption shall be construed in conformity with s. 119.071(2)(c).

(b) During an active investigation, information made confidential and exempt pursuant to paragraph (a) may be disclosed by the department:

1. In the furtherance of its official duties and responsibilities;
  2. For print, publication, or broadcast if the department determines that such release would assist in notifying the public or locating or identifying a person that the department believes to be a victim of a data breach or an improper use or disposal of customer records, except that information made confidential and exempt by paragraph (c) may not be released pursuant to this subparagraph; or
  3. To another governmental entity in the furtherance of its official duties and responsibilities.
- (c) Upon completion of an investigation or once an investigation ceases to be active, the following information received by the department shall remain confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:
1. All information to which another public records exemption applies.
  2. Personal information.
  3. A computer forensic report.
  4. Information that would otherwise reveal weaknesses in the data security of a tracking entity.
  5. Information that would disclose the proprietary information of a tracking entity.

(d) For purposes of this section, the term “proprietary information” means information that:

1. Is owned or controlled by the tracking entity.
2. Is intended to be private and is treated by the tracking entity as private because disclosure would harm the tracking entity or its business operations.

3. Has not been disclosed except as required by law or a private agreement that provides that the information will not be released to the public.

4. Is not publicly available or otherwise readily ascertainable through proper means from another source in the same configuration as received by the department.

5. Includes:

- a. Trade secrets as defined in s. 688.002.
- b. Competitive interests, the disclosure of which would impair the competitive advantage of the tracking entity who is the subject of the information.

(e) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that all information received by the Department of Legal Affairs pursuant to a notification of a violation of s. 501.173, Florida Statutes, or received by the department pursuant to an investigation by the department or a law enforcement agency of a violation of that section, be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution for the following reasons:

(1) A notification of a violation of s. 501.173, Florida Statutes, may result in an investigation of such violation. The premature release of such information could frustrate or thwart the investigation and impair the ability of the department to effectively and efficiently administer s. 501.173, Florida Statutes. In addition, release of such information before completion of an active investigation could jeopardize the ongoing investigation.

(2) Release of information to which another public records exemption applies once an investigation is completed or ceases to be active would undo the specific statutory exemption protecting that information.

(3) An investigation of a violation of s. 501.173, Florida Statutes, is likely to result in the gathering of sensitive personal information, including identification numbers, unique identifiers, professional or employment-related information, and personal financial information. Such information could be used for the purpose of identity theft. The release of such information could subject possible victims of data privacy violations to further harm.

(4) Notices received by the department and information received during an investigation of a violation of s. 501.173, Florida Statutes, are likely to contain proprietary information. Such information, including trade secrets, derives independent, economic value, actual or potential, from being generally unknown to, and not readily ascertainable by, other persons who might obtain economic value from its disclosure or use. Allowing public access to proprietary information, including a trade secret, through a public records request could destroy the value of the proprietary information and cause a financial loss to the tracking entity. Release of such information could give business competitors an unfair advantage.

(5) Information received by the department may contain a computer forensic report or information that could reveal weaknesses in the data security of a tracking entity. The release of this information could result in the identification of vulnerabilities in the cybersecurity system of the tracking entity and be used to harm the tracking entity and clients.

(6) The harm that may result from the release of information received by the department pursuant to a notification or investigation by the department or a law enforcement agency of a violation of s. 501.173, Florida Statutes, could impair the effective and efficient administration of the investigation and thus, outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. Subsection (6) is added to s. 501.1735, Florida Statutes, as created by SB 262 or similar legislation, 2023 Regular Session, to read:

501.1735 Protection of children in online spaces.—



## (6) PUBLIC RECORDS EXEMPTION.—

(a) All information received by the department pursuant to a notification of a violation under this section, or received by the department pursuant to an investigation by the department or a law enforcement agency of a violation of this section, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, until such time as the investigation is completed or ceases to be active. This exemption shall be construed in conformity with s. 119.071(2)(c).

(b) During an active investigation, information made confidential and exempt pursuant to paragraph (a) may be disclosed by the department:

1. In the furtherance of its official duties and responsibilities;
2. For print, publication, or broadcast if the department determines that such release would assist in notifying the public or locating or identifying a person that the department believes to be a victim of a data breach or an improper use or disposal of customer records, except that information made confidential and exempt by paragraph (c) may not be released pursuant to this subparagraph; or
3. To another governmental entity in the furtherance of its official duties and responsibilities.

(c) Upon completion of an investigation or once an investigation ceases to be active, the following information received by the department shall remain confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. All information to which another public records exemption applies.
2. Personal information.
3. A computer forensic report.
4. Information that would otherwise reveal weaknesses in the data security of an online platform.
5. Information that would disclose the proprietary information of an online platform.

(d) For purposes of this section, the term “proprietary information” means information that:

1. Is owned or controlled by the online platform.
2. Is intended to be private and is treated by the online platform as private because disclosure would harm the online platform or its business operations.
3. Has not been disclosed except as required by law or a private agreement that provides that the information will not be released to the public.
4. Is not publicly available or otherwise readily ascertainable through proper means from another source in the same configuration as received by the department.

5. Includes:

- a. Trade secrets as defined in s. 688.002.
- b. Competitive interests, the disclosure of which would impair the competitive advantage of the online platform who is the subject of the information.

(e) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 4. *The Legislature finds that it is a public necessity that all information received by the Department of Legal Affairs pursuant to a notification of a violation of s. 501.1735, Florida Statutes, or received by the department pursuant to an investigation by the department or a law enforcement agency of a violation of that section, be made confidential*

*and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution for the following reasons:*

(1) A notification of a violation of s. 501.1735, Florida Statutes, may result in an investigation of such violation. The premature release of such information could frustrate or thwart the investigation and impair the ability of the department to effectively and efficiently administer s. 501.1735, Florida Statutes. In addition, release of such information before completion of an active investigation could jeopardize the ongoing investigation.

(2) Release of information to which another public records exemption applies once an investigation is completed or ceases to be active would undo the specific statutory exemption protecting that information.

(3) An investigation of a violation of s. 501.1735, Florida Statutes, is likely to result in the gathering of sensitive personal information, including identification numbers, unique identifiers, professional or employment-related information, and personal financial information. Such information could be used for the purpose of identity theft. The release of such information could subject possible victims of data privacy violations to further harm.

(4) Notices received by the department and information received during an investigation of a violation of s. 501.1735, Florida Statutes, are likely to contain proprietary information. Such information, including trade secrets, derives independent economic value, actual or potential, from being generally unknown to, and not readily ascertainable by, other persons who might obtain economic value from its disclosure or use. Allowing public access to proprietary information, including a trade secret, through a public records request could destroy the value of the proprietary information and cause a financial loss to the online platform. Release of such information could give business competitors an unfair advantage.

(5) Information received by the department may contain a computer forensic report or information that could reveal weaknesses in the data security of an online platform. The release of this information could result in the identification of vulnerabilities in the cybersecurity system of the online platform and be used to harm the online platform and clients.

(6) The harm that may result from the release of information received by the department pursuant to a notification or investigation by the department or a law enforcement agency of a violation of s. 501.1735, Florida Statutes, could impair the effective and efficient administration of the investigation and thus, outweighs the public benefit that may be derived from the disclosure of the information.

And the title is amended as follows:

Remove lines 2-8 and insert: An act relating to public records; amending ss. 501.173, 501.1735, and 501.722, F.S.; providing exemptions from public records requirements for information relating to investigations by the Department of Legal Affairs and law enforcement agencies of certain data privacy violations; providing for future legislative review and repeal of the exemptions; providing statements of

Senator Bradley moved the following amendment to **House Amendment 1 (356481)** which was adopted:

**Senate Amendment 1 (874232) (with title amendment) to House Amendment 1 (356481)**—Delete lines 5-120.

And the title is amended as follows:

Delete line 242 and insert: 501.1735 and 501.722, F.S.; providing

On motion by Senator Bradley, the Senate concurred in **House Amendment 1 (356481)**, as amended, and requested the House to concur in **Senate Amendment 1 (874232) to House Amendment 1 (356481)**.

**CS for CS for SB 1648**, as amended, passed by the required constitutional two-thirds vote of the members present and voting, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—7

Berman	Jones	Thompson
Book	Osgood	
Davis	Pizzo	

Vote after roll call:

Nay to Yea—Davis

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1604, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for CS for SB 1604**—A bill to be entitled An act relating to land use and development regulations; amending s. 163.3177, F.S.; revising the planning periods that must be included in a comprehensive plan; amending s. 163.3191, F.S.; requiring local governments to determine if plan amendments are necessary to reflect a certain minimum planning period; specifying requirements for a certain notification; requiring, rather than encouraging, a local government to comprehensively evaluate and update its comprehensive plan to reflect changes in local conditions; requiring that updates to certain elements of the comprehensive plan be processed in the same plan amendment cycle; prohibiting a local government from initiating or adopting any publicly initiated plan amendments to its comprehensive plan under certain circumstances; providing applicability; prohibiting a certain denial of plan amendments from being based on the failure of a local government to update its comprehensive plan; requiring the state land planning agency to provide population projections if a local government fails to update its comprehensive plan; requiring the local government to update its comprehensive plan within a specified timeframe after receiving the population projections and to transmit the update within a specified timeframe; requiring the state land planning agency to establish a certain timeline if such update is not in compliance; authorizing the local government to seek approval from the state land planning agency to process publicly initiated plan amendments under certain circumstances; authorizing the local government to provide certain alternative population projections under certain circumstances; amending s. 163.3202, F.S.; revising exceptions to applicability of land development regulations relating to single-family or two-family dwelling building design elements; amending s. 189.031, F.S.; precluding an independent special district from complying with the terms of certain development agreements under certain circumstances; requiring a newly elected or appointed governing body to review, within a certain timeframe, certain agreements and vote on whether to seek re adoption of such agreement; providing retroactive applicability; providing for future expiration; amending s. 189.08, F.S.; conforming a cross-reference; providing effective dates.

**House Amendment 1 (714203) (with title amendment)**—Between lines 174 and 175, insert:

Section 4. Section 163.3208, Florida Statutes, is amended to read:  
163.3208 Substation approval process.—

(1) It is the intent of the Legislature to maintain, encourage, and ensure adequate and reliable electric infrastructure in the state. It is essential that electric infrastructure be constructed and maintained in various locations in order to ensure the efficient and reliable delivery of electric service. Electric infrastructure should be constructed, to the maximum extent practicable, to achieve compatibility with adjacent and surrounding land uses, and the criteria included in this section are intended to balance the need for electricity with land use compatibility.

(2) The term “~~distribution~~ electric substation” means an electric substation, *including accessory administration or maintenance buildings and related accessory uses and structures*, which takes electricity from the transmission grid and converts it to *another voltage or a lower voltage* so it can be distributed to customers ~~in the local area on the local distribution grid~~ through one or more ~~distribution~~ lines ~~less than 69 kilovolts in size~~.

(3) Electric substations are a critical component of electric transmission and distribution. *Except for substations in s. 163.3205(2)(c)*, local governments may adopt and enforce reasonable land development regulations for new *and existing* ~~distribution~~ electric substations, addressing only setback, landscaping, buffering, screening, lighting, and other aesthetic compatibility-based standards. Vegetated buffers or screening beneath aerial access points to the substation equipment shall not be required to have a mature height in excess of 14 feet.

(4) New *and existing* ~~distribution~~ electric substations shall be a permitted use in all land use categories in the applicable local government comprehensive plan and zoning districts within a utility’s service territory except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance. If a local government has not adopted reasonable standards for substation siting in accordance with subsection (3), the following standards shall apply to new ~~distribution~~ electric substations:

(a) In nonresidential areas, the substation must comply with the setback and landscaped buffer area criteria applicable to other similar uses in that district, if any.

(b) Unless the local government approves a lesser setback or landscape requirement, in residential areas, a setback of up to 100 feet between the substation property boundary and permanent equipment structures shall be maintained as follows:

1. For setbacks between 100 feet and 50 feet, an open green space shall be formed by installing native landscaping, including trees and shrub material, consistent with the relevant local government’s land development regulations. Substation equipment shall be protected by a security fence consistent with the relevant local government’s land development regulations.

2. For setbacks of less than 50 feet, a buffer wall 8 feet high or a fence 8 feet high with native landscaping consistent with the relevant local government’s regulations shall be installed around the substation.

(5) If the application for a proposed ~~distribution~~ electric substation *or for changes to an existing electric substation* demonstrates that the substation design is consistent with the local government’s applicable setback, landscaping, buffering, screening, and other aesthetic compatibility-based standards, the application for development approval *or for changes to the substation* shall be approved.

(6)(a) This paragraph ~~applies~~ ~~may apply~~ to the proposed placement or construction of a new ~~distribution~~ electric substation within a residential area. ~~Before~~ ~~Prior to~~ submitting an application for the location of a new ~~distribution~~ electric substation in residential areas, the utility shall consult with the local government regarding the selection of a site. The utility shall provide information regarding the utility’s preferred site and as many as three alternative available sites, including sites within nonresidential areas, that are technically and electrically reasonable for the load to be served, if the local government deems that the siting of a new ~~distribution~~ electric substation warrants this additional review and consideration. The final determination on the site application as to the preferred and alternative sites shall be made solely by the local government within 90 days of presentation of all the necessary and required information on the preferred site and on the alternative sites. In the event the utility and the local government are unable to reach agreement on an appropriate location, the substation site selection shall

be submitted to mediation conducted pursuant to ss. 44.401-44.406, unless otherwise agreed to in writing by the parties, and the mediation shall be concluded within 30 days unless extended by written agreement of the parties. The 90-day time period for the local government to render a final decision on the site application is tolled from the date a notice of intent to mediate the site selection issue is served on the utility or local government, until the mediation is concluded, terminated, or an impasse is declared. The local government and utility may agree to waive or extend this 90-day time period. Upon rendition of a final decision of the local government, a person may pursue available legal remedies in accordance with law, and the matter shall be considered on an expedited basis.

(b) A local government's land development and construction regulations for new ~~distribution~~ electric substations or for changes to existing electric substations and the local government's review of an application for the placement or construction of a new ~~distribution~~ electric substation or for changes to an existing electric substation shall only address land development, zoning, or aesthetic compatibility-based issues. In such local government regulations or review, a local government may not require information or evaluate a utility's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the utility voluntarily offers this information to the local government.

(7) Substation siting standards adopted after the effective date of this act ~~does shall~~ not apply to applications for new ~~distribution~~ electric substations or for changes to existing electric substations which ~~sub~~ station applications that were submitted before ~~prior~~ to the notice of the local government's adoption hearing.

(8)(a) If a local government has adopted standards for the siting of new ~~distribution~~ electric substations or for changes to existing electric substations within any of the local government's land use categories or zoning districts, the local government shall grant or deny a properly completed application for a permit to locate a new electric substation or change an existing ~~distribution~~ electric substation within the land use category or zoning district within 90 days after the date the properly completed application is declared complete in accordance with the applicable local government application procedures. If the local government fails to approve or deny a properly completed application for a new ~~distribution~~ electric substation or for changes to an existing electric substation within the timeframes set forth, the application is ~~shall be~~ deemed automatically approved, and the applicant may proceed with construction consistent with its application without interference or penalty. Issuance of such local permit does not relieve the applicant from complying with applicable federal or state laws or regulations and other applicable local land development or building regulations, if any.

(b) The local government shall notify the permit applicant within 30 days after the date the application is submitted as to whether the application is, for administrative purposes only, properly completed and has been properly submitted. Further completeness determinations shall be provided within 15 days after the receipt of additional information. However, such determination is ~~not shall not be not deemed~~ an approval of the application.

(c) To be effective, a waiver of the timeframes set forth in this subsection must be voluntarily agreed to by the utility applicant and the local government. A local government may request, but not require, a waiver of the timeframes by the applicant, except that, with respect to a specific application, a one-time waiver may be required in the case of a declared local, state, or federal emergency that directly affects the administration of all permitting activities of the local government.

(d) The local government may establish reasonable timeframes within which the required information to cure the application deficiency is to be provided, or the application will be considered withdrawn or closed.

And the title is amended as follows:

Remove line 38 and insert: elements; amending s. 163.3208, F.S.; revising the definition of the term "distribution electric substation"; revising the substation approval process to include applications for changes to existing electric substations; amending s. 189.031, F.S.; precluding an

On motion by Senator Ingolia, the Senate concurred in **House Amendment 1 (714203)**.

**CS for CS for SB 1604** passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—27

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

Nays—13

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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 264, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

**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 having more than a de minimus indirect interest in such land, and certain real property in this 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 this state or having more than a de minimus indirect interest in such real property; 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 this 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; creating s. 692.205, F.S.; providing an exception from ownership restrictions and registration requirements for real property that is used for diplomatic purposes; 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.

**House Amendment 1 (048607) (with title amendment)**—Remove lines 262-634 and insert:

(2) "Foreign country of concern" means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

(3) "Foreign principal" means:

(a) The government or any official of the government of a foreign country of concern;

(b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;

(c) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity; or

(d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.

(4) "Military installation" has the same meaning as in 10 U.S.C. s. 2801(c)(4) and includes an armory as defined in s. 250.01.

(5) "Real property" means land, buildings, fixtures, and all other improvements to land.

Section 5. Section 692.202, Florida Statutes, is created to read:

**692.202 Purchase of agricultural land by foreign principals prohibited.**—

(1) A foreign principal may not directly or indirectly own or acquire by purchase, grant, devise, or descent agricultural land or any interest, except a de minimus indirect interest, in such land in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, may continue to own or hold such land or interest, but may not purchase or otherwise acquire by grant, devise, or descent any additional agricultural land or interest in such land in this state.

(3)(a) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, must register with the Department of Agriculture and Consumer Services by January 1, 2024. The department must establish a form for such registration, which, at minimum, must include all of the following:

1. The name of the owner of the agricultural land or the owner of the interest in such land.

2. The address of the agricultural land, the property appraiser's parcel identification number, and the property's legal description.

3. The number of acres of the agricultural land.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered agricultural land for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1), a foreign principal may acquire agricultural land on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of the agricultural land within 2 years after acquiring the agricultural land.

(5)(a) At the time of purchase, a buyer of agricultural land or an interest in such land must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the agricultural land; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(6)(a) The agricultural land or an interest in such land that is owned or acquired in violation of this section may be forfeited to the state.

(b) The Department of Agriculture and Consumer Services may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the agricultural land or any interest therein.

(c) Upon filing such action, the clerk must record a *lis pendens* in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the *lis pendens* based upon a finding that there is no probable cause to believe that the agricultural land, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the agricultural land, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the agricultural land in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the *lis pendens*.

(e) The department may sell the agricultural land subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an *ex parte* order of seizure of the agricultural land upon a showing that the defendant's control of the agricultural land constitutes a clear and present danger to the state.

(7) A foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) A person who knowingly sells agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) The Department of Agriculture and Consumer Services shall adopt rules to implement this section.

Section 6. Section 692.203, Florida Statutes, is created to read:

692.203 Purchase of real property on or around military installations by foreign principals prohibited.—

(1) A foreign principal may not directly or indirectly own or acquire by purchase, grant, devise, or descent any interest, except a *de minimus* indirect interest, in real property on or within 1 mile of any military installation in this state. A foreign principal has a *de minimus* indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires any interest in real property on or within 1 mile of any military installation in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property on or within 1 mile of any military installation in this state.

(3)(a) A foreign principal that owns or acquires real property on or within 1 mile of any military installation in this state before July 1, 2023, must register with the Department of Economic Opportunity by January 1, 2024. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.
2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the

registration is late. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1), a foreign principal may acquire real property or any interest therein which is on or within 1 mile of any military installation in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of such real property within 2 years after acquiring the real property.

(5)(a) At the time of purchase, a buyer of the real property that is on or within 1 mile of any military installation in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal; and
2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or
2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(6)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a *lis pendens* in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the *lis pendens* based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the *lis pendens*.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an *ex parte* order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(7) A foreign principal that purchases or acquires real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 7. Section 692.204, Florida Statutes, is created to read:

692.204 Purchase or acquisition of real property by the People's Republic of China prohibited.—

(1)(a) *The following persons or entities may not directly or indirectly own or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state:*

1. *The People's Republic of China, the Chinese Communist Party, or any official or member of the People's Republic of China or the Chinese Communist Party.*

2. *Any other political party or member of a political party or a subdivision of a political party in the People's Republic of China.*

3. *A partnership, an association, a corporation, an organization, or any other combination of persons organized under the laws of or having its principal place of business in the People's Republic of China, or a subsidiary of such entity.*

4. *Any person who is domiciled in the People's Republic of China and who is not a citizen or lawful permanent resident of the United States.*

(b) *A person or entity has a de minimus indirect interest if any ownership is the result of the person's or entity's ownership of registered equities in a publicly traded company owning the land and if the person's or entity's ownership interest in the company is either:*

1. *Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or*

2. *A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.*

(2) *Notwithstanding subsection (1), a person or entity described in paragraph (1)(a) who is a natural person holding a current verified visa authorizing the person to be legally present within the state for purposes other than solely tourist-based travel may purchase a single primary residence on a parcel of real property that is up to 2 acres if such purchase is in the person's name who holds the visa and is not on or within a 1-mile radius of any military installation in this state.*

(3) *A person or entity described in paragraph (1)(a) that directly or indirectly owns or acquires any interest in real property in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property in this state.*

(4)(a) *A person or entity described in paragraph (1)(a) that owns or acquires real property in this state before July 1, 2023, must register with the Department of Economic Opportunity by January 1, 2024. The department must establish a form for such registration which, at a minimum, must include all of the following:*

1. *The name of the owner of the real property.*
2. *The address of the real property, the property appraiser's parcel identification number, and the property's legal description.*

(b) *A person or entity that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.*

(5) *Notwithstanding subsection (1), a person or an entity described in paragraph (1)(a) may acquire real property in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the person or entity sells, transfers, or otherwise divests itself of such real property within 2 years after acquiring the real property, unless the person or entity is exempt under s. 692.205.*

(6)(a) *At the time of purchase, a buyer of real property in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:*

1. *Not a person or entity described in paragraph (1)(a); and*
2. *In compliance with the requirements of this section.*

(b) *The failure to obtain or maintain the affidavit does not:*

1. *Affect the title or insurability of the title for the real property; or*
2. *Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.*

(c) *The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.*

(7)(a) *If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.*

(b) *The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.*

(c) *Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.*

(d) *If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.*

(e) *The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.*

(f) *At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.*

(8) *A violation of this section constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(9) *A person who sells real property or any interest therein in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(10) *The Department of Economic Opportunity shall adopt rules to implement this section.*

And the title is amended as follows:

Remove lines 27-79 and insert: respectively; specifying what constitutes a de minimus indirect interest; providing exceptions; 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 this state or having more than a de minimus indirect interest in such real property; specifying what constitutes a de minimus indirect interest; providing exceptions; authorizing such persons and

Senator Collins moved the following amendment to **House Amendment 1 (048607)** which was adopted:

**Senate Amendment 1 (790990) (with title amendment) to House Amendment 1 (048607)**—Delete lines 5-377 and insert:

(2) “Critical infrastructure facility” means any of the following, if it employs measures such as fences, barriers, or guard posts that are designed to exclude unauthorized persons:

- (a) A chemical manufacturing facility.
- (b) A refinery.
- (c) An electrical power plant as defined in s. 403.031(20).
- (d) A water treatment facility or wastewater treatment plant.
- (e) A liquid natural gas terminal.
- (f) A telecommunications central switching office.
- (g) A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas.
- (h) A seaport as listed in s. 311.09.
- (i) A spaceport territory as defined in s. 331.303(18).
- (j) An airport as defined in s. 333.01.

(3) “Foreign country of concern” means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

(4) “Foreign principal” means:

- (a) The government or any official of the government of a foreign country of concern;
- (b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;
- (c) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity; or
- (d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.
- (e) Any person, entity, or collection of persons or entities, described in paragraphs (a) through (d) having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.

(5) “Military installation” means a base, camp, post, station, yard, or center encompassing at least 10 contiguous acres that is under the jurisdiction of the Department of Defense or its affiliates.

(6) “Real property” means land, buildings, fixtures, and all other improvements to land.

Section 5. Section 692.202, Florida Statutes, is created to read:

692.202 *Purchase of agricultural land by foreign principals prohibited.*—

(1) A foreign principal may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent agricultural land or any interest, except a de minimus indirect interest, in such land in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, may continue to own or hold such land or interest, but may not purchase or otherwise acquire by grant, devise, or descent any additional agricultural land or interest in such land in this state.

(3)(a) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, must register with the Department of Agriculture and Consumer Services by January 1, 2024. The department must establish a form for such registration, which, at minimum, must include all of the following:

1. The name of the owner of the agricultural land or the owner of the interest in such land.
2. The address of the agricultural land, the property appraiser's parcel identification number, and the property's legal description.
3. The number of acres of the agricultural land.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered agricultural land for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1), a foreign principal may acquire agricultural land on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of the agricultural land within 3 years after acquiring the agricultural land.

(5)(a) At the time of purchase, a buyer of agricultural land or an interest in such land must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal; and
2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the agricultural land; or
2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(6)(a) The agricultural land or an interest in such land that is owned or acquired in violation of this section may be forfeited to the state.

(b) The Department of Agriculture and Consumer Services may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the agricultural land or any interest therein.

(c) Upon filing such action, the clerk must record a *lis pendens* in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the *lis pendens* based upon a finding that there is no probable cause to believe that the agricultural land, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the agricultural land, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the agricultural land in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the *lis pendens*.

(e) The department may sell the agricultural land subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an *ex parte* order of seizure of the agricultural land upon a showing that the defendant's control of the agricultural land constitutes a clear and present danger to the state.

(7) A foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) A person who knowingly sells agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) The Department of Agriculture and Consumer Services shall adopt rules to implement this section.

Section 6. Section 692.203, Florida Statutes, is created to read:

692.203 Purchase of real property on or around military installations or critical infrastructure facilities by foreign principals prohibited.—

(1) A foreign principal may not directly or indirectly own, or have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a *de minimus* indirect interest, in real property on or within 10 miles of any military installation or critical infrastructure facility in this state. A foreign principal has a *de minimus* indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires any interest in real property on or within 10 miles of any military installation or critical infrastructure facility in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property on or within 10 miles of any military installation or critical infrastructure facility in this state.

(3)(a) A foreign principal must register with the Department of Economic Opportunity if the foreign principal owns or acquires real property on or within 10 miles of any military installation or critical infrastructure facility in this state as authorized under subsection (4) or if the foreign principal owned or acquired an interest, other than a *de minimus* indirect interest, in such property before July 1, 2023. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.

2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. A foreign principal must register a property interest owned before July 1, 2023, by December 31, 2023. The registration is considered to be late after January 31, 2024. A foreign principal who owns or acquires real property on or after July 1, 2023, as authorized under subsection (4), must register the real property within 30 days after the property is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1) a foreign principal who is a natural person may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States, and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(5) Notwithstanding subsections (1) and (2), a foreign principal may acquire real property or any interest therein which is on or within 10 miles of any military installation or critical infrastructure facility in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property.

(6)(a) At the time of purchase, a buyer of the real property that is on or within 10 miles of any military installation or critical infrastructure facility in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal or not a foreign principal prohibited from purchasing the subject real property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a *lis pendens* in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the *lis pendens* based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the *lis pendens*.



(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A foreign principal that purchases or acquires real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 7. Section 692.204, Florida Statutes, is created to read:

692.204 Purchase or acquisition of real property by the People's Republic of China prohibited.—

(1)(a) The following persons or entities may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state:

1. The People's Republic of China, the Chinese Communist Party, or any official or member of the People's Republic of China or the Chinese Communist Party.

2. Any other political party or member of a political party or a subdivision of a political party in the People's Republic of China.

3. A partnership, an association, a corporation, an organization, or any other combination of persons organized under the laws of or having its principal place of business in the People's Republic of China, or a subsidiary of such entity.

4. Any person who is domiciled in the People's Republic of China and who is not a citizen or lawful permanent resident of the United States.

5. Any person, entity, or collection of persons or entities described in subparagraphs 1. through 4. having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.

(b) A person or entity has a de minimus indirect interest if any ownership is the result of the person's or entity's ownership of registered equities in a publicly traded company owning the land and if the person's or entity's ownership interest in the company is either:

1. Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

2. A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) Notwithstanding subsection (1), a natural person described in paragraph (1)(a) may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(3) A person or entity described in paragraph (1)(a) that directly or indirectly owns or acquires any interest in real property in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property in this state.

(4)(a) A person or entity described in paragraph (1)(a), subsection (2), or subsection (5) must register with the Department of Economic Opportunity if the person or entity owns or acquires more than a de minimus indirect interest in real property in this state. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.

2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A person or entity that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The person or entity subject to the registration requirements must register the property or property interests owned or acquired before July 1, 2023, by December 31, 2023. The registration is considered to be late 30 days after January 31, 2024. A person or entity that owns or acquires real property or an interest in real property as authorized under subsection (2) or subsection (5), other than a de minimus indirect interest, on or after July 1, 2023, must register the real property or interest within 30 days after the property or interest is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(5) Notwithstanding subsection (1), a person or an entity described in paragraph (1)(a) may acquire real property in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the person or entity sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property, unless the person or entity is exempt under s. 692.205.

(6)(a) At the time of purchase, a buyer of real property in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a person or entity described in paragraph (1)(a) or that the buyer is a person described in paragraph (1)(a) but is authorized under subsection (2) to purchase the subject property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A violation of this section constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

And the title is amended as follows:

Delete lines 382-437 and insert: respectively; providing exceptions from ownership restrictions; 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 this state or having more than a de minimus indirect interest in such real property; providing exceptions from ownership restrictions; authorizing such persons and

On motion by Senator Collins, the Senate concurred in **House Amendment 1 (048607)**, as amended, and requested the House to concur in **Senate Amendment 1 (790990) to House Amendment 1 (048607)**.

**CS for CS for SB 264** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Madam President	Boyd	Burgess
Albritton	Bradley	Burton
Avila	Brodeur	Calatayud
Baxley	Broxson	Collins

DiCeglie	Ingolia	Simon
Garcia	Martin	Torres
Grall	Mayfield	Trumbull
Gruters	Osgood	Wright
Harrell	Perry	Yarborough
Hooper	Pizzo	
Hutson	Rodriguez	

Nays—8

Berman	Jones	Rouson
Book	Polsky	Thompson
Davis	Powell	

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 (336516), refused to concur in Senate Amendment 2 (509046) and requests the Senate to recede therefrom, and passed CS/CS/HB 1387 as further amended, and request the concurrence of the Senate.

Jeff Takacs, Clerk

**CS for CS for HB 1387**—A bill to be entitled An act relating to the Department of Health; creating s. 381.875, F.S.; defining terms; prohibiting certain research in this state relating to enhanced potential pandemic pathogens; requiring researchers applying for state or local funding to disclose certain information; requiring the Department of Health to enjoin violations of specified provisions; providing construction; amending s. 381.986, F.S.; defining the term "attractive to children"; prohibiting medical marijuana treatment centers from producing marijuana products that are attractive to children or manufactured in specified manners; prohibiting marijuana packaging and labeling from including specified wording; prohibiting medical marijuana treatment centers from using certain content in their advertising which is attractive to children or promotes the recreational use of marijuana; revising background screening requirements for certain individuals; amending s. 381.988, F.S.; requiring medical marijuana testing laboratories to subject their employees to background screenings; revising background screening requirements for certain individuals; amending s. 382.005, F.S.; requiring local registrars to electronically file all live birth, death, and fetal death records in their respective jurisdictions in the department's electronic registration system; requiring the local registrars to file a paper record with the department if the electronic system is unavailable; requiring local registrars to make blank paper forms available in such instances; providing requirements for such paper records; amending s. 382.008, F.S.; conforming provisions to changes made by the act; amending s. 382.009, F.S.; revising the types of health care practitioners who may make certain determinations of death; amending ss. 382.013 and 382.015, F.S.; conforming provisions to changes made by the act; amending ss. 382.021 and 382.023, F.S.; revising the reporting requirements and the frequency with which circuit courts must transmit marriage licenses and certain dissolution-of-marriage records to the department; requiring that such records be transmitted electronically; amending s. 382.025, F.S.; extending the timeframe for the confidentiality of certain birth records; authorizing persons appointed by the department to issue certified copies of live birth, death, and fetal death certificates; amending s. 401.27, F.S.; revising requirements for applicants for certification or recertification as emergency medical technicians or paramedics; deleting a requirement that a certain certification examination be offered monthly; deleting related duties of the department; deleting a temporary certificate and related provisions; amending s. 401.2701, F.S.; exempting certain emergency medical services training program applicants from the requirement to have a certain affiliation agreement; amending s. 401.272, F.S.; revising the purpose of certain provisions; specifying requirements for the provision of specified services by paramedics and emergency medical technicians under certain circumstances; revising the department's rulemaking authority; amending s. 401.34, F.S.; deleting certain provisions and fees related to the department's grading of a certain certification examination; amending s. 401.435, F.S.; revising provisions related to minimum standards for emergency medical responder training; amending s. 464.203, F.S.; exempting certain applicants for certification as a certified nursing assistant from the skills-demonstration portion of a certain competency examination; amending ss. 468.1225 and 468.1245, F.S.; revising the scope of practice for audiologists, as it relates to hearing aids to apply to prescription hearing aids only; amending s. 468.1246, F.S.; conforming provisions to

changes made by the act; deleting obsolete language; amending ss. 468.1255, 468.1265, and 468.1275, F.S.; conforming provisions to changes made by the act; amending s. 484.0401, F.S.; revising legislative findings and intent to conform to changes made by the act; re-ordering and amending s. 484.041, F.S.; providing and revising definitions; amending s. 484.042, F.S.; revising membership requirements for members of the Board of Hearing Aid Specialists; amending s. 484.044, F.S.; revising the board's rulemaking authority; deleting obsolete language; amending ss. 484.0445, 484.045, 484.0501, and 484.051, F.S.; revising the scope of practice for hearing aid specialists and making conforming changes to licensure and practice requirements; amending s. 484.0512, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 484.0513, 484.053, and 484.054, F.S.; conforming provisions to changes made by the act; amending s. 484.059, F.S.; conforming provisions to changes made by the act; providing applicability; providing a directive to the Division of Law Revision; providing effective dates.

On motion by Senator Rodriguez, the Senate receded from **Senate Amendment 2 (509046)**.

**CS for CS for HB 1387** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Albritton	Collins	Perry
Avila	Davis	Pizzo
Baxley	DiCeglie	Powell
Boyd	Grall	Rodriguez
Bradley	Gruters	Simon
Brodeur	Harrell	Stewart
Broxson	Hooper	Trumbull
Burgess	Hutson	Wright
Burton	Ingoglia	Yarborough
Calatayud	Mayfield	

Nays—11

Madam President	Jones	Rouson
Berman	Martin	Thompson
Book	Osgood	Torres
Garcia	Polsky	

**MOTIONS**

On motion by Senator Mayfield, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Friday, May 5, 2023.

**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, May 4, 2023: CS for HB 389, CS for HB 551, HB 1373, CS for CS for HB 1405.

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

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Thursday, May 4, 2023: HB 227, HB 567, CS for HB 773, CS for HB 815, HB 943, HB 945, CS for HB 947, HB 1027, CS for HB 1049, CS for HB 1083, HB 1169, CS for HB 1175, HB 1225, HB 1237, HB 1255, HB 1467, HB 1561, HB 1563, CS for HB 1565, HB 1603, CS for HB 1611, CS for HB 1643, and CS for HB 1645.

Respectfully submitted,  
*Debbie Mayfield*, Rules Chair

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**RETURNING MESSAGES — FINAL ACTION**

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1 (669797) and passed CS/CS/SB 230.

*Jeff Takacs*, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (738500) to House amendment 1 (256341) and passed CS/SB 254 as further amended.

*Jeff Takacs*, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1 (394669) and passed CS/CS/CS/SB 418.

*Jeff Takacs*, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (224226) and passed CS/CS/HB 5, as amended.

*Jeff Takacs*, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (331332) and passed CS/CS/HB 21, as amended.

*Jeff Takacs*, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (709506) and passed CS/CS/HB 89, as amended.

*Jeff Takacs*, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (869924) and passed CS/HB 379, as amended.

*Jeff Takacs*, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (261896) and passed CS/CS/HB 387, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (427820) and passed CS/HB 389, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (607192) and passed HB 411, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (861932) and 2 (118852) and passed CS/CS/HB 487, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (542946) and passed CS/CS/HB 783, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (217604) and passed CS/CS/HB 919, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (834476) and passed CS/HB 965, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (739756) and passed CS/HB 1035, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (860026) and passed CS/CS/HB 1045, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (868114) and passed CS/CS/HB 1185, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (440924) and passed CS/CS/CS/HB 1209, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (809834) and 2 (441338) and passed CS/CS/CS/HB 1305, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (483930) and passed CS/CS/HB 1471, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (797990), 2 (864902), 3 (774200), and 4 (648866) and passed CS/CS/CS/HB 1537, as amended.

*Jeff Takacs, Clerk*

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The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (459628) and passed HB 7061, as amended.

*Jeff Takacs, Clerk*

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved.

## CO-INTRODUCERS

Senator Davis—CS for SB 344

## ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 5:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Friday, May 5 or upon call of the President.