



Journal of the Senate

Number 7—Regular Session

Thursday, January 25, 2024

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CALL TO ORDER

The Senate was called to order by President Passidomo at 9:00 a.m. A quorum present—38:

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

Excused: Senators DiCeglie and Garcia

PRAYER

The following prayer was offered by Pastor Gerard Duncan, Prayers by Faith Outreach Ministries, Gainesville:

Let us pray. Most sovereign and wonderful Creator, O God, how wonderful and excellent is your name in all of the earth. We appreciate this day, as you have shown us, you have set us on a right path. We petition you with prayers and supplications to make our requests made known unto you. You give life to everyone, and may we always be grateful, O God of excellence, that you always and forever have, and always will be faithful and true; and we shall always depend on you in all ways. We are hoping, as you can hear, this council provides wisdom, knowledge, and understanding of your holy presence. We pray, O God, as we continue to gather, as they will discuss and agree on ways to love our neighbors, and do the work that pleases you. May their hearts be filled with compassion forever.

O Mighty God, wonderful Creator, may your name only be invoked to inspire and unite our great leaders to become the beacon of light in our state, and a model in this great nation and in the world. We ask for your blessings of life, health, and strength for our Senators, their families and staff, and everyone else involved in this government institution.

May they lead with wisdom and civility every day, working together for the common good.

O God, stay with us now. Strengthen us all for your purposes. Help us discover and spread the truth, as we cannot win without you. O God, that you will bless the light of love and unity amongst us. In the ancient and sacred chamber in which we stand today, may the radiant light of hope continue to shine. We are believing and hoping our Senators will have a blessed day. Using their divine light and the gift that you've given to them, may they chase away any means of darkness. May they resolve to contribute in this day by assessing life honestly and acquiring the skills to confront life, and evaluate any obstacles, as brave and empathetic leaders. In your name, O God, we pray that your favor may be with us all in these things—peace and love for all. Amen.

PLEDGE

Senate Pages, Drew Jones of Tallahassee; Olivia Laurino of Lakeland; and Jaya Parsa of Fort Myers, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Harrell—

By Senator Harrell—

SR 642—A resolution commending and celebrating the life and contributions of musician, environmentalist, entrepreneur, and philanthropist Jimmy Buffett.

WHEREAS, Jimmy Buffett was born in Pascagoula, Mississippi, on Christmas Day in 1947 and moved to Florida in 1971 at the invitation of fellow musician and Florida resident Jerry Jeff Walker, settling in Key West in 1972, and

WHEREAS, Jimmy Buffett honed his art as a singer-songwriter in the bars of Key West, and the laid-back island lifestyle of the Florida Keys was the foundation on which he built his signature tropical rock sound, and

WHEREAS, in 1973, Jimmy Buffett released the album “A White Sport Coat and a Pink Crustacean,” which included the hit single “Grapefruit - Juicy Fruit,” and used the proceeds to buy his first boat, and

WHEREAS, subsequent albums included “Living and Dying in 3/4 Time” (with the hit “Come Monday”), “Havana Daydreamin’,” “Changes in Latitudes, Changes in Attitudes” (with his mega-hit “Margaritaville”), “Son of a Son of a Sailor” (with the hit “Cheeseburger in Paradise”), “Volcano,” and many more featuring songs that became part of the pop music lexicon, and

WHEREAS, Jimmy Buffett’s music has attracted legions of fans who call themselves “Parrot Heads” and who gather at an annual weeklong “Meeting of the Minds” festival, and

WHEREAS, Jimmy Buffett was also the author of three books that placed on the New York Times Best Seller list and the co-author of two children’s books with his eldest daughter Savannah Buffett, and

WHEREAS, Jimmy Buffett’s entrepreneurial enterprises include his own beer brand, LandShark Lager, in partnership with Anheuser-Busch; casinos in Atlantic City, New Jersey, and Biloxi, Mississippi; retirement communities called Latitude Margaritaville in Daytona

Beach and WaterSound in Florida, and Hilton Head Island in South Carolina; and the Jimmy Buffett's Margaritaville hospitality company and Cheeseburger in Paradise restaurant chain, and

WHEREAS, Jimmy Buffett was an ardent environmentalist, founding the Save the Manatee Club, a nonprofit organization devoted to raising awareness about the plight of Florida's state marine mammal, with former Governor Bob Graham in 1981, and supporting other causes devoted to endangered and threatened species and habitats in Florida, and

WHEREAS, as a philanthropist, Jimmy Buffett performed concerts for servicemembers, headlined hurricane relief concerts, performed a free concert in Gulf Shores, Alabama, after the Deepwater Horizon oil spill, and provided support for efforts to deliver supplies and relief in the aftermath of the 2010 earthquake in Haiti, and

WHEREAS, in 2015, the University of Miami bestowed an honorary doctorate in music upon Jimmy Buffett, who spoke at that year's graduation ceremony, and

WHEREAS, Jimmy Buffett died of complications from a rare form of skin cancer on September 1, 2023, at the age of 76 at his home in Sag Harbor, New York, NOW, THEREFORE,

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

That Jimmy Buffett's free-spirited life and significant contributions to national and state culture be commended and celebrated.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the family of Jimmy Buffett as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Rodriguez—

By Senator Rodriguez—

SR 1808—A resolution recognizing January 31, 2024, as “Florida State Parks Day” in Florida.

WHEREAS, Florida's state parks system encompasses 175 parks, trails, and historic sites spanning more than 813,000 acres, including 101 miles of white sand beaches, and

WHEREAS, Florida's state parks generated an estimated \$3.6 billion in economic impact and \$241 million in sales tax revenue while supporting more than 50,000 jobs during the 2022-2023 fiscal year, and

WHEREAS, the Florida Park Service is the only four-time winner of the National Recreation and Park Association's Gold Medal for Excellence in the field of parks and recreation management, and

WHEREAS, Florida's state parks have a legacy of nearly 90 years, having been created out of the Civilian Conservation Corps in 1935, and

WHEREAS, Florida's state parks provide world-class opportunities for outdoor recreation, including hiking, camping, swimming, paddling, fishing, horseback riding, and other activities, and

WHEREAS, annual passes to Florida's state parks were recently made more affordable than ever for residents of this state through Governor Ron DeSantis' Great Outdoors Initiative, enacted as Executive Order 23-209, and

WHEREAS, during the 2022-2023 fiscal year, more than 80 citizen support organizations, such as the Florida State Parks Foundation, along with more than 5,100 volunteers, contributed more than one million volunteer hours to Florida's state parks, and

WHEREAS, beloved native wildlife, such as Florida panthers, manatees, sea turtles, black bears, alligators, and many species of birds, find critical habitat in lands and waters managed by the Florida Park Service, and

WHEREAS, 75 of Florida's 175 state parks lie within the footprint of the Florida Wildlife Corridor, with many more located nearby, NOW, THEREFORE,

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

That January 31, 2024, is recognized as “Florida State Parks Day” in Florida.

—was introduced, read, and adopted by publication.

SPECIAL RECOGNITION

Senator Rodriguez recognized Thomas Eason, with Live Wildly Foundation in partnership with the Florida State Parks Foundation, who was present in the gallery in support of Florida State Parks Day.

At the request of Senator Hooper—

By Senator Hooper—

SR 1810—A resolution recognizing and commending H. Lee Moffitt Cancer Center and Research Institute for its contributions to the prevention and treatment of cancer and the search for a cure for cancer, and for its vision to transform cancer care through cutting-edge science, high-quality clinical care, and innovative partnerships.

WHEREAS, H. Lee Moffitt Cancer Center and Research Institute was created by the Legislature in 1981, with construction of the main campus in Tampa beginning in 1983 and the center opening its doors in 1986, and

WHEREAS, in 1997, Moffitt Cancer Center was awarded a National Cancer Institute (NCI) Cancer Center Support Grant and, by 2001, had earned the prestigious NCI designation as a Comprehensive Cancer Center in recognition of its scientific excellence and its leadership in the discovery and development of more effective approaches to cancer prevention, diagnosis, and treatment, and

WHEREAS, bolstered by such national recognition and other accolades, Moffitt Cancer Center continues to attract top physicians and scientists from around the world to its team, and

WHEREAS, Moffitt Cancer Center annually provides care at its main and branch campuses to nearly 86,000 patients from all 67 of this state's counties, from all 50 states, and from 133 countries, and

WHEREAS, to accommodate a growing number of patients, Moffitt Cancer Center embraced plans for expansion, including opening Moffitt McKinley Hospital in 2023, and

WHEREAS, over the course of 36 years, the number of employees at Moffitt Cancer Center has grown from 400 to more than 9,000, with an economic impact in this state of nearly \$2.5 billion, and

WHEREAS, Moffitt Cancer Center trains more than 2,800 oncology professionals annually, and

WHEREAS, Moffitt Cancer Center is a leader in groundbreaking discoveries in basic, clinical, quantitative, and population science, with Moffitt Cancer Center researchers playing key roles in the development of TIL therapy, a new curative treatment for lymphoma, and

WHEREAS, these researchers also played key roles in the understanding of the genetic basis of cancer risk and in the use of mathematical models to inform adaptive therapy to reduce the risk of cancer recurrence, and

WHEREAS, Moffitt Cancer Center is deeply committed to serving and engaging with diverse communities through outreach, education, and screening, and

WHEREAS, to that end, Moffitt Cancer Center continues to work closely with its patient and community advisory boards to meet their needs and recognize their priorities; provide cancer education related to prevention, early detection, and clinical trials; and provide free screenings across this state for a variety of cancers, NOW, THEREFORE,

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

That H. Lee Moffitt Cancer Center and Research Institute is recognized and commended for its contributions to the prevention and treatment of cancer and the search for a cure for cancer, and for its vision to transform cancer care through cutting-edge science, high-quality clinical care, and innovative partnerships.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to H. Lee Moffitt Cancer Center and Research Institute as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

MOMENT OF SILENCE

At the request of Senator Burgess, the Senate observed a moment of silence in memory of Zephyrhills Police Sergeant David Dixon, a dedicated law enforcement professional, who served the residents of Zephyrhills for 15 years. Sergeant Dixon passed away on January 21, 2024.

SPECIAL ORDER CALENDAR

CS for SB 278—A bill to be entitled An act relating to estoppel certificates; amending s. 468.4334, F.S.; prohibiting agreements that indemnify a community association manager or community association management firm for errors or omissions relating to the provision or preparation of an estoppel certificate; amending s. 468.436, F.S.; revising acts that constitute grounds for which certain disciplinary actions may be taken to include specified actions relating to estoppel certificates; making technical changes; amending ss. 718.116, 719.108, and 720.30851, F.S.; revising the time in which a community association must provide an estoppel certificate to a requestor; specifying the maximum charges for an estoppel certificate to a specified amount; requiring a community association to annually establish the authority to charge a fee for an estoppel certificate; limiting fees or charges for an estoppel certificate to those specified by law; deleting provisions providing for the adjustment of fees for an estoppel certificate based on changes in an inflation index; providing that the fee for the preparation and delivery of an estoppel certificate be paid from closing or settlement proceeds in certain circumstances; providing an effective date.

—was read the second time by title.

Senator Martin moved the following amendment which was adopted:

Amendment 1 (500158)—Delete lines 221-579 and insert:

(i) *An association or a closing agent may not directly or indirectly charge any fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, archive fee, service fee, processing fee, delivery fee, credit card fee, certification fee, third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the certificate.*

(j) *If an estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the preparation and delivery of the estoppel certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the unit owner upon the expiration of the 30-day or 35-day effective period of the certificate. The association may collect the fee in the same manner as an assessment against the unit. The fees specified in this subsection shall be adjusted every 5 years in an amount equal to the total of the annual increases for that 5-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items. The Department of Business and Professional Regulation shall periodically calculate the fees, rounded to the nearest dollar, and publish the amounts, as adjusted, on its website.*

Section 4. Subsection (6) of section 719.108, Florida Statutes, is amended to read:

719.108 Rents and assessments; liability; lien and priority; interest; collection; cooperative ownership.—

(6) Within 5 ~~10~~ business days after receiving a written or electronic request for an estoppel certificate from a unit owner or the unit owner's designee, or a unit mortgagee or the unit mortgagee's designee, the association shall issue the estoppel certificate. Each association shall designate on its website a person or entity with a street or e-mail address for receipt of a request for an estoppel certificate issued pursuant to this section. The estoppel certificate must be provided by hand delivery, regular mail, or e-mail to the requestor on the date of issuance of the estoppel certificate.

(a) An estoppel certificate may be completed by any board member, authorized agent, or authorized representative of the association, including any authorized agent, authorized representative, or employee of a management company authorized to complete this form on behalf of the board or association. The estoppel certificate must contain all of the following information and must be substantially in the following form:

1. Date of issuance:....
2. Name(s) of the unit owner(s) as reflected in the books and records of the association:....
3. Unit designation and address:....
4. Parking or garage space number, as reflected in the books and records of the association:....
5. Attorney's name and contact information if the account is delinquent and has been turned over to an attorney for collection. No fee may be charged for this information.
6. Fee for the preparation and delivery of the estoppel certificate:....
7. Name of the requestor:....
8. Assessment information and other information:

ASSESSMENT INFORMATION:

- a. The regular periodic assessment levied against the unit is \$.... per (insert frequency of payment).
- b. The regular periodic assessment is paid through (insert date paid through).
- c. The next installment of the regular periodic assessment is due (insert due date) in the amount of \$....
- d. An itemized list of all assessments, special assessments, and other moneys owed by the unit owner on the date of issuance to the association for a specific unit is provided.

e. An itemized list of any additional assessments, special assessments, and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the estoppel certificate is provided. In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.

OTHER INFORMATION:

- f. Is there a capital contribution fee, resale fee, transfer fee, or other fee due?(Yes)(No). If yes, specify the type and amount of the fee.
- g. Is there any open violation of rule or regulation noticed to the unit owner in the association official records?(Yes)(No).
- h. Do the rules and regulations of the association applicable to the unit require approval by the board of directors of the association for the transfer of the unit?(Yes)(No). If yes, has the board approved the transfer of the unit?(Yes)(No).
- i. Is there a right of first refusal provided to the members or the association?(Yes)(No). If yes, have the members or the association exercised that right of first refusal?(Yes)(No).
- j. Provide a list of, and contact information for, all other associations of which the unit is a member.

k. Provide contact information for all insurance maintained by the association.

l. Provide the signature of an officer or authorized agent of the association.

The association, at its option, may include additional information in the estoppel certificate.

(b) An estoppel certificate that is hand delivered or sent by electronic means has a 30-day effective period. An estoppel certificate that is sent by regular mail has a 35-day effective period. If additional information or a mistake related to the estoppel certificate becomes known to the association within the effective period, an amended estoppel certificate may be delivered and becomes effective if a sale or refinancing of the unit has not been completed during the effective period. A fee may not be charged for an amended estoppel certificate. An amended estoppel certificate must be delivered on the date of issuance, and a new 30-day or 35-day effective period begins on such date.

(c) An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from the person's successors and assigns.

(d) If an association receives a request for an estoppel certificate from a unit owner or the unit owner's designee, or a unit mortgagee or the unit mortgagee's designee, and fails to deliver the estoppel certificate within 5 ~~10~~ business days, a fee may not be charged for the preparation and delivery of that estoppel certificate.

(e) A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this subsection, and in any such action the prevailing party is entitled to recover reasonable attorney fees.

(f) Notwithstanding any limitation on transfer fees contained in s. 719.106(1)(i), an association or its authorized agent may charge a reasonable fee for the preparation and delivery of an estoppel certificate, which may not exceed \$250 if, on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable unit. ~~If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If a delinquent amount is owed to the association for the applicable unit, an additional fee for the estoppel certificate may not exceed \$150.~~

(g) If estoppel certificates for multiple units owned by the same owner are simultaneously requested from the same association and there are no past due monetary obligations owed to the association, the statement of moneys due for those units may be delivered in one or more estoppel certificates, and, even though the fee for each unit shall be computed as set forth in paragraph (f), the total fee that the association may charge for the preparation and delivery of the estoppel certificates may not exceed, in the aggregate:

1. For 25 or fewer units, \$750.
2. For 26 to 50 units, \$1,000.
3. For 51 to 100 units, \$1,500.
4. For more than 100 units, \$2,500.

(h) The authority to charge a fee for the preparation and delivery of the estoppel certificate must be established *annually* by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a parcel but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the parcel owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the parcel owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section. The right to reimbursement may not be waived or modified by any contract or agreement. The prevailing party in any action brought to enforce a right~~

~~of reimbursement shall be awarded damages and all applicable attorney fees and costs.~~

(i) *An association or a closing agent may not directly or indirectly charge any fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, archive fee, service fee, processing fee, delivery fee, credit card fee, certification fee, third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the certificate.*

(j) *If an estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the preparation and delivery of the estoppel certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the unit owner upon the expiration of the 30-day or 35-day effective period of the estoppel certificate. The association may collect the fee in the same manner as an assessment against the unit. ~~The fees specified in this subsection shall be adjusted every 5 years in an amount equal to the total of the annual increases for that 5-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items. The Department of Business and Professional Regulation shall periodically calculate the fees, rounded to the nearest dollar, and publish the amounts, as adjusted, on its website.~~*

Section 5. Section 720.30851, Florida Statutes, is amended to read:

720.30851 Estoppel certificates.—Within 5 ~~10~~ business days after receiving a written or electronic request for an estoppel certificate from a parcel owner or the parcel owner's designee, or a parcel mortgagee or the parcel mortgagee's designee, the association shall issue the estoppel certificate. Each association shall designate on its website a person or entity with a street or e-mail address for receipt of a request for an estoppel certificate issued pursuant to this section. The estoppel certificate must be provided by hand delivery, regular mail, or e-mail to the requestor on the date of issuance of the estoppel certificate.

(1) An estoppel certificate may be completed by any board member, authorized agent, or authorized representative of the association, including any authorized agent, authorized representative, or employee of a management company authorized to complete this form on behalf of the board or association. The estoppel certificate must contain all of the following information and must be substantially in the following form:

- (a) Date of issuance:....
- (b) Name(s) of the parcel owner(s) as reflected in the books and records of the association:....
- (c) Parcel designation and address:....
- (d) Parking or garage space number, as reflected in the books and records of the association:....
- (e) Attorney's name and contact information if the account is delinquent and has been turned over to an attorney for collection. No fee may be charged for this information.
- (f) Fee for the preparation and delivery of the estoppel certificate:....
- (g) Name of the requestor:....
- (h) Assessment information and other information:

ASSESSMENT INFORMATION:

1. The regular periodic assessment levied against the parcel is \$.... per (insert frequency of payment).
2. The regular periodic assessment is paid through (insert date paid through).
3. The next installment of the regular periodic assessment is due (insert due date) in the amount of \$....
4. An itemized list of all assessments, special assessments, and other moneys owed on the date of issuance to the association by the parcel owner for a specific parcel is provided.

5. An itemized list of any additional assessments, special assessments, and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the estoppel certificate is provided. In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.

OTHER INFORMATION:

6. Is there a capital contribution fee, resale fee, transfer fee, or other fee due?(Yes)(No). If yes, specify the type and amount of the fee.

7. Is there any open violation of rule or regulation noticed to the parcel owner in the association official records?(Yes)(No).

8. Do the rules and regulations of the association applicable to the parcel require approval by the board of directors of the association for the transfer of the parcel?(Yes)(No). If yes, has the board approved the transfer of the parcel?(Yes)(No).

9. Is there a right of first refusal provided to the members or the association?(Yes)(No). If yes, have the members or the association exercised that right of first refusal?(Yes)(No).

10. Provide a list of, and contact information for, all other associations of which the parcel is a member.

11. Provide contact information for all insurance maintained by the association.

12. Provide the signature of an officer or authorized agent of the association.

The association, at its option, may include additional information in the estoppel certificate.

(2) An estoppel certificate that is hand delivered or sent by electronic means has a 30-day effective period. An estoppel certificate that is sent by regular mail has a 35-day effective period. If additional information or a mistake related to the estoppel certificate becomes known to the association within the effective period, an amended estoppel certificate may be delivered and becomes effective if a sale or refinancing of the parcel has not been completed during the effective period. A fee may not be charged for an amended estoppel certificate. An amended estoppel certificate must be delivered on the date of issuance, and a new 30-day or 35-day effective period begins on such date.

(3) An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from the person's successors and assigns.

(4) If an association receives a request for an estoppel certificate from a parcel owner or the parcel owner's designee, or a parcel mortgagee or the parcel mortgagee's designee, and fails to deliver the estoppel certificate within 5 ~~10~~ business days, a fee may not be charged for the preparation and delivery of that estoppel certificate.

(5) A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this section, and the prevailing party is entitled to recover reasonable attorney fees.

(6) An association or its authorized agent may charge a reasonable fee for the preparation and delivery of an estoppel certificate, which may not exceed \$250, if, on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable parcel. ~~If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100.~~ If a delinquent amount is owed to the association for the applicable parcel, an additional fee for the estoppel certificate may not exceed \$150.

(7) If estoppel certificates for multiple parcels owned by the same owner are simultaneously requested from the same association and there are no past due monetary obligations owed to the association, the statement of moneys due for those parcels may be delivered in one or more estoppel certificates, and, even though the fee for each parcel shall be computed as set forth in subsection (6), the total fee that the asso-

ciation may charge for the preparation and delivery of the estoppel certificates may not exceed, in the aggregate:

(a) For 25 or fewer parcels, \$750.

(b) For 26 to 50 parcels, \$1,000.

(c) For 51 to 100 parcels, \$1,500.

(d) For more than 100 parcels, \$2,500.

(8) The authority to charge a fee for the preparation and delivery of the estoppel certificate must be established *annually* by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a parcel but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the parcel owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the parcel owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section. The right to reimbursement may not be waived or modified by any contract or agreement. The prevailing party in any action brought to enforce a right of reimbursement shall be awarded damages and all applicable attorney fees and costs.~~

(9) *An association or a closing agent may not directly or indirectly charge any fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, archive fee, service fee, processing fee, delivery fee, credit card fee, certification fee, third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the certificate.*

(10) *If an estoppel certificate is requested in conjunction with the sale or refinancing of a parcel, the fee for the preparation and delivery of the estoppel certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the unit owner upon the expiration of the 30-day or 35-day effective period of the certificate. The association may collect the fee in the same manner as an assessment against the parcel. ~~The fees~~*

On motion by Senator Martin, by two-thirds vote, **CS for SB 278**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—6

Book	Jones	Pizzo
Davis	Osgood	Torres

Consideration of **CS for SB 280** was deferred.

SPECIAL RECOGNITION

Senator Powell recognized his wife, Whitney, and daughter, Chandler, who were present in the gallery for Florida Legislative Black Caucus Week and Alpha Kappa Alpha Day at the Capitol.

Senator Rodriguez offered a recognition of the passing of Ana Maria Monte Flores, mother of former Senator Anitere Flores, who passed away on January 11, 2024.

MOTIONS

On motion by Senator Broxson, Senate Rule 2.39 was waived for all bills on the agenda to be considered by the Committee on Appropriations on Wednesday, January 31, 2024:

- The deadline for filing main amendments to any bill on the agenda is 1:00 p.m., Monday, January 29, 2024.
- The deadline for filing adhering amendments to any bill on the agenda is 1:00 p.m., Tuesday, January 30, 2024.
- All amendments to the General Appropriations Bill must be balanced as explained.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Mayfield, on behalf of Senator Garcia, by two-thirds vote, **SB 1738** and **SB 1740** were withdrawn from the committees of reference and further consideration.

On motion by Senator Pizzo, by two-thirds vote, **SB 1756** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Mayfield, by two-thirds vote, the following bill passed this day was ordered immediately certified to the House: **CS for SB 278**.

On motion by Senator Mayfield, the rules were waived and the following bill temporarily postponed on the Special Order Calendar this day was retained on the Special Order Calendar: **CS for SB 280**.

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, January 25, 2024: **CS for SB 278** and **CS for SB 280**.

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

REPORTS OF COMMITTEES

The Appropriations Committee on Criminal and Civil Justice recommends the following pass: **SB 520**

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

The Appropriations Committee on Agriculture, Environment, and General Government recommends the following pass: **SB 650**; **SB 1638**; **SB 7020**

The Appropriations Committee on Health and Human Services recommends the following pass: **SB 302**; **CS for SB 544**; **CS for SB 550**

The Appropriations Committee on Transportation, Tourism, and Economic Development recommends the following pass: **CS for SB 84**; **CS for SB 434**

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

The Committee on Agriculture recommends the following pass: **SB 1082**

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

The Committee on Rules recommends the following pass: **SB 46**; **SB 184**; **SCR 324**; **SCR 326**; **SB 334**; **SB 364**; **SM 398**; **CS for SB 478**; **CS for CS for SB 494**; **SB 522**; **SM 540**; **SB 702**; **SM 1020**; **SB 7012**; **SB 7026**; **SB 7034**

The bills were placed on the Calendar.

The Committee on Transportation recommends committee substitutes for the following: **SB 858**; **SB 934**; **SB 1362**

The bills with committee substitute attached were referred to the Appropriations Committee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Transportation recommends a committee substitute for the following: **SB 332**

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

The Committee on Transportation recommends a committee substitute for the following: **SB 1350**

The bill with committee substitute attached was referred to the Committee on Environment and Natural Resources under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: **SB 1698**

The Committee on Criminal Justice recommends a committee substitute for the following: **SB 260**

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

The Committee on Transportation recommends a committee substitute for the following: **SB 320**

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

The Committee on Agriculture recommends a committee substitute for the following: **SB 1156**

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

The Committee on Community Affairs recommends a committee substitute for the following: **SB 812**

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

The Committee on Rules recommends committee substitutes for the following: CS for SB 66; SB 7010

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 7000-7038—Previously introduced.

By the Committee on Environment and Natural Resources—

SB 7040—A bill to be entitled An act relating to the ratification of the Department of Environmental Protection's rules relating to stormwater; ratifying a specified rule relating to environmental resource permitting 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; amending s. 373.4131, F.S.; ratifying rule 62-330.010, Florida Administrative Code, with specified changes; requiring that specified future amendments to such rule be submitted in bill form to and approved by the Legislature; providing an effective date.

—was referred to the Appropriations Committee on Agriculture, Environment, and General Government; and the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; and Governmental Oversight and Accountability; and Senators Brodeur and Hooper—

CS for CS for SB 66—A bill to be entitled An act relating to Revive Awareness Day; providing a short title; creating s. 683.3342, F.S.; designating June 6 of each year as "Revive Awareness Day"; authorizing the Governor to issue an annual proclamation; encouraging the Department of Health to hold events to raise awareness of the dangers of opioid overdose and the availability and safe use of opioid antagonists as an effective way to rapidly reverse the effects of opioid overdose; providing an effective date.

By the Committee on Criminal Justice; and Senators DiCeglie and Hooper—

CS for SB 260—A bill to be entitled An act relating to refusal to submit to a breath, urine, or blood test; amending s. 316.1932, F.S.; requiring that a person arrested for driving or being in actual physical control of a motor vehicle while under the influence who refuses to submit to a lawful test of his or her breath incident to a lawful arrest be told that he or she is subject to mandatory placement, for a specified period, of an ignition interlock device on all vehicles that are individually or jointly leased or owned and routinely operated by the person; amending s. 316.1939, F.S.; requiring a person arrested for driving under the influence who refuses to submit to a lawful test of his or her breath to be subject to mandatory placement, for a specified period, of an ignition interlock device on all vehicles that are individually or jointly leased or owned and routinely operated by the person; authorizing certain placement periods for ignition interlock devices to run concurrently; requiring reporting to the Department of Highway Safety and Motor Vehicles; specifying application of prohibitions and penalties; conforming provisions to changes made by the act; amending s. 322.2615, F.S.; requiring that a notice of suspension contain certain information; waiving the requirement for the installation of an ignition interlock device under certain circumstances; amending s.

322.2616, F.S.; requiring that a notice of suspension issued to persons younger than a specified age contain certain information; waiving the requirement for the installation of an ignition interlock device under certain circumstances; amending s. 322.2715, F.S.; directing the department to require placement of an ignition interlock device before issuing a permanent or restricted driver license to a person who refused to submit to a lawful test of his or her breath; requiring the person to install the device at his or her own expense for a specified period; providing an effective date.

By the Committee on Transportation; and Senator Wright—

CS for SB 320—A bill to be entitled An act relating to public records; amending s. 337.14, F.S.; providing an exemption from public records requirements for certain financial information provided by a prospective bidder to the Department of Transportation for prequalification purposes; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Transportation; and Senator Burgess—

CS for SB 332—A bill to be entitled An act relating to wrecker operators; amending ss. 125.0103 and 166.043, F.S.; requiring counties and municipalities, respectively, to establish maximum rates for the storage of electric vehicles or alternative fuel motor vehicles in a wrecker operator's storage facilities; authorizing such maximum rates to exceed a specified rate; amending s. 323.001, F.S.; requiring a person, an entity, an office, or an agency that orders a vehicle to be stored at a wrecker operator's facility to take possession of the vehicle within a specified timeframe; creating s. 323.003, F.S.; authorizing a wrecker operator to charge certain fees under certain circumstances; amending s. 713.78, F.S.; replacing the term "law enforcement agency" with "governmental entity"; revising the notice requirements for certain unclaimed vehicles; making technical changes; providing an effective date.

By the Committee on Community Affairs; and Senator Ingoglia—

CS for SB 812—A bill to be entitled An act relating to expedited approval of residential building permits; creating s. 177.073, F.S.; providing definitions; requiring certain governing bodies, by a date certain, to create a program to expedite the process for issuing residential building permits before a final plat is recorded; requiring the expedited process to include a certain application; requiring certain governing bodies to update its program in a specified manner; providing applicability; requiring a governing body to create certain processes for purposes of the program; authorizing applicants to use a private provider to expedite the process for certain building permits; authorizing a governing body to issue addresses and temporary parcel identification numbers for specified purposes; requiring a governing body to issue a specified number or percentage of building permits requested in an application when certain conditions are met; setting forth certain conditions for applicants who apply to the program; providing that an applicant has a vested right in an approved preliminary plat when certain conditions are met; prohibiting a governing body from making substantive changes to a preliminary plat without written consent; requiring an applicant to indemnify and hold harmless certain entities and persons; providing an exception; providing an effective date.

By the Committee on Transportation; and Senator Jones—

CS for SB 858—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop Recycle Florida and Boating Capital of the World license plates; providing for distribution and use of fees collected from the sale of the plates; providing an effective date.

By the Committee on Transportation; and Senator Yarborough—

CS for SB 934—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of

Highway Safety and Motor Vehicles to develop a Cure Diabetes license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

By the Committee on Agriculture; and Senator Collins—

CS for SB 1156—A bill to be entitled An act relating to dangerous dogs; providing a short title; amending s. 767.01, F.S.; requiring certain dog owners to securely confine their dogs in a proper enclosure; amending s. 767.10, F.S.; revising legislative findings relating to dangerous dogs; reordering and amending s. 767.11, F.S.; defining the term “department”; revising definitions; amending s. 767.12, F.S.; requiring, rather than authorizing, that dogs subject to certain dangerous dog investigations be confiscated, impounded, and held; requiring, rather than authorizing, that the dog be held until the completion of certain actions; requiring that certain dogs not impounded be confined in a proper enclosure by the owner; requiring animal control authorities to provide certain information to the Department of Agriculture and Consumer Services and to destroy certain dogs; revising the information that the owner of a dog classified as a dangerous dog is required to provide to an animal control authority; requiring such owner to obtain liability insurance coverage for a dog classified as a dangerous dog; providing requirements for such insurance; revising the civil penalty for violations; creating s. 767.125, F.S.; requiring the department to create and maintain a statewide Dangerous Dog Registry; providing the purpose of the registry; requiring animal control authorities to provide the department with certain information; requiring the department to adopt rules; amending ss. 767.13 and 767.135, F.S.; making technical changes; conforming provisions to changes made by the act; amending s. 767.136, F.S.; revising the circumstances under which the owner of a dog that has not been declared dangerous is liable for such dog’s severe injury to, or the death of, a human; providing an effective date.

By the Committee on Transportation; and Senator DiCeglie—

CS for SB 1350—A bill to be entitled An act relating to salvage; amending s. 319.30, F.S.; revising and defining terms; revising provisions relating to obtaining a salvage certificate of title or certificate of destruction; exempting the Department of Highway Safety and Motor Vehicles from liability to certain persons as a result of the issuance of such certificates; providing requirements for an independent entity’s release of a damaged or dismantled vessel to the owner; authorizing the independent entity to apply for certain certificates for an unclaimed vessel; providing requirements for such application; specifying provisions to which the independent entity is subject; prohibiting the independent entity from charging vessel storage fees; reenacting ss. 319.14(1)(b) and 319.141(1)(b), F.S., relating to the sale of motor vehicles registered or used as specified vehicles and the definition of the term “rebuilt inspection services” as used in the rebuilt motor vehicle inspection program, respectively, to incorporate the amendment made to s. 319.30, F.S., in references thereto; providing an effective date.

By the Committee on Transportation; and Senator Harrell—

CS for SB 1362—A bill to be entitled An act relating to aviation; amending s. 332.004, F.S.; revising and providing definitions; amending s. 332.006, F.S.; revising requirements for the statewide aviation system plan developed by the Department of Transportation; conforming a cross-reference; creating s. 332.0071, F.S.; providing duties of the department, subject to funding, with respect to vertiports, electric aviation, and other advances in aviation technology; amending ss. 196.012, 206.46, 212.08, 332.003, 334.01, 334.27, and 339.08, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

By the Committee on Agriculture; and Senator Burton—

CS for SB 1698—A bill to be entitled An act relating to food and hemp products; amending s. 581.217, F.S.; revising legislative findings; revising definitions; defining the term “total delta-9-tetrahydrocannabinol concentration”; providing conditions for the manufacture, delivery, hold, offer for sale, distribution, or sale of hemp extract; prohibiting businesses and food establishments from possessing hemp extract products that are attractive to children; prohibiting the

Department of Agriculture and Consumer Services from granting permission to remove or use certain hemp extract products until it determines that such hemp extract products comply with state law; prohibiting event organizers from promoting, advertising, or facilitating certain events; requiring organizers of certain events to provide a list of certain vendors to the department, verify that vendors are only selling hemp products from approved sources, and ensure that such vendors are properly permitted; providing for administrative fines; providing an effective date.

By the Committees on Rules; and Ethics and Elections—

CS for SB 7010—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., which provides an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; deleting the scheduled repeal of the exemption; authorizing the disclosure of confidential and exempt information for a specified purpose; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1, as amended, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Judiciary Committee and Representative(s) Sirois, McFarland, Rayner, Anderson, Bankson, Beltran, Black, Cassel, Fine, Garcia, Jacques, Melo, Mooney, Overdorf, Plakon, Rizo, Tant, Tramont—

CS for HB 1—A bill to be entitled An act relating to social media use for minors; creating s. 501.1736, F.S.; providing definitions; requiring social media platforms to prohibit certain minors from creating new accounts, to terminate certain accounts and provide additional options for termination of such accounts, to use reasonable age verification methods to verify the ages of account holders, and to disclose specified policies and provide specified resources, measures, and disclaimers; authorizing the Department of Legal Affairs to bring actions for violations under the Florida Deceptive and Unfair Trade Practices Act; providing penalties; providing for private causes of actions; providing that certain social media platforms are subject to the jurisdiction of state courts; providing that if a social media platform allows an account holder to use such platform, the parties have entered into a contract; providing construction; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committee on Fiscal Policy.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 3 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Judiciary Committee, Regulatory Reform & Economic Development Subcommittee and Representative(s) Tramont, Overdorf, Bankson, Beltran, Jacques, Melo—

CS for CS for HB 3—A bill to be entitled An act relating to online access to materials harmful to minors; creating s. 501.1737, F.S.; providing definitions; requiring a commercial entity that publishes or distributes material harmful to minors on a website or application that contains a substantial portion of such material to perform reasonable age verification methods, prevent access to such material by minors, and provide methods for reporting unauthorized or unlawful access; prohibiting the retention of certain personal identifying information; providing applicability and construction; authorizing the Department of

Legal Affairs to bring an action for violations under the Florida Deceptive and Unfair Trade Practices Act; providing civil penalties; providing for private causes of action; providing that certain commercial entities are subject to the jurisdiction of state courts; providing construction; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committee on Fiscal Policy.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 357 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By State Affairs Committee and Representative(s) Holcomb, Anderson, Bartleman, Chambliss, Cross, Dunkley, Gottlieb, Plakon, Rizo, Stark, Waldron—

CS for HB 357—A bill to be entitled An act relating to special observances; amending s. 683.1475, F.S.; designating each November as "Veterans Appreciation Month"; removing provisions relating to Veterans Week; authorizing the Governor to issue a proclamation with specified information; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1377, as amended, by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Jeff Takacs, Clerk

By State Affairs Committee and Representative(s) Sirois, McFarland—

CS for HB 1377—A bill to be entitled An act relating to public records; amending s. 501.1736, F.S.; providing an exemption from public records requirements for information relating to investigations by the Department of Legal Affairs of certain social media violations; authorizing the department to disclose such information for specified purposes; providing a definition; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Fiscal Policy.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1491 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Jeff Takacs, Clerk

By State Affairs Committee, Regulatory Reform & Economic Development Subcommittee and Representative(s) Tramont, Overdorf—

CS for CS for HB 1491—A bill to be entitled An act relating to public records; amending s. 501.1737, F.S.; providing an exemption from public records requirements for information relating to investigations by the

Department of Legal Affairs of certain age verification violations; authorizing the department to disclose such information for specified purposes; providing a definition; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Fiscal Policy.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7003 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By State Affairs Committee, Ethics, Elections & Open Government Subcommittee and Representative(s) Holcomb—

CS for HB 7003—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., which provides an exemption from public record requirements for information concerning preregistered voter registration applicants who are minors; removing the scheduled repeal of the exemption; authorizing the disclosure of confidential information in a certain circumstance; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed HB 7005 and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Ethics, Elections & Open Government Subcommittee and Representative(s) Holcomb—

HB 7005—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 112.31446, F.S., which provides exemptions from public records requirements for secure login credentials held by the Commission on Ethics and certain information entered into the electronic filing system for financial disclosure; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committee on Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of January 18 and January 24 were corrected and approved.

CO-INTRODUCERS

Senators Perry—SB 1158; Pizzo—SB 148; Rouson—CS for SB 564

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 9:58 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 12:00 p.m., Thursday, February 1 or upon call of the President.