



# Journal of the Senate

Number 14—Regular Session

Thursday, February 15, 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—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

Excused: Senator Yarborough

## PRAYER

The following prayer was offered by Pastor Mike Toluba, Killearn Methodist Church, Tallahassee:

Almighty God, we gather here today with a spirit of gratitude. We are so grateful to live here in Florida. Help us to remember not everyone has the opportunity to enjoy the natural beauty of our state. We are so grateful for the people of Florida. It is an honor to serve all the people throughout our state. We are grateful for the wonderful diversity of our people—for those native to Florida, for those who come from around the country, and for those who come from across the world.

I am grateful for the men and women who have heard the call to serve in the state Senate. I ask that you would give them wisdom to make the best decisions for the people they represent and serve. We are so grateful for everyone who serves in our state government. We are so thankful for all of those who serve alongside us as staff and grateful for their dedication and commitment.

We pray your blessings on our work here today. Help us to come together and unite around the current and future needs of the people throughout our state. Whenever we find ourselves divided on particular issues, help us to work together. Help us to listen to each other and find

common ground. Help us to be grateful for people with different stories and experiences than our own.

Thank you, God, for hearing our prayers today. Amen.

## PLEDGE

Senate Pages, Ava Caldwell of Fort Myers; Nicholas DiTommaso of Miami; and Ellie Peters of Tallahassee, granddaughter of former Senator Montford, 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. Maribeth Williams of Gainesville, sponsored by Senator Burgess, as the doctor of the day. Dr. Williams specializes in family medicine. The President also recognized Dr. Thomas Clem, the Chief Medical Resident at UF Shands. Dr. Clem is the brother-in-law of Senator Burgess.

## ADOPTION OF RESOLUTIONS

At the request of Senator Rodriguez—

By Senator Rodriguez—

**SR 1392**—A resolution recognizing the week of May 5, 2024, as “Tardive Dyskinesia Awareness Week” in Florida and encouraging those experiencing uncontrollable, abnormal, and repetitive movements to consult their health care provider regarding their symptoms.

WHEREAS, many people living with a serious mental illness, such as bipolar disorder, major depressive disorder, schizophrenia, or schizoaffective disorder, or with a gastrointestinal disorder like gastroparesis or symptoms like nausea and vomiting, may be treated with medications that work as dopamine receptor blocking agents, including antipsychotics and antiemetics, and

WHEREAS, while ongoing treatment with these medications can be necessary, prolonged use is associated with tardive dyskinesia (TD), and

WHEREAS, TD is an involuntary movement disorder characterized by uncontrollable, abnormal, and repetitive movements of the face, torso, limbs, and fingers or toes, and

WHEREAS, even mild symptoms of TD can impact people physically, socially, and emotionally, and

WHEREAS, it is estimated that TD affects approximately 600,000 people in the United States, and approximately 65 percent of people with TD have not been diagnosed, making it important to raise awareness about the symptoms, and

WHEREAS, it is important that people taking these medications be monitored for TD by a health care provider, with regular screening for TD recommended by the American Psychiatric Association, and

WHEREAS, clinical research has led to approval of treatments for adults with TD by the U.S. Food and Drug Administration, and recognition and treatment of TD can make a positive impact on the lives of many people experiencing serious mental illness or gastrointestinal disorders, and

WHEREAS, it is important to raise awareness of TD among the public and the medical community, NOW, THEREFORE,

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

That the week of May 5, 2024, is recognized as “Tardive Dyskinesia Awareness Week” in Florida, and those experiencing uncontrollable, abnormal, and repetitive movements are encouraged to consult their health care provider regarding their symptoms.

—was introduced, read, and adopted by publication.

At the request of Senator Calatayud—

By Senator Calatayud—

**SR 1802**—A resolution recognizing February 15, 2024, as Angelman Syndrome Awareness Day.

WHEREAS, Angelman syndrome is a rare, neurogenetic disorder that affects chromosome 15, resulting in a person’s intellectual and developmental delay, and

WHEREAS, about 1 in 20,000 people in the United States are affected by Angelman syndrome, and

WHEREAS, a primary goal of the Department of Health’s Rare Disease Advisory Council is to identify the data necessary to understand the population with rare diseases in this state, including the incidence of Angelman syndrome, and

WHEREAS, the University of Florida College of Medicine’s Division of Genetics and Metabolism provides leading research in the treatment of Angelman syndrome, and the Nicklaus Children’s Hospital in Miami offers care through its Angelman Syndrome Clinic, and

WHEREAS, the purpose of Angelman Syndrome Awareness Day is to raise awareness and understanding of this condition, mobilize people to action, encourage fundraising, promote research and educational resources, and remember those affected by Angelman syndrome, and

WHEREAS, with early identification and treatment, the medical, sleep, seizure, and developmental issues associated with Angelman syndrome may be managed, and

WHEREAS, the Angelman Syndrome Foundation and the Foundation for Angelman Syndrome Therapeutics provide advocacy, education, support, and access to resources for patients, families, and researchers around the world, NOW, THEREFORE,

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

That the Florida Senate hereby recognizes February 15, 2024, as Angelman Syndrome Awareness Day.

—was introduced, read, and adopted by publication.

**SPECIAL RECOGNITION**

Senator Calatayud recognized two nonprofits, The Foundation of Angelman Syndrome Therapeutics and the Angelman Syndrome Foundation; parent advocates, Lisa Hoffman, Diane Parenteau, and John Sugden; and Sebastian Sugden, a 19-year-old living with Angelman Syndrome, who were present in the gallery in support of SR 1802, recognizing February 15, 2024, as Angelman Syndrome Awareness Day.

**SPECIAL RECOGNITION**

Senator Burgess recognized his father-in-law, James Clem, and his wife, Jean Taylor Clem; his sister-in-law, Madeline Clem; and his nephew, Dean Clem, who were present in the gallery.

By direction of the President, there being no objection, the Senate proceeded to—

**SPECIAL ORDER CALENDAR**

Consideration of **CS for SB 366**, **CS for SB 580**, and **SB 7020** was deferred.

**SPECIAL RECOGNITION**

Senator Broxson recognized Kirsty Sullivan and Andrea Cockerel, who were present in the gallery in support of CS for SB 580, related to the Safe Exchange of Minor Children.

**SENATOR POWELL PRESIDING**

By direction of the President, there being no objection, the Senate reverted to—

**BILLS ON THIRD READING**

**SB 184**—A bill to be entitled An act relating to impeding, threatening, or harassing first responders; creating s. 843.31, F.S.; defining the terms “first responder” and “harass”; prohibiting a person, after receiving a warning not to approach from a first responder who is engaged in the lawful performance of a legal duty, from violating such warning and approaching or remaining within a specified distance of the first responder with specified intent; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Avila, **SB 184** 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	Trumbull
Calatayud	Mayfield	Wright

Nays—None

**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 appropriation; providing an effective date.

—as amended February 14, was read the third time by title.

On motion by Senator Burton, **CS for SB 1698**, 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	Ingolia	Thompson
Burgess	Jones	Torres
Burton	Martin	Trumbull
Calatayud	Mayfield	Wright

Nays—None

Stewart	Torres	Wright
Thompson	Trumbull	

Nays—None

Vote after roll call:

Yea—Bradley

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**SB 7034**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 394.464, F.S., which provides an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; abrogating the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7034**, pursuant to Rule 3.11(3), there being no objection, **HB 7009** was withdrawn from the Committee on Rules.

On motion by Senator Garcia—

**HB 7009**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 394.464, F.S.; removing the scheduled repeal of an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing an effective date.

—a companion measure, was substituted for **SB 7034** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 7009** 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	Ingolia	Thompson
Burgess	Jones	Torres
Burton	Martin	Trumbull
Calatayud	Mayfield	Wright

Nays—None

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**SB 7036**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 39.202, F.S., which provides a public records exemption for identifying information of persons reporting child abuse, abandonment, or neglect; abrogating the scheduled repeal of the exemption and the reversion of specified statutory text; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7036**, pursuant to Rule 3.11(3), there being no objection, **HB 7001** was withdrawn from the Committee on Rules.

On motion by Senator Garcia—

**THE PRESIDENT PRESIDING**

**SPECIAL ORDER CALENDAR**

Consideration of **CS for SB 712** was deferred.

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**SB 7022**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.0962, F.S., which provides exemptions from public records and public meetings requirements for those portions of a campus emergency response which address the response of a public postsecondary educational institution to an act of terrorism or other public safety crisis or emergency; removing a provision allowing disclosure of certain information to certain entities; removing the scheduled repeal of the exemptions; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7022**, pursuant to Rule 3.11(3), there being no objection, **HB 7007** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

**HB 7007**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.0962, F.S., which provides an exemption from public record and public meeting requirements for those portions of a campus emergency response which address the response of a public postsecondary educational institution to an act of terrorism or other public safety crisis or emergency; removing a provision allowing disclosure of certain information to certain entities; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7022** and read the second time by title.

On motion by Senator Grall, by two-thirds vote, **HB 7007** was read the third time by title, 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

**HB 7001**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 39.202, F.S., which provides an exemption from public record requirements for other identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7036** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 7001** 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 SB 1112**—A bill to be entitled An act relating to health care practitioner titles and designations; amending s. 456.003, F.S.; revising legislative findings; 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; providing construction; 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.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **CS for SB 1112** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Rouson

**SB 1688**—A bill to be entitled An act relating to career-themed courses; amending s. 1003.491, F.S.; revising the requirements for a specified school district strategic plan to include certain information; amending s. 1003.492, F.S.; requiring the Department of Education to include specified data in an annual review of K-12 and postsecondary career and technical education offerings; amending s. 1003.4935, F.S.; requiring school districts to provide specified information to students and parents during middle school course selection; providing an effective date.

—was read the second time by title. On motion by Senator Osgood, by two-thirds vote, **SB 1688** 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

**MOTIONS**

On motion by Senator Mayfield, the rules were waived and time of adjournment was extended until completion of today’s business.

**SPECIAL RECOGNITION OF SENATOR POWELL**

At the direction of the President, the Senate proceeded to the recognition of Senator Bobby Powell, honoring his years of service to the Senate in the 24th Senate District.

**SPECIAL GUESTS**

The President introduced Senator Powell’s wife, Whitney, who was present in the chamber.

The President introduced Senator Powell’s staff members, Diane Andre, Michelle DeMarco, and Malcolm Sommons II; current Representative and former Legislative Aide, Jervonte Edmonds; and current Palm Beach County Commissioner and former Representative, Mack Bernard, who were present in the chamber.

**SPECIAL PRESENTATION**

A video tribute was played honoring Senator Powell.

**REMARKS**

On motion by Senator Mayfield, by two-thirds vote, the following remarks by Senator Powell were ordered spread upon the Journal.

**Senator Powell:** I’ve got some notes jotted down. I’ll start with God, all right? By the grace of God, I get to serve in this Senate Chamber. By the grace of God, I got a chance to be a State Representative. By the grace of God, I got a chance to be a track and field athlete

at Florida A&M University. I walked onto the track team and learned how to pole vault, of all things. I once was at a show, Tracie. I met a guy and his name was B. Brian Blair. B. Brian Blair ran against Jamie Grant, a former State Representative. B. Brian Blair was going to be the first professional wrestler to become a legislator. Surprise, surprise, I actually did it first. And being here, it is, by the grace of God. I learned a lot in this process. I will tell you that a life of service is definitely a life that counts. We've talked about levity, we've talked about compassion, and we've talked about humor. I will tell you that the first thing I want to tell you all is that in life, there are these boxes that people try to put you inside of. If you are a legislator, of course, you cannot do certain things. You cannot have a sense of humor, everything has to be strict, and this is the Senate—we are the upper chamber. There are actually changes when you come from the House to the Senate, but I want to make sure that everybody remembers not to lose yourself in the process. Be who you are.

I want to thank my family. My mother, Clara Powell—I want post-humously. I mean she passed away already—thanks to her for giving me the tenacity and the ability to understand that no matter what obstacles are in front of you, you can still move forward. My mom, at the end of her life, was disabled. She had gone through a lot. She had kidney failure, she had two hip replacements, and she had a lot of health complications. Every day that we are here on this earth, and we can talk and walk and do our business, we should celebrate. I don't wake up sad at all. There are things we can complain about, but I watched every day this woman who would wake up, go to dialysis, come home, throw up in a bucket, and then cook a meal for three boys. If she can do that, we can do amazing things here. My dad worked construction, and they were married until she passed in 2001. My dad worked construction, a hard job. I used to dig holes in the yard because I wanted to be like my daddy, putting a construction hat on. It was hot. He said, "I don't want you to do that. I don't want you to work hard like me." My dad is 77 today. One of the hardest things to do is watch the strongest people you've ever seen get old. My sister, Michelle, passed. My sister, Jackie, who is one of the most amazing people I've ever met, and we talk frequently—she is 14 years older than I am. I'm offended when people see us and they think we're the same age. Or they say, "Which one of you is older?" I've got some words for those people. If my in-laws—oh, my God—were not who they are, we would not be here now. There's no way we can manage Chandler without having them. They step up—Marion and Karen Baldwin. My daughter, Chandler, who is five—y'all think twos are terrible; twos were not terrible. Three was hectic and inquisitive. Five is amazing. My mom died in 2001 and, amazingly, I have a five-year-old mother. "Put on your seat belt now, Daddy." "Be careful when you go outside. Be really careful; the last time you left, you had an accident." Thank you, Chandler. And my wife, Whitney—you know you are everything to me. You know, I always tell you to be tough. She is an attorney, and what I see sometimes in people—they don't realize—and that's some of us even in here—how strong you are, what you can do. Never be afraid. Face everything. Don't back down. Stay courageous, stay strong.

My team is here. I've had a lot of people who worked in my office. The greatest investment that you can ever have is the investment in people—the people whose lives you've touched, the books that you've read, and the people you've come in contact with. I would tell you that what separates me from anybody else is that I've tried to impact every single person who I've come in contact with. Every Senator—all 39 of you—I've tried to have a separate relationship with and something we can agree on to bring us together—every single one of us. My people who have worked in my office—my staff, my team—what I learned from Mack Bernard a long time ago was, I never try to hire anybody that I thought was less capable than I am. I want to hire the smartest people because they will bring me up. In that team, the first person that I ever hired was Tradrick McCoy, who's now a Riviera Beach City Councilman. Tradrick taught me that we need to push. If we don't take "no" for an answer, we can get amazing things accomplished. When Tradrick was my legislative aide in the House, sometimes I didn't even have to read the bill. There were ten thousand questions already lined up for me and, when we were debating, I would get text messages—"Ask this question, ask this question." We stayed really prepared, and we're very close to this day—as he's a councilman in Riviera Beach. My team has consisted of Delano Allen, Marian Dozier, Ben Durgan, Bea Coleman, Nazbi Chowdhury, and Kersti Myles. Nazbi is with the United Way. Attorney Kersti Myles is with Broward County's Urban League, and she's gone on to become very, very successful. She also brought personality to the

office. I talked about Councilman McCoy. What about State Representative Jervonte Edmonds? We were doing a newsletter with one of my interns one time, and she goes, "Jervonte Edmonds' name is staff?" I said, "Yes, he used to work for me." To see the people you come in contact with and to elevate them because somebody named Mack Bernard told you to bring people up.

The staff here—I've had separate relationships with so many people—the people in Appropriations—Gino Betta, Noah McKinnon, Jennifer Hrdlicka—I saw her somewhere—she's in the President's Office now, Robin Jackson—my baby calls her TT Robin. If you want to get to my heart, take care of my baby, right? That's her auntie—she takes care of my baby. Sherese Gainous, who always made sure I had the right food to eat—cause if I don't eat the right food, I'm like the Snickers commercial. Miss Judy Mount, over in the House, has kept me grounded. My mentors—Ann Wead Kimbrough from FAMU, who's now in DeKalb County, and my former colleague, State Representative Al Jacquet, and he was an aide for Mack Bernard as well. Mack Bernard is the only person I know who both of his aides at the time—and his other aide—all of us got elected. So I don't know what he's doing, but that might be a record. Representative, County Commissioner Mack Bernard has always held me accountable and showed me that when I say anything is possible, I'm a believer.

Things that I didn't think we could get done, Senator Rouson—I mean I was literally an aide one year and the next year I was a State Representative. I got in the elevator and one of the other aides said, "So, who are you working for this year?" And I go, "I'm working for me." I really said that. And he laughed. He thought I was joking. We went into the House, and I sat where the Representatives sit. And he started apologizing. "Oh, Representative, I'm so sorry. I didn't realize." "Hey, buddy, I'm still the same person."

Senator Passidomo, you and I were seatmates—we might have been right here. Y'all don't know it, but Senator Passidomo and I—we're kinda like Snoop Dogg and Martha Stewart. Like legit. You know, she cooked a mean pasta meal, Italian meal. Of course, I ate it—not any more because I had to get snatched. The abs are on the way back. We would sit here while you all were having very serious debates, and we passed jokes back and forth between each other. You know people say, "We're not laughing at you, we're laughing with you." If you caught us laughing, we were laughing at you. We really were. So, you know, I love you, and I thank you for everything—your passion. Senator Passidomo called me when Whitney was pregnant, in labor, like the baby was on the way. I picked up the phone—because when people I love call me, I pick up the phone, I don't care where I'm at. She says, "What's that noise?" Whitney was in labor. I go, "That's my wife. She's having the baby." And she goes, "What?" and I say, "Yes, she's having the baby right now." She's like, "Well, get off the phone, you yahoo." She immediately sent flowers, and I'll never forget that. Senator Rouson came to the hospital after we had the baby. And so many of you sent text messages and notes and just, those things don't go forgotten. They live with me forever.

In this chamber and outside as the chairman of the Florida Legislative Black Caucus, I was known as the voice of reason. What this means is I will respect everybody. I love each and every one of y'all. Senator Rouson, I learned from you. There might be days I don't like you, but I still love you. I will love you until I learn to like you again because this body is better than that. It is the issue, not the individual. It is the policy and not the person. If I vote "no" on a legislation, I am not voting "no" against the person. It's a small mind to say, "Well, he voted against my bill." I will tell people anytime, I did not vote against you. I voted against a policy I disagree with. Some of us have gone to prayer together. Senator Baxley, I don't know anyone else who is more passionate. Sometimes people would think that Dennis and I would be going at each other, but I love Dennis. We are the best of friends. We may not agree on an issue, but we'll come together after the issue and just chat and talk about something completely different. It's because of the issue and not the individual. Senator Hooper, you were right, I did come to the TED Appropriations Committee because I wanted to be on TED. What I've learned about life is whatever you want, if you go after it, you can get it. And eventually, I did become a member of the TED Committee here in the Senate—and the vice chair. If you look, guys, anything you go after you can get it. Today, I was even the Senate President, for a small amount of time. My picture will go on the wall in the summer.

I like to talk about my mentors. I have to talk about those people who came before me. The people like Arthenia Joyner, who taught us that this body is a sacred body. The first time Arthenia was here, she was sitting in the back. I came from the House to the Senate, and she was telling me how to be a Senator. I stretched one day. She said, "Come here." I said, "Yes ma'am." And she said, "This is the Senate. Don't you ever raise your hands like that. You've got to go in the back." I said, "Go in the back to stretch? Well this is different." But the control of what she thought the body was. Oscar Braynon taught me to be bold, to stand up, to have an opinion. I believe that sometimes people ask a question of the 40 of us. Well, what is it like to be 12 Democrats, and there are 28 Republicans? I don't know because I operate as an individual. I am not worried about what anybody else thinks. I am completely fine with being the only person to say "yes," or the only person to say "no." I don't make my decisions based on what everybody else thinks. I make my decisions based on the history that I have, and what I bring into this chamber that I believe is unique, which I believe every single one of us should do. I don't practice or participate in group think. I don't care how many people are drinking alcohol or doing drugs or whatever they've done in life as I've grown up. That has never impacted what I am going to do. I ask y'all to continue to be bold. When I was here, Travis, you remember this, they would say, "There's the House Democrats, the House Republicans. Then there's us, the Senate. We're different. The Senate is where the bills went to die." Y'all, we've got to bring that back.

My current staff does amazing work. Malcolm Sommons II does an amazing job. I am the only Senator who has a weekly video TV show. It's called the *Powell Press*, and you can find us on YouTube. Malcolm helped put together the video. Thank you, Betsy Mitchell and thank you Darryl Jarmon for all your pictures and videos and the things. Paul Bass and Malcolm, in the middle of the night, were working to put the video together that we had gotten. I always make sure I know where Darryl and Betsy are, so that they can get the good angles for me. There is never a bad angle. I had to get snatched again. Snatched means you had to lose the weight—28 pounds since last year. The abs are almost back. Y'all never heard of this, but this is the Senate. I'll be the first one to mention 2024 hot boy summer, no shirts! My wife didn't like that. Michelle DeMarco, thank you for your help. If y'all don't know Michelle, when it comes to helping put together a debate, or arguments, Michelle can help me cut things up. Sometimes, I look at things Michelle has helped me prepare, and I go, "Ooh, even I've got to back down from this." Because it's tough. She's from New Jersey and spent a lot of time writing. She's a throwback to what journalists were. Then there's Mrs. Diane Andre, the Chief of Staff. She is also an attorney from New York. Diane is "on the hop." My speech might be too long for Diane. She's like, "We've got to go." She keeps me in order and makes sure that we get things done.

I used to sit next to Manny Diaz, and it was hard because we had to debate. I'd be like, "Manny, I mean, we got to figure out how our cheer is going to go." He is now the Secretary of Education. When it comes to Black history, I believe that sometimes we believe that history in its entirety could make people bitter. And I will tell you forever that I believe that history, told in its entirety, without any massaging, only makes us better. We get that understanding of the history on the clock that people use to get their historical time of day and tell the people who they are and what they are, who they had been, and what they had been. But the most important thing about history, is telling the people who they still must be, and where they still must go. It gives us the opportunity to look back. The greatest thing that I've ever had the opportunity to do—well, is to be a father—but the greatest thing I've ever had the opportunity to do prior to that was to go to Florida A&M University. While I was able to be engulfed in such a rich history, so much ancestry, and so much culture, I am who I am, because of what I learned there. I am who I am, because of the excellence that I saw and where I stand today. There is no backing down. I always tell you, "If I'm in a fight with a bear, help the bear because we're coming to fight." I quit school on the very first day because they had recess and I don't play.

I'm going to tell y'all this, and I'll close. I see some of my friends from the House. Representative Campbell, I am so proud of you. Representative Franklin, Representative Driskell is not here but I am proud of her. The CFO, Jimmy Patronis, is here. Jimmy and I always try to have a meal together. We started in the House, and just, the level of passion. People don't get a chance to see who you are. Sometimes they get to read

the talking points, but you know, Jimmy, I love you. I am so glad you're here. I saw you when we were in the House; when you went to the PSC, and now at the CFO office, and I just wish the best for you. My friends in the gallery, Scott Dick, I love you. You know that. Elija Hooks, Sean Pittman is not here, Yolanda Cash Jackson, and so many others—I'm just happy. My interns, we'll call them Intern One and Intern Two—Baylin Warthen and Sabrina Vidaillet—I am proud of y'all. Y'all have brought something to the office that is unique and special, and I'm proud of where you're going. As you know, when you finish school, I have offered you jobs, and I am going to help you wherever you need to go. A life of service is indeed a life that counts. I'm hopeful that the impact that I have had on this chamber continues to make people smile, but also brings a level of seriousness to it. We are the Senate, and we have the ability to change people's lives—not just here, but all over the State of Florida. I thank you all for allowing me to serve. I am hopeful that I see our team, our staff, Maggie, and everybody else. I am thankful for y'all. I am hopeful that I haven't forgotten anybody, and if I have, charge it to my head and not my heart. Guess what, there is a song in the musical, *Hamilton*, that says, "Teach me how to say goodbye." I'll see y'all on the other side. With that, Madam President, I thank you, and I close.

### SPECIAL PRESENTATION

On behalf of the Senate, the President presented Senator Powell with a framed ceremonial copy of HB 1441/SB 1606 (2023) Florida Museum of Black History, ch. 2023-72, Laws of Florida, which was sponsored by Senator Powell and became law during his legislative career. The bill from the 2023 Regular Session creates a Florida Museum of Black History Task Force to provide recommendations for the planning, construction, operation, and administration of a Florida Museum of Black History.

The President also presented Senator Powell's wife, Whitney, with a gift on behalf of the Senate.

### MOTIONS

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

On motion by Senator Mayfield, the rules were waived and the following bills temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar: **CS for SB 366, CS for SB 580, and SB 7020.**

### 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, February 15, 2024: CS for SB 712, SB 7022, SB 7034, SB 7036, CS for SB 1112, SB 1688.

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

### REPORTS OF COMMITTEES

The Committee on Rules recommends the following pass: CS for SB 574; CS for SB 576; CS for SB 612; CS for SB 658; CS for SB 852; SB 910; CS for CS for SB 954; CS for SB 1000; CS for SB 1014; CS for SB 1052; CS for SB 1058; CS for SB 1064; SB 1078; SJR 1114; SB 1116; CS for SB 1134; SB 1158; CS for SB 1164; CS for SB 1466; CS for SB 1526; CS for SB 1534; SB 1618; CS for SB 1660; SB 1712; CS for SB 7040

### The bills were placed on the Calendar.

The Appropriations Committee on Agriculture, Environment, and General Government recommends a committee substitute for the following: SB 932

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 616

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

The Appropriations Committee on Agriculture, Environment, and General Government recommends committee substitutes for the following: CS for SB 656; CS for SB 892; CS for SB 1098; CS for SB 1178; SB 1386; SB 1422; SB 1436; SB 7042

The Appropriations Committee on Transportation, Tourism, and Economic Development recommends committee substitutes for the following: CS for SB 288; CS for SB 868; CS for SB 994

**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 Rules recommends committee substitutes for the following: CS for SB 962; SB 1090; CS for SB 1316; CS for CS for SB 1532; CS for SB 1680; SB 7044

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senators Rodriguez, Hooper, Wright, DiCeglie, and Broxson—

**CS for CS for SB 288**—A bill to be entitled An act relating to designation of a certain diagnosis on motor vehicle registrations; providing a short title; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration to include certain language allowing an applicant to indicate that he or she has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, specified disabilities or disorders; requiring a specified designation to be included in a motor vehicle record; prohibiting inclusion of specified information in a motor vehicle record for certain purposes; requiring the Department of Highway Safety and Motor Vehicles to allow specified persons to update a motor vehicle registration to include or remove the specified designation at any time; amending s. 320.27, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Finance and Tax; and Community Affairs; and Senator Simon—

**CS for CS for SB 616**—A bill to be entitled An act relating to tax exemptions for surviving spouses of quadriplegics; amending s. 196.101, F.S.; authorizing the surviving spouses of certain quadriplegics to carry over a certain tax exemption in certain circumstances; authorizing the Department of Revenue to adopt emergency rules; providing a contingent effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Governmental Oversight and Accountability; and Senator DiCeglie—

**CS for CS for SB 656**—A bill to be entitled An act relating to continuing contracts; amending s. 255.103, F.S.; revising the maximum estimated construction cost of construction projects for which a governmental entity may enter into a continuing contract; requiring the Department of Management Services, beginning on a specified date, to adjust the maximum amount allowed under specified contracts using a specified index, and to publish the adjusted amount on its website; amending s. 287.055, F.S.; revising the definition of the term “continuing contract” to increase the maximum dollar value of such contract, to require the department, beginning on a specified date and

annually thereafter, to adjust the maximum dollar value allowed under such contracts using a specified index, and to publish the new dollar value on its website; making technical changes; providing an effective date.

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senators Boyd and Rouson—

**CS for CS for SB 868**—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Banking and Insurance; and Senator Harrell—

**CS for CS for SB 892**—A bill to be entitled An act relating to dental insurance claims; amending s. 627.6131, F.S.; prohibiting a contract between a health insurer and a dentist from containing certain restrictions on payment methods; requiring a health insurer to make certain notifications and obtain a dentist’s consent before paying a claim to the dentist through electronic funds transfer; providing that the dentist’s consent applies to the dentist’s entire practice; prohibiting the insurer and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a health insurer from charging a fee to transmit a payment to a dentist through Automated Clearing House (ACH) transfer unless the dentist has consented to such fee; providing construction; authorizing the Office of Insurance Regulation of the Financial Services Commission to enforce certain provisions; authorizing the commission to adopt rules; prohibiting a health insurer from denying claims for procedures included in a prior authorization; providing exceptions; providing construction; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 627.6474, F.S.; revising the definition of the term “covered services”; amending s. 636.032, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from containing certain restrictions on payment methods; requiring the prepaid limited health service organization to make certain notifications and obtain a dentist’s consent before paying a claim to the dentist through electronic funds transfer; providing that the dentist’s consent applies to the dentist’s entire practice; prohibiting the limited health service organization and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a prepaid limited health service organization from charging a fee to transmit a payment to a dentist through ACH transfer unless the dentist has consented to such fee; providing construction; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 636.035, F.S.; revising the definition of the term “covered services”; prohibiting a prepaid limited health service organization from denying claims for procedures included in a prior authorization; providing exceptions; providing construction; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 641.315, F.S.; revising the definition of the term “covered services”; prohibiting a contract between a health maintenance organization and a dentist from containing certain restrictions on payment methods; requiring the health maintenance organization to make certain notifications and obtain a dentist’s consent before paying a claim to the dentist through electronic funds transfer; providing that the dentist’s consent applies to the dentist’s entire practice; prohibiting the health maintenance organization and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a health maintenance organization from charging a fee to transmit a payment to a dentist through ACH transfer unless the dentist has consented to such fee; providing construction; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; prohibiting a health maintenance organization from denying claims for procedures included in a prior authorization; providing exceptions; providing construction; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senators Berman, Davis, and Stewart—

**CS for SB 932**—A bill to be entitled An act relating to coverage for diagnostic and supplemental breast examinations; amending s. 110.123, F.S.; defining terms; amending s. 110.12303, F.S.; prohibiting the state group insurance program from imposing on an enrollee any cost-sharing requirement with respect to coverage for diagnostic breast examinations and supplemental breast examinations; providing applicability; providing an effective date.

By the Committees on Rules; and Health Policy; and Senator Hooper—

**CS for CS for SB 962**—A bill to be entitled An act relating to student health; amending s. 1002.20, F.S.; defining terms; revising a provision to authorize asthmatic students to carry a short-acting bronchodilator, rather than a metered dose inhaler; authorizing authorized health care practitioners to prescribe short-acting bronchodilators and components in the name of a public school; authorizing licensed pharmacists to dispense short-acting bronchodilators and components in the name of a public school; authorizing a public school to acquire and stock short-acting bronchodilators and components from wholesale distributors; authorizing a public school to enter into certain arrangements with a wholesale distributor or manufacturer; requiring a public school that obtains short-acting bronchodilators and components to maintain them in a secure location on school premises; requiring certain public schools to adopt a protocol developed by a licensed physician for the administration of a short-acting bronchodilator and components by school personnel; providing requirements for the protocol; providing that a public school's short-acting bronchodilators and components may be provided to and used by trained school personnel or students authorized to self-administer a short-acting bronchodilator and components; authorizing school districts to accept short-acting bronchodilators and components as a donation or transfer if the bronchodilators and components meet specified requirements; providing requirements for a school nurse or trained school personnel to administer a short-acting bronchodilator to a student; requiring school districts or public schools to provide written notice of the adopted protocol to each parent or guardian; requiring public schools to receive a parent or guardian's prior permission to administer a short-acting bronchodilator to a student; providing for immunity from liability for specified individuals under certain conditions; amending s. 1002.42, F.S.; defining terms; authorizing certain students to carry a short-acting bronchodilator at school under certain conditions; authorizing authorized health care practitioners to prescribe short-acting bronchodilators and components in the name of a private school; authorizing licensed pharmacists to dispense short-acting bronchodilators and components in the name of a private school; authorizing private schools to acquire and stock short-acting bronchodilators and components from wholesale distributors; authorizing private schools to enter into certain arrangements with a wholesale distributor or manufacturer; requiring private schools that obtain short-acting bronchodilators and components to maintain them in a secure location on school premises; requiring such private schools to adopt a protocol developed by a licensed physician for the administration of a short-acting bronchodilator by school personnel; providing requirements for the protocol; providing that a private school's bronchodilators may be provided to and used by trained school personnel and by students authorized to self-administer short-acting bronchodilators; authorizing private schools to accept short-acting bronchodilators and components as a donation or transfer if the bronchodilators and components meet specified requirements; providing requirements for a school nurse or trained school personnel to administer a short-acting bronchodilator and components to a student; requiring private schools to provide written notice of the adopted protocol to each parent or guardian; requiring private schools to receive a parent or guardian's prior permission to administer a short-acting bronchodilator and components to a student; providing for immunity from liability for specified individuals under certain conditions; providing an effective date.

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator Burgess—

**CS for CS for SB 994**—A bill to be entitled An act relating to student transportation safety; amending s. 316.173, F.S.; providing construc-

tion; revising requirements for signage posted on the rear of a school bus indicating the use of a school bus infraction detection system; requiring a law enforcement agency to send a notice of violation to the registered owner involved in a violation within a specified timeframe after receiving certain information; requiring a court having jurisdiction over traffic violations to make a determination regarding whether a violation has occurred; requiring the court to uphold the violation if the court finds that a violation has occurred; requiring the court, if the violation is upheld, to require the petitioner to pay certain penalties and costs; revising the required uses for civil penalties assessed and collected for certain violations; prohibiting the use of school bus infraction detection systems for remote surveillance; providing construction; revising purposes for which video and images recorded as part of a school bus infraction detection system may be used; conforming provisions to changes made by the act; making technical changes; amending s. 318.18, F.S.; requiring that certain civil penalties be remitted to a participating school district operating a school bus with a school bus infraction detection system to be used for certain purposes; providing an effective date.

By the Committee on Rules; and Senator Martin—

**CS for SB 1090**—A bill to be entitled An act relating to the unauthorized sale of alcoholic beverages; amending s. 562.12, F.S.; revising the punishment for the unlawful sale of alcoholic beverages; amending s. 893.138, F.S.; revising the activities that may be declared a public nuisance under local administrative actions to abate certain activities to include persons who commit the unlicensed or unlawful sale of alcoholic beverages more than a specified number of times within a specified period; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Banking and Insurance; and Senator DiCeglie—

**CS for CS for SB 1098**—A bill to be entitled An act relating to the Department of Financial Services; creating s. 17.69, F.S.; creating the federal tax liaison position within the department; providing the purpose of the position; requiring the Chief Financial Officer to appoint the federal tax liaison; providing that such liaison reports to the Chief Financial Officer but is not under the authority of the department or any employee of the department; authorizing the federal tax liaison to perform certain actions; amending s. 20.121, F.S.; renaming the Division of Investigative and Forensic Services in the Department of Financial Services as the Division of Criminal Investigations; deleting provisions relating to duties of such division and to bureaus and offices in such division; abolishing the Division of Public Assistance Fraud; amending s. 121.0515, F.S.; revising requirements for the Special Risk Class membership; amending s. 284.44, F.S.; deleting provisions relating to certain quarterly reports prepared by the Division of Risk Management; amending s. 440.13, F.S.; providing the reimbursement schedule requirements for emergency services and care under workers' compensation under certain circumstances; requiring the department to engage with an actuarial services firm under certain circumstances; providing for future expiration; authorizing the department to adopt rules; amending s. 440.385, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Self-Insurers Guaranty Association, Incorporated; providing duties of the department and the association relating to these contracts and purchases; providing that certain contracts are exempt from certain provisions; amending s. 497.101, F.S.; revising the requirements for appointing and nominating members of the Board of Funeral, Cemetery, and Consumer Services; revising the members' terms; revising the authority to remove board members; providing for appointments to fill vacancies on the board; providing that board members are subject to the code of ethics under part III of ch. 112, F.S.; providing requirements for board members' conduct; specifying prohibited acts; providing penalties; providing requirements for board meetings, books, and records; requiring notices of board meetings; providing requirements for board meetings; amending s. 497.153, F.S.; authorizing service by e-mail of administrative complaints against certain licensees under certain circumstances; amending s. 497.155, F.S.; authorizing service of citations by e-mail under certain circumstances; amending s. 497.172, F.S.; revising the information made confidential and exempt which may be disclosed by the department; amending s. 497.386, F.S.; authorizing the department to



take certain actions in the event of an emergency situation; requiring the department to make certain determinations; prohibiting a licensee or licensed facility that accepts the transfer of human remains and cremains from being liable for the condition of human remains and cremains under certain circumstances; revising criminal penalties for violations of provisions related to storage, preservation, and transportation of human remains and cremains; creating s. 497.469, F.S.; authorizing a preneed licensee to withdraw a specified amount deposited into trust under certain circumstances; providing that certain documentation is the only satisfactory evidence to show that a preneed contract has been fulfilled; requiring a preneed licensee to maintain certain documentation for a specified timeframe; amending s. 624.307, F.S.; requiring eligible surplus lines insurers to respond to the department or the Office of Insurance Regulation after receipt of requests for documents and information concerning consumer complaints; providing penalties for failure to comply; requiring authorized insurers and eligible surplus lines insurers to file e-mail addresses with the department and to designate contact persons for specified purposes; authorizing changes of designated contact information; amending s. 626.171, F.S.; requiring the department to make provisions for certain insurance license applicants to submit cellular telephone numbers for a specified purpose; amending s. 626.221, F.S.; providing a qualification for an all-lines adjuster license; amending s. 626.601, F.S.; revising construction; amending s. 626.7351, F.S.; providing a qualification for a customer representative's license; amending s. 626.878, F.S.; providing duties and prohibited acts for adjusters; amending s. 626.929, F.S.; specifying that licensed and appointed general lines agents, rather than general lines agents, may engage in certain activities while also licensed and appointed as surplus lines agents; authorizing general lines agents that are also licensed as surplus lines agents to make certain appointments; authorizing such agents to originate specified business and accept specified business; prohibiting such agents from being appointed by a certain insurer or transacting certain insurance; amending s. 627.351, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Joint Underwriting Association; providing duties of the department and the association regarding such contracts and purchases; amending s. 631.59, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Insurance Guaranty Association, Incorporated; providing duties of the department and the association regarding such contracts and purchases; providing applicability; amending ss. 631.722, 631.821, and 631.921, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Life and Health Insurance Guaranty Association, the board of directors of the Florida Health Maintenance Organization Consumer Assistance Plan, and the board of directors of the Florida Workers' Compensation Insurance Guaranty Association, respectively; providing duties of the department and of the associations and boards regarding such contracts and purchases; amending s. 633.124, F.S.; updating the edition of a manual for the use of pyrotechnics; amending s. 633.202, F.S.; revising the duties of the State Fire Marshal; amending s. 633.206, F.S.; revising the requirements for uniform firesafety standards established by the department; amending s. 634.041, F.S.; specifying the conditions under which service agreement companies do not have to establish and maintain unearned premium reserves; amending s. 634.081, F.S.; specifying the conditions under which service agreement companies' licenses are not suspended or revoked under certain circumstances; amending s. 634.3077, F.S.; specifying requirements for certain contractual liability insurance obtained by home warranty associations; providing that such associations are not required to establish unearned premium reserves or maintain contractual liability insurance; authorizing such associations to allow their premiums to exceed certain limitations under certain circumstances; amending s. 634.317, F.S.; providing that certain entities and their employees and agents are exempt from certain licensing and appointment requirements; amending s. 648.25, F.S.; defining terms; amending s. 648.26, F.S.; revising the circumstances under which investigatory records of the department are confidential and exempt from public records requirements; revising construction; amending s. 648.30, F.S.; revising circumstances under which a person or entity may act in the capacity of a bail bond agent or bail bond agency and perform certain functions, duties, and powers; amending s. 648.355, F.S.; revising the requirements for limited surety agents and professional bail bond agents license applications; amending s. 648.43, F.S.; revising requirements for bail bond agents to execute and countersign transfer bonds; amending s. 717.101, F.S.; defining and revising terms; amending s. 717.102, F.S.; providing a rebuttal to a presumption of unclaimed property; providing requirements for such rebuttal; amending s.

717.106, F.S.; conforming a cross-reference; creating s. 717.1065, F.S.; providing circumstances under which virtual currency held or owing by banking organizations is not presumed unclaimed; prohibiting virtual currency holders from deducting certain charges from the amount of certain virtual currency under certain circumstances; providing an exception; amending s. 717.1101, F.S.; revising the date on which stocks and other equity interests in business associations are presumed unclaimed; amending s. 717.112, F.S.; providing that certain intangible property held by attorneys in fact and by agents in a fiduciary capacity are presumed unclaimed under certain circumstances; revising the requirements for claiming such property; amending s. 717.117, F.S.; deleting the paper option for reports by holders of unclaimed funds and property; revising the requirements for reporting the owners of unclaimed property and funds; authorizing the department to extend reporting dates under certain circumstances; revising the circumstances under which the department may impose and collect penalties; requiring holders of certain inactive accounts to notify apparent owners; revising the manner of sending such notices; providing requirements for such notices; amending s. 717.119, F.S.; requiring certain virtual currency to be remitted to the department; providing requirements for the liquidation of such virtual currency; providing that holders of such virtual currency are relieved of all liability upon delivery of the virtual currency to the department; prohibiting holders from assigning or transferring certain obligations or from complying with certain provisions; providing that certain entities are responsible for meeting holders' obligations and complying with certain provisions under certain circumstances; providing construction; amending s. 717.1201, F.S.; providing that good faith payments and deliveries of property to the department relieve holders of all liability; authorizing the department to refund and redeliver certain money and property under certain circumstances; amending s. 717.1242, F.S.; revising legislative intent; providing circumstances under which the department is considered an interested party in probate proceedings; amending s. 717.1243, F.S.; revising applicability of certain provisions relating to unclaimed small estate accounts; amending s. 717.129, F.S.; revising the requirements and the tolling for the periods of limitation relating to duties of holders of unclaimed funds and property; amending s. 717.1301, F.S.; revising the department's authorities on the disposition of unclaimed funds and property for specified purposes; prohibiting certain materials from being disclosed or made public under certain circumstances; revising the basis for the department's cost assessment against holders of unclaimed funds and property; amending s. 717.1311, F.S.; revising the recordkeeping requirements for funds and property holders; amending s. 717.1322, F.S.; revising acts that are violations of specified provisions and constitute grounds for administrative enforcement actions and civil enforcement by the department; providing that claimants' representatives, rather than registrants, are subject to civil enforcement and disciplinary actions for certain violations; amending s. 717.1333, F.S.; conforming provisions to changes made by the act; amending s. 717.134, F.S.; conforming provisions to changes made by the act; amending s. 717.135, F.S.; revising the information that certain agreements relating to unclaimed property must disclose; applying certain provisions relating to such agreements to purchasers; deleting a requirement for Unclaimed Property Purchase Agreements; providing nonapplicability; amending s. 717.1400, F.S.; deleting a circumstance under which certain persons must register with the department; amending ss. 197.582 and 717.1382, F.S.; conforming cross-references; amending s. 766.302, F.S.; revising the manner reasonable charges for expenses for family residential or custodial care are determined; amending s. 766.314, F.S.; revising the prohibition relating to accepting new claims to the Florida Birth-Related Neurological Injury Compensation Plan; providing that such plan does not constitute the exclusive remedy for certain persons; requiring the Florida Birth-Related Neurological Injury Compensation Association to submit a specified report to the Governor, the Chief Financial Officer, and the Legislature; requiring recommendations made in the report to be in consultation with specified stakeholders; providing a directive to the Division of Law Revision; providing effective dates.

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By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Regulated Industries; and Senators Bradley, Pizzo, and Osgood—

**CS for CS for SB 1178**—A bill to be entitled An act relating to community associations; amending s. 468.4334, F.S.; requiring community associations or successor community association managers and management firms to return official records of an association within a

specified period following termination of a contract; specifying the manner of delivery for the notice of termination; authorizing the manager or management firm to retain records for a specified purpose within a specified timeframe; relieving a manager or management firm from responsibility if the association fails to provide access to the records necessary to complete an ending financial statement or report; providing a rebuttable presumption regarding noncompliance; providing penalties for the failure to timely return official records; creating s. 468.4335, F.S.; requiring community association managers and management firms to provide a written disclosure of certain conflicts of interest to the association's board; providing a rebuttable presumption as to the existence of a conflict; requiring an association to solicit multiple competitive bids for goods or services under certain circumstances; providing requirements for an association to approve any contract or transaction deemed a conflict of interest; authorizing the cancellation of a management contract, subject to certain requirements; specifying liability and nonliability of the association upon cancellation of such a contract; authorizing an association to void certain contracts if certain conflicts were not disclosed in accordance with the act; defining the term "relative"; providing applicability; amending s. 468.436, F.S.; revising the list of grounds for which the Department of Business and Professional Regulation may take disciplinary actions against community association managers or firms, to conform to changes made by the act; amending s. 553.8445, F.S.; providing that all residential dwellings must be required to be equipped with a certain reusable device designed for a specified purpose as a condition for the issuance of certain permits and completion of a certain inspection; providing applicability; requiring the Florida Building Commission to adopt certain rules; amending s. 553.899, F.S.; revising applicability; amending s. 718.103, F.S.; revising the definition of the term "alternative funding method" to conform to changes made by the act; defining the term "hurricane protection"; amending s. 718.104, F.S.; requiring that declarations specify the entity responsible for the installation, maintenance, repair, or replacement of hurricane protection; amending s. 718.111, F.S.; defining the term "kickback"; providing criminal penalties for any officer, director, or manager of an association who knowingly solicits, offers to accept, or accepts a kickback; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to monitor compliance and issue fines and penalties for failure of an association to maintain the required insurance policy or fidelity bonding; revising the list of records that constitute the official records of an association; revising maintenance requirements for official records; revising requirements regarding requests to inspect or copy association records; requiring an association to provide a checklist in response to certain records requests; providing a rebuttable presumption regarding compliance; providing criminal penalties for certain violations regarding noncompliance with records requirements; defining the term "repeatedly"; requiring that copies of certain building permits be posted on an association's website or application; modifying the method of delivery of certain letters regarding association financial reports to unit owners; conforming a provision to changes made by the act; revising circumstances under which an association may prepare certain reports; revising applicable law for criminal penalties for persons who unlawfully use a debit card issued in the name of an association; defining the term "lawful obligation of the association"; revising the threshold for associations that must post certain documents on their websites or through an application; amending s. 718.112, F.S.; requiring the boards of administration of associations consisting of more than a specified number of units to meet a minimum number of times each quarter; revising requirements regarding notice of such meetings; requiring a director of a board of an association to provide a written certification and complete an educational requirement upon election or appointment to the board; specifying requirements for the education curriculum; requiring the association to bear the costs of the required educational curriculum and certificate; providing transitional provisions; requiring that an association's budget include reserve amounts for planned maintenance, rather than for deferred maintenance; providing that, upon a determination by a specified local building official that an entire condominium building is uninhabitable due to a natural emergency, the board, upon the approval of a majority of its members, may pause contribution to reserves or reduce reserve funding for a specified period of time; authorizing an association to expend any reserve accounts held by the association to make the building and its structures habitable; requiring the association to immediately resume contributing funds to its reserve once the local building official determines the building and its structures are habitable; providing that a condominium's structural integrity reserve study may recommend a temporary pause in reserve funding

under certain circumstances; revising applicability; requiring an association to distribute copies of a structural integrity reserve study to unit owners or deliver a certain notice to them within a specified timeframe; specifying the manner of distribution or delivery; revising the circumstances under which a director or an officer must be removed from office after being charged by information or indictment; prohibiting such officers and directors with pending criminal charges from accessing the official records of any association; providing an exception; providing criminal penalties for certain fraudulent voting activities relating to association elections; requiring any person charged to be removed from office and a vacancy be declared; amending s. 718.113, F.S.; providing applicability; authorizing, rather than requiring, certain hurricane protection specifications; specifying that certain actions are not material alterations or substantial additions; authorizing the boards of residential and mixed-use condominiums to install or require the unit owners to install hurricane protection; requiring a vote of the unit owners for the installation of hurricane protection; requiring that such vote be attested to in a certificate and recorded in certain public records; providing requirements for such certificate; providing that the validity or enforceability of a vote of the unit owners is not affected if the board fails to record a certificate or send a copy of the recorded certificate to the unit owners; providing that a vote of the unit owners is not required under certain circumstances; prohibiting installation of the same type of hurricane protection previously installed; providing exceptions; prohibiting the boards of residential and mixed-use condominiums from refusing to approve certain hurricane protections; authorizing the board to require owners to adhere to certain guidelines regarding the external appearance of a condominium; revising responsibility for the cost of removal or reinstallation of hurricane protection and certain exterior windows, doors, or apertures in certain circumstances; requiring the board to make a certain determination; providing that costs incurred by the association in connection with such removal or reinstallation completed by the association may not be charged to the unit owner; requiring reimbursement of the unit owner, or application of a credit toward future assessments, in certain circumstances; authorizing the association to collect charges if the association removes or installs hurricane protection and making such charges enforceable as an assessment; amending s. 718.115, F.S.; specifying when the cost of installation of hurricane protection is not a common expense; authorizing certain expenses to be enforceable as assessments; requiring that certain unit owners be excused from certain assessments or to receive a credit for hurricane protection that has been installed; providing credit applicability under certain circumstances; providing for the amount of credit that a unit owner must receive; specifying that certain expenses are common expenses; amending s. 718.121, F.S.; conforming a cross-reference; amending s. 718.1224, F.S.; revising legislative findings and intent to conform to changes made by the act; revising the definition of the term "governmental entity"; prohibiting a condominium association from filing strategic lawsuits against public participation; prohibiting an association from taking certain action against a unit owner in response to specified conduct; prohibiting associations from expending association funds in support of certain actions against a unit owner; conforming provisions to changes made by the act; amending s. 718.128, F.S.; authorizing a condominium association to conduct elections and other unit owner votes through an online voting system if a unit owner consents, either electronically or in writing, to online voting; revising applicability; amending s. 718.301, F.S.; revising items that developers are required to deliver to an association upon relinquishing control of the association; amending s. 718.3027, F.S.; revising requirements regarding attendance at a board meeting in the event of a conflict of interest; modifying circumstances under which a contract may be voided; amending s. 718.303, F.S.; requiring that a notice of nonpayment be provided to a unit owner by a specified time before an election; amending s. 718.501, F.S.; revising circumstances under which the Division of Florida Condominiums, Timeshares, and Mobile Homes has jurisdiction to investigate and enforce certain matters; requiring the division to provide official records, without charge, to a unit owner denied access to such records; requiring the division to adopt rules related to the approval of educational curriculum providers; requiring the division to refer suspected criminal acts to the appropriate law enforcement authority; authorizing certain division officials to attend association meetings; requiring that an association's annual fee be filed concurrently with the annual certification; specifying requirements for the annual certification; requiring an association to explain on the certification the reasons any certification requirements have not been met; requiring an association to complete the certifications within a specified timeframe; requiring the association to notify the division

when the certification is completed; conforming a provision to changes made by the act; amending s. 718.5011, F.S.; specifying that the secretary of the Department of Business and Professional Regulation, rather than the Governor, shall appoint the condominium ombudsman; amending s. 718.618, F.S.; conforming a provision to changes made by the act; amending s. 719.106, F.S.; requiring that a cooperative association's budget include reserve amounts for planned maintenance, rather than for deferred maintenance; providing an exception for certain associations to complete a structural integrity reserve study by a certain date; requiring an association to distribute copies of a structural integrity reserve study to unit owners or deliver a certain notice to them within a specified timeframe; specifying the manner of distribution or delivery; conforming provisions to changes made by the act; amending s. 719.129, F.S.; authorizing cooperative associations to conduct elections and other unit owner votes through an online voting system if a unit owner consents, either electronically or in writing, to online voting; revising applicability; amending s. 719.301, F.S.; revising items that developers are required to deliver to a cooperative association upon relinquishing control of association property; amending s. 719.618, F.S.; conforming a provision to changes made by the act; requiring the division to conduct a review of statutory requirements regarding posting of official records on a condominium association's website or application; requiring the division to submit its findings, including any recommendations, to the Governor and the Legislature by a specified date; providing effective dates.

By the Committees on Rules; and Judiciary; and Senator Berman—

**CS for CS for SB 1316**—A bill to be entitled An act relating to the Florida Uniform Fiduciary Income and Principal Act; amending s. 738.101, F.S.; revising a short title; amending s. 738.102, F.S.; revising and providing definitions governing ch. 738, F.S.; amending s. 738.103, F.S.; specifying the scope of ch. 738, F.S.; amending s. 738.104, F.S.; specifying circumstances under which ch. 738, F.S., applies to a trust; repealing s. 738.1041, F.S., relating to total return unitrusts; repealing s. 738.105, F.S., relating to judicial control of discretionary powers; amending s. 738.201, F.S.; specifying the duties of a fiduciary; providing that a fiduciary's allocation, determination, or exercise of discretion is presumed to be fair and reasonable to all beneficiaries; requiring a fiduciary to take specified actions; authorizing a fiduciary to exercise discretionary power of administration under specified circumstances; requiring the fiduciary to consider specified factors before exercising such discretionary power; providing applicability; amending s. 738.202, F.S.; defining the term "fiduciary decision"; prohibiting a court from ordering a fiduciary to change his or her decision unless the decision was an abuse of discretionary power; prohibiting a court from determining that a fiduciary abused his or her discretion under specified conditions; authorizing a court to order a specified remedy; authorizing a court to determine whether a proposed fiduciary decision will result in an abuse of discretion; providing that a beneficiary who opposes a proposed decision has the burden to establish that such decision is an abuse of discretion; requiring that any attorney fees incurred in defending an action related to the abuse of a fiduciary's discretion be paid from trust assets; creating s. 738.203, F.S.; authorizing a fiduciary to adjust between income and principal if such adjustment assists in administering the trust or estate impartially; providing construction; providing that a fiduciary is not liable to another for an adjustment, or failure to adjust, between income and principal made in good faith; requiring a fiduciary to consider certain relevant factors when considering such adjustment; prohibiting a fiduciary from exercising or considering such adjustment if certain conditions exist; revising applicability; authorizing a fiduciary to release or delegate to a cofiduciary specified powers to adjust under specified conditions; providing requirements and powers for any such releases and delegations; providing applicability; requiring that the description of an exercise of the power to adjust between income and principal contain specified information; amending s. 738.301, F.S.; defining terms; amending s. 738.302, F.S.; specifying applicability of specified provisions; authorizing the conversion of an income trust to a unitrust; restricting provisions to trusts that are beneficiaries of an estate; providing construction; providing that a fiduciary acting in good faith is not liable to a person affected by a certain action or inaction; amending s. 738.303, F.S.; specifying the authority of a fiduciary with respect to the administration of certain trusts; providing the circumstances under which a fiduciary may perform such actions; authorizing a beneficiary or a fiduciary to request the court to allow the beneficiary or fiduciary to take a specified action;

requiring a fiduciary to inform specified persons of a decision to take action; authorizing a beneficiary to request a court to direct the fiduciary to take the requested action under specified circumstances; requiring fiduciaries to consider specified factors before taking a certain action; authorizing a fiduciary to release or delegate the power to take certain actions; creating s. 738.304, F.S.; requiring a certain notice to be sent to specified parties; providing applicability; authorizing a person to consent to a specified action in a record; providing that such person does not need to be sent notice of such action; providing requirements for such notices; creating s. 738.305, F.S.; requiring a fiduciary of a unitrust to follow a certain policy; providing rules for a unitrust policy; providing additional actions a unitrust policy may contain; creating s. 738.306, F.S.; requiring a unitrust rate to be within a specified range; authorizing a unitrust policy to provide for specified limits within such range; requiring a fiduciary who is a non-independent person to use a specified unitrust rate; creating s. 738.307, F.S.; requiring a unitrust policy to provide a specified method for determining fair market value of an asset in determining a unitrust amount; authorizing specified unitrust policies to provide methods for determining a certain net fair market value; prohibiting certain property from being included in the determination of the value of a trust; creating s. 738.308, F.S.; requiring a unitrust policy to provide a specified period; specifying that such period must be a calendar year; authorizing a unitrust policy to provide certain standards for periods; creating s. 738.309, F.S.; providing applicability; authorizing a trustee of an express unitrust to determine the unitrust amount by reference to the net fair market value of the unitrust's assets in a specified timeframe; providing that distribution of a unitrust amount is considered a distribution of all the net income of an express unitrust and is considered an income interest; specifying that the unitrust amount is considered a reasonable apportionment of the total return of the express unitrust; providing that an express unitrust that allows a distribution in excess of a specified unitrust rate is considered a distribution of all of the income of the unitrust; authorizing an express unitrust to provide a mechanism for changing the unitrust rate and for conversion from a unitrust to an income trust or from an income trust to a unitrust; specifying that unless an express unitrust prohibits the power to change the rate or convert the trust, the trustee has such power; authorizing the governing instrument of an express unitrust to grant the trustee discretion to adopt a certain practice; specifying that unless an express unitrust provides otherwise, the distribution of an amount is considered a distribution from specified sources in a specified order of priority; authorizing a governing instrument of an express unitrust to allow exclusion of specified assets; providing that the use of such assets may be considered equivalent to income or to the unitrust amount; creating s. 738.310, F.S.; requiring a trustee, after the conversion of an income trust to a unitrust, to consider the unitrust amount paid from certain sources in a specified order of priority; amending s. 738.401, F.S.; defining and revising terms; specifying that an attribute or action of an entity includes an attribute or action from any other entity in which the initial entity has an ownership interest or holds another interest; requiring a fiduciary to allocate certain money and tangible personal property to income; requiring a fiduciary to allocate specified property and money to principal; providing that certain money received in an entity distribution is a capital distribution in specified circumstances; specifying that in cases of capital distribution, the amount received in an entity distribution must be reduced to the extent that cumulative distributions from the entity to the fiduciary are within certain ranges; authorizing a fiduciary to consider additional information before deciding to make or change a decision to make a payment to a beneficiary; providing that if a fiduciary receives specified additional information after a distribution to a beneficiary, the fiduciary is not required to change or recover the payment; authorizing a fiduciary in such a situation to exercise other specified powers; revising definitions; requiring a fiduciary to allocate certain money and property to principal; providing the mechanism for such allocation; defining the term "public entity"; conforming provisions to changes made by the act; amending s. 738.402, F.S.; conforming provisions to changes made by the act; amending s. 738.403, F.S.; providing applicability; authorizing a fiduciary to make certain determinations separately and differently from the decisions concerning distributions of income or principal; conforming provisions to changes made by the act; making technical changes; creating s. 738.404, F.S.; specifying receipts that a fiduciary must allocate to principal; creating s. 738.405, F.S.; providing for the allocation of income from rental property; creating s. 738.406, F.S.; specifying applicability; requiring a fiduciary to allocate to income certain amounts received as interest; requiring a fiduciary to allocate to income increments in value of certain bonds or other obligations;

creating s. 738.407, F.S.; specifying applicability; requiring a fiduciary to allocate proceeds from insurance policies or contracts to principal in a specified manner; creating s. 738.408, F.S.; specifying circumstances under which a fiduciary may allocate an insubstantial allocation to principal, subject to certain conditions and limitations; creating s. 738.409, F.S.; defining terms; specifying the manner in which a fiduciary may determine incomes of separate funds; providing duties of a fiduciary of a marital trust and other trusts; requiring a fiduciary of a nonseparate fund to calculate internal income in a specified manner; providing construction; transferring, renumbering, and amending s. 738.603, F.S.; revising the definition of the term “liquidating asset”; providing applicability; requiring a fiduciary to allocate to income and principal the receipts produced by liquidating assets in a certain manner; transferring, renumbering, and amending s. 738.604, F.S.; requiring a fiduciary to allocate the receipts from interests in minerals, water, or other natural resources to income, principal, or between income and principal under specified conditions; revising applicability; providing that an allocation between income and principal from a receipt from a natural resource is presumed equitable under a specified condition; providing construction; transferring, renumbering, and amending s. 738.605, F.S.; requiring a fiduciary to allocate receipts from timber to income, principal, or between income and principal under specified conditions; revising applicability; transferring, renumbering, and amending s. 738.606, F.S.; authorizing a settlor’s spouse to require the trustee of a trust that receives certain property to make such property produce income under specified conditions; authorizing the trustee to take specified actions if directed by such spouse; providing that the trustee decides whether to take one or a combination of such actions; revising applicability; providing construction; transferring, renumbering, and amending s. 738.607, F.S.; revising the definition of the term “derivative”; requiring a fiduciary to allocate specified percentages of certain receipts and disbursements to income and allocate the balance to principal; providing construction; requiring certain fiduciaries to allocate a specified percentage to income and allocate the balance to principal of certain amounts; transferring, renumbering, and amending s. 738.608, F.S.; requiring a fiduciary to allocate to income a receipt from or related to asset-backed securities under a specified condition; requiring a fiduciary to allocate to income a specified percentage of receipts from the transaction and the disbursement of a payment received as a result of an interest in an asset-backed security; conforming provisions to changes made by the act; creating s. 738.416, F.S.; requiring a fiduciary to make specified allocations from receipts from other financial instruments or arrangements; providing construction; amending s. 738.501, F.S.; specifying the manner by which a fiduciary must make disbursements from income; amending s. 738.502, F.S.; specifying the manner by which a fiduciary must make disbursements from principal; amending s. 738.503, F.S.; defining the term “depreciation”; specifying the manner by which a fiduciary may make transfers from income to principal to account for depreciation; amending s. 738.504, F.S.; specifying the manner by which a fiduciary may make transfers from principal to income for reimbursements; transferring, renumbering, and amending s. 738.704, F.S.; providing that a fiduciary that makes or expects to make a certain principal disbursement may transfer an appropriate amount from income to principal in one or more accounting periods; providing applicability; making technical changes; deleting a provision relating to payments necessary to avoid defaulting on a mortgage or security interest on certain property; transferring, renumbering, and amending s. 738.705, F.S.; revising the sources from which a fiduciary must pay a tax required by a share of an entity’s taxable income; requiring a fiduciary to adjust income or principal receipts if the taxes paid are reduced due to a deduction for a payment made to a beneficiary; providing construction; making technical changes; transferring, renumbering, and amending s. 738.706, F.S.; revising the circumstances under which a fiduciary may make adjustments between income and principal to offset shifts in the economic interests or tax benefits of specified beneficiaries; requiring a fiduciary to charge a beneficiary to reimburse the principal if the beneficiary benefits from an applicable tax deduction; requiring the share of reimbursement for each fiduciary or beneficiary to be the same as its share of the decrease in income tax; authorizing such fiduciary to charge a beneficiary to offset the estate tax by obtaining payment from the beneficiary, withholding an amount from future distributions, or adopting another method or combination of methods; creating s. 738.508, F.S.; defining terms; specifying the manner by which property expenses are apportioned between a tenant and remainderman; providing applicability and construction; amending s. 738.601, F.S.; providing applicability; specifying the manner by which a fiduciary determines and distributes net income;

providing circumstances under which a fiduciary may not reduce certain principal or income receipts; amending s. 738.602, F.S.; providing that certain beneficiaries of non-unitrusts are entitled to receive a specified share of net income; providing that certain requirements apply in determining a beneficiary’s share of net income; providing construction; amending s. 738.701, F.S.; providing that an income beneficiary is entitled to net income when an asset is subject to a certain trust or successive interest; providing that an asset becomes subject to a specified trust on certain dates; amending s. 738.702, F.S.; specifying the manner by which a fiduciary allocates certain receipts and makes disbursements when a decedent dies or income interest begins; providing construction; amending s. 738.703, F.S.; defining the term “undistributed income”; specifying the manner by which a fiduciary makes allocations of undistributed income when income interest ends; amending s. 738.801, F.S.; providing for uniform application and construction of the act; amending s. 738.802, F.S.; providing construction in relation to federal law; amending s. 738.803, F.S.; making a technical change; amending s. 738.804, F.S.; revising the application of ch. 738, F.S., to conform to changes made by the act; providing an effective date.

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By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Calatayud—

**CS for SB 1386**—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 253.04, F.S.; revising the aquatic preserves within which a person may not operate a vessel outside a lawfully marked channel under certain circumstances; amending s. 258.39, F.S.; declaring the Kristin Jacobs Coral Reef Ecosystem Conservation Area an aquatic preserve area; amending s. 373.250, F.S.; requiring each water management district, in coordination with the department, to develop rules that promote the use of reclaimed water and encourage quantifiable potable water offsets; providing requirements for such rules; providing construction; amending s. 380.093, F.S.; defining the term “Florida Flood Hub”; revising the definition of the term “preconstruction activities”; revising the purposes for which counties and municipalities may use Resilient Florida Grant Program funds; revising vulnerability assessment requirements; revising requirements for the development and maintenance of the comprehensive statewide flood vulnerability and sea level rise data set and assessment; requiring the department to coordinate with the Chief Resilience Officer and the Florida Flood Hub to update the data set and assessment at specified intervals; revising requirements for the Statewide Flooding and Sea Level Rise Resilience Plan; revising the purposes of the funding for regional resilience entities; making technical changes; amending s. 381.0061, F.S.; revising the violations for which the department may impose a specified fine; providing legislative intent regarding a phased transfer of the Department of Health’s Onsite Sewage Program to the Department of Environmental Protection; requiring the Department of Environmental Protection to coordinate with the Department of Health regarding the identification and transfer of certain equipment and vehicles under certain circumstances; prohibiting the Department of Health from implementing or collecting fees for the program when the Department of Environmental Protection begins implementing the program; providing exceptions; amending s. 381.0065, F.S.; requiring the Department of Environmental Protection to conduct enforcement activities for violations of certain onsite sewage treatment and disposal system regulations in accordance with specified provisions; specifying the department’s authority with respect to specific provisions; requiring the department to adopt rules for a program for general permits for certain projects; providing requirements for such rules; revising department enforcement provisions; deleting certain criminal penalties; requiring the damages, costs, or penalties collected to be deposited into the Water Quality Assurance Trust Fund rather than the relevant county health department trust fund; requiring the department to establish an enhanced nutrient-reducing onsite sewage treatment and disposal system approval program; authorizing the department to contract with or delegate certain powers and duties to a county; amending s. 381.0066, F.S.; requiring certain fees to be deposited into the Florida Permit Fee Trust Fund after a specified timeframe; amending s. 403.061, F.S.; requiring counties to make certain services and facilities available upon the direction of the department; amending s. 403.064, F.S.; revising legislative findings; revising the domestic wastewater treatment facilities required to submit a reuse feasibility study as part of a permit application; revising the contents of a required reuse feasibility study; revising the domestic wastewater facilities required to implement reuse under certain circumstances;

revising applicability; revising construction; amending s. 403.067, F.S.; requiring certain facilities and systems to include a domestic wastewater treatment plan as part of a basin management action plan for nutrient total maximum daily loads; amending s. 403.0673, F.S.; revising the information to be included in the water quality improvement grant program annual report; requiring the department to include specified information on a user-friendly website or dashboard by a specified date; providing requirements for the website or dashboard; amending s. 403.086, F.S.; requiring wastewater treatment facilities within a basin management action plan or reasonable assurance plan area which provide reclaimed water for specified purposes to meet advanced waste treatment or a more stringent treatment standard under certain circumstances; providing applicability; amending s. 403.091, F.S.; authorizing certain department representatives to enter and inspect premises on which an onsite sewage treatment and disposal system is located or being constructed or installed or where certain records are kept; revising requirements for such access; revising the circumstances under which an inspection warrant may be issued; amending s. 403.121, F.S.; revising department enforcement provisions; revising administrative penalty calculations for failure to obtain certain required permits and for certain violations; amending ss. 403.9301 and 403.9302, F.S.; requiring the Office of Economic and Demographic Research to provide a publicly accessible data visualization tool on its website for comparative analyses of key information; amending s. 403.0671, F.S.; conforming provisions to changes made by the act; reenacting s. 327.73(1)(x), F.S., relating to noncriminal infractions, to incorporate the amendment made to s. 253.04, F.S., in a reference thereto; reenacting ss. 381.0072(4)(a) and (6)(a), 381.0086(4), 381.0098(7), and 513.10(2), F.S., relating to food service protection, penalties, biomedical waste, and operating without a permit, respectively, to incorporate the amendment made to s. 381.0061, F.S., in references thereto; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senators Burgess and Rouson—

**CS for SB 1422**—A bill to be entitled An act relating to food recovery; amending s. 595.420, F.S.; defining terms; directing the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a program to provide incentives to food producers to sell high-quality fresh food products to food recovery entities at a discounted price; providing a goal for the program; requiring food recovery entities to negotiate with food producers; providing shipping requirements; requiring the department to reimburse food recovery entities for certain costs; providing reimbursement invoice requirements; requiring the department to submit a report to the Governor and Legislature by specified dates; providing requirements for the report; requiring the department to adopt rules; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Burton—

**CS for SB 1436**—A bill to be entitled An act relating to consumer finance loans; reordering and amending s. 516.01, F.S.; defining the term “branch”; amending s. 516.02, F.S.; prohibiting a person from operating a branch of a business making consumer finance loans before obtaining a license from the Office of Financial Regulation; amending s. 516.03, F.S.; specifying application fees for branch licenses; revising the applicability of investigation fees; making a technical change; amending s. 516.031, F.S.; revising the maximum interest rate on consumer finance loans; revising the minimum amount of time before which a delinquency charge for each payment in default may be imposed; amending s. 516.15, F.S.; requiring licensees offering an assistance program to borrowers after a federally declared disaster to send a specified notice to the office within a certain timeframe; providing construction; requiring licensees to offer borrowers a certain education program or seminar; specifying the topics that such program or seminar may address; requiring that such program or seminar be offered at no cost to borrowers; prohibiting licensees from requiring borrowers to participate in such education program or seminar as a condition of a loan; creating s. 516.38, F.S.; requiring licensees to file annual reports with the office; providing for rulemaking by the Financial Services Commission; specifying requirements for the reports; providing requirements for a licensee claiming that submitted information contains a trade secret; authorizing the office to publish a report in a certain

manner; creating s. 516.39, F.S.; requiring certain licensees to suspend specified actions for a certain timeframe after a federally declared disaster; reenacting s. 516.19, F.S., relating to penalties, to incorporate the amendments made to ss. 516.02 and 516.031, F.S., in references thereto; providing an effective date.

By the Committees on Rules; Community Affairs; and Environment and Natural Resources; and Senator Brodeur—

**CS for CS for CS for SB 1532**—A bill to be entitled An act relating to mitigation; amending s. 373.4134, F.S.; revising legislative findings; defining the term “applicant”; revising the entities to whom and purposes for which water quality enhancement credits may be sold; requiring the Department of Environmental Protection or water management districts to authorize the sale and use of such credits to applicants, rather than to governmental entities, to address adverse water quality impacts of certain activities; revising construction; amending s. 373.4135, F.S.; revising legislative findings; providing legislative intent; defining the term “local government”; providing applicability; providing circumstances under which basins are considered to be credit-deficient basins; authorizing local governments with land in credit-deficient basins to consider bids from private-sector applicants to establish mitigation banks on such lands; requiring use agreements that meet certain requirements for such mitigation banks; prohibiting the use of public funds to fund financial assurances for certain purposes; providing that specified factors may not increase the uniform mitigation assessment method location factor assessment and scoring value in determining the number of mitigation bank credits to be awarded; providing that credit deficiency is confirmed at the time of filing a permit application; authorizing the department, in coordination with the water management districts, to adopt rules; reenacting s. 403.9332(1)(a) and (c), F.S., relating to mitigation and enforcement, to incorporate the amendments made to s. 373.4135, F.S., in references thereto; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Bradley—

**CS for CS for SB 1680**—A bill to be entitled An act relating to advanced technology; creating s. 282.802, F.S.; creating the Government Technology Modernization Council within the Department of Management Services for a specified purpose; providing for council membership, meetings, and duties; requiring the council to submit specified recommendations to the Legislature and specified reports to the Governor and the Legislature by specified dates; creating s. 827.072, F.S.; defining terms; prohibiting a person from knowingly possessing or controlling or intentionally viewing photographs, motion pictures, representations, images, data files, computer depictions, or other presentations which the person knows to include generated child pornography; providing criminal penalties; prohibiting a person from intentionally creating generated child pornography; providing criminal penalties; providing applicability; amending s. 92.561, F.S.; prohibiting the reproduction of generated child pornography; providing an effective date.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Governmental Oversight and Accountability; and Senator Rodriguez—

**CS for SB 7042**—A bill to be entitled An act relating to commodities produced by forced labor; creating s. 287.1346, F.S.; defining terms; prohibiting a company on the forced labor vendor list from taking certain procurement actions; prohibiting an agency from procuring commodities from certain companies for a certain timeframe; requiring that certain solicitations and contracts include a certain statement; requiring that certain contracts include a certain termination provision; requiring a member of a company’s senior management to provide a certain certification within a specified timeframe; requiring a company to provide a certain notification to the Department of Management Services within a certain timeframe; requiring an agency to provide certain information to the department within a certain timeframe; requiring the department to create and maintain a forced labor vendor list; providing requirements for such list; requiring the department to publish such list quarterly and to post such list on its website; providing for automatic removal from the list if certain conditions are met; providing a process for the department to place a company on such list;

subjecting a company that submits a false certification or that should have had certain knowledge to a fine; authorizing a company that receives certain notice to file a petition for a certain hearing; providing requirements and procedures for such hearings; providing evidentiary standards for certain proceedings; authorizing a company placed on such list to petition for removal; providing requirements for such petitions; authorizing the removal of a company from such list under certain circumstances; providing construction; requiring that collected fines be deposited into the General Revenue Fund; providing an effective date.

By the Committees on Rules; and Regulated Industries; and Senator Bradley—

**CS for SB 7044**—A bill to be entitled An act relating to homeowners' associations; amending s. 468.4334, F.S.; providing requirements for certain community association managers and community association management firms; amending s. 468.4337, F.S.; prohibiting the Regulatory Council of Community Association Managers from requiring more than a specified number of hours of continuing education annually for license renewal; requiring certain community association managers to biennially complete a specified number of hours of continuing education, including a specified number of hours on a specified subject; amending s. 720.303, F.S.; requiring an association to maintain certain documents for a specified timeframe; requiring certain associations to post certain documents on their website or make them available through an application on a mobile device; providing construction; requiring an association to provide certain information to parcel owners upon written request; requiring an association to ensure certain information and records are not accessible on the website or application; providing that an association or its agent is not liable for the disclosure of certain information; requiring an association to adopt certain rules; providing criminal penalties for directors or members of the board or association and community association managers who knowingly, willfully, and repeatedly fail to maintain and make available specific records; defining the term "repeatedly"; providing criminal penalties for persons who knowingly and intentionally deface or destroy, or intentionally fail to maintain, specified accounting records; providing criminal penalties for persons who willfully and knowingly refuse to release certain records for specific purposes; requiring an association to provide or make available subpoenaed records within a certain timeframe; requiring an association to assist in a law enforcement investigation as allowed by law; requiring certain associations to prepare audited financial statements; prohibiting an association from preparing financial statements for consecutive fiscal years; prohibiting an association and its officers, directors, employees, and agents from using a

debit card issued in the name of the association; providing that persons who violate such prohibition commit theft under s. 812.014, F.S., punishable as provided in that section; defining the term "lawful obligation of the association"; making technical changes; amending s. 720.3033, F.S.; deleting a requirement that a director certify in writing to the secretary of the association that he or she has read certain documents; requiring newly elected or appointed directors to complete certain educational curriculum approved by the department within a certain time period; requiring a director to retake the educational curriculum after a certain time period; providing subject matter for the educational curriculum; requiring certain directors of an association to annually complete a minimum amount of continuing education; requiring the department to adopt rules; prohibiting officers, directors, or managers of an association from soliciting, offering to accept, or accepting a kickback; defining the term "kickback"; providing criminal penalties for officers, directors, and managers of an association who accept bribes or kickbacks; making technical changes; amending s. 720.3035, F.S.; requiring an association or any architectural, construction improvement, or other such committee of an association to apply and enforce certain standards in a specified manner with regard to all parcel owners; requiring such committees to provide certain written notice to a parcel owner if a certain request or application is denied; making technical changes; amending s. 720.3065, F.S.; providing criminal penalties for certain violations related to fraudulent voting activity related to association elections; making technical changes; amending s. 720.3085, F.S.; conforming a cross-reference; amending s. 720.317, F.S.; providing that a homeowner may consent to online voting electronically, as well as in writing, and that association boards must establish reasonable procedures for giving such consent; providing an effective date.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 14 was corrected and approved.

## CO-INTRODUCERS

Senators Book—SB 1688; Simon—CS for SB 830

## ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 11:08 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Wednesday, February 21 or upon call of the President.