



# Journal of the Senate

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Thursday, February 22, 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—37:

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

Excused: Senators Baxley, Hooper, and Torres

## PRAYER

The following prayer was offered by Dr. Earl Glisson, Anchor Faith Church, St. Augustine:

Dear Heavenly Father, according to your word, we make entreaties and prayers, petitions and thanksgivings on behalf of all men who are in authority so that we may lead a tranquil and quiet life in all godliness and dignity. That is why, this morning, I thank you for these men and women of the Florida Senate who serve this great state and desire to make it better, stronger, and more vibrant. I pray that they have wisdom as they make decisions on the items of today’s agenda and that those decisions will reflect your will. May they model the role of an ambassador for conveying the purpose of the district to which he or she is assigned. For you said you would direct our steps and light our path. As they trust in you, I believe this state will continue to see positive growth.

Father, I ask for continued protection and safety for them, their families, and staff, as well as all the provisions necessary for them to accomplish their assignments. Lord, strengthen them in their call to public service by empowering them by your spirit. We ask all these things in the name of Jesus. Amen.

## PLEDGE

Senate Pages, Maximo Anderson of Miami; Vy Nguyen of Tallahassee; and Ashley Summers of Naples, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Kelli Stargel who was present in the gallery.

## BILLS ON THIRD READING

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

—as amended February 21, was read the third time by title.

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

Yeas—23

Madam President	Collins	Osgood
Albritton	DiCeglie	Perry
Boyd	Garcia	Rodriguez
Brodeur	Grall	Rouson
Broxson	Gruters	Simon
Burgess	Harrell	Wright
Burton	Hutson	Yarborough
Calatayud	Mayfield	

Nays—14

Avila	Ingoglia	Powell
Berman	Jones	Stewart
Book	Martin	Thompson
Bradley	Pizzo	Trumbull
Davis	Polsky	

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

—as amended February 21, was read the third time by title.

On motion by Senator Grall, **CS for HB 1377**, as amended, was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—27

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

Nays—9

Berman	Jones	Powell
Book	Pizzo	Stewart
Davis	Polsky	Thompson

Vote after roll call:

Yea—Osgood

**CS for SB 1746**—A bill to be entitled An act relating to public employees; amending s. 447.207, F.S.; revising a prohibition on dues to certain mass transit employees; amending s. 447.301, F.S.; deleting obsolete language; requiring certain public employees of an employee organization to submit executed forms to the bargaining agent; revising applicability; amending s. 447.303, F.S.; providing that specified employee organizations have the right to have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorized such deduction and collection; conforming a cross-reference; amending s. 447.305, F.S.; revising the application employee organizations must submit to register as certified bargaining agents; requiring applications for renewal of registration to include current annual financial statements prepared by an independent certified public accountant; revising the information that must be included in such applications; revising the timeframe in which certain bargaining agents must submit specified information and documentation; requiring certain employee organizations to petition the Public Employees Relations Commission for recertification; revising applicability; authorizing the commission to, and in a specified circumstance requiring the commission to, investigate an employee organization’s application for registration renewal; requiring the commission to deny such applications under specified circumstances; exempting certain employee organizations from specified provisions; revising requirements for a specified annual financial report; making technical changes; conforming changes made by the act; providing transitional provisions regarding the renewal of registration of employee organizations during a specified timeframe; prohibiting the commission from taking certain action on a renewal application; providing an effective date.

—as amended February 21, was read the third time by title.

**SENATOR PERRY PRESIDING**

On motion by Senator Ingolia, **CS for SB 1746**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—21

Madam President	Burton	Martin
Albritton	Calatayud	Mayfield
Avila	Collins	Perry
Boyd	Grall	Rodriguez
Brodeur	Harrell	Trumbull
Broxson	Hutson	Wright
Burgess	Ingolia	Yarborough

Nays—14

Berman	Jones	Rouson
Book	Osgood	Simon
Bradley	Pizzo	Stewart
Davis	Polsky	Thompson
Gruters	Powell	

Vote after roll call:

Yea—DiCeglie

**SPECIAL ORDER CALENDAR**

Consideration of **SB 258** was deferred.

**SB 1218**—A bill to be entitled An act relating to broadband; amending s. 288.9963, F.S.; deleting obsolete language; making technical changes; extending the date through which a promotional rate and related terms for certain wireline attachments of broadband facilities to municipal electric utility poles are effective; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1218**, pursuant to Rule 3.11(3), there being no objection, **HB 1147** was withdrawn from the Committee on Rules.

On motion by Senator Burgess—

**HB 1147**—A bill to be entitled An act relating to broadband; amending s. 288.9963, F.S.; extending the expiration date of a certain promotional rate; providing an effective date.

—a companion measure, was substituted for **SB 1218** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **HB 1147** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Grall

**CS for SB 1638**—A bill to be entitled An act relating to funding for environmental resource management; creating s. 380.095, F.S.; providing legislative findings and intent; requiring the Department of Revenue to deposit into the Indian Gaming Revenue Trust Fund within the Department of Financial Services a specified percentage of the revenue share payments received under the gaming compact between the Seminole Tribe of Florida and the State of Florida; providing requirements for the distribution of such funds; creating s. 260.0145, F.S.; creating the Local Trail Management Grant Program within the Department of Environmental Protection for a specified purpose; providing for the administration and prioritization of awards; specifying the authorized and prohibited uses of grant funds; requiring the department

to submit an annual report to the Governor and the Legislature by a specified date; providing requirements for the report; amending s. 259.1055, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into voluntary agreements with private landowners for environmental services within the Florida wildlife corridor; providing requirements for such agreements; authorizing the use of land management funds; requiring the Land Management Uniform Accounting Council to recommend the efficient and effective use of certain funds available to state agencies for land management activities; providing requirements for such recommendations; requiring the council to adopt and submit its initial recommendation to the Executive Office of the Governor and the Legislature by a specified date; requiring biennial updates; amending s. 403.0673, F.S.; revising the projects the department is required to prioritize within the water quality improvement grant program; revising the components required for the grant program's annual report; providing appropriations; requiring the department to coordinate with the Water School at Florida Gulf Coast University for specified purposes; requiring the Water School to conduct a specified study; providing requirements for the study; requiring the department to submit a report to the Executive Office of the Governor and the Legislature by a specified date; providing appropriations; requiring the South Florida Water Management District to enter into a contract with the Water School at Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee; providing requirements for the study; requiring that the study be submitted to the Executive Office of the Governor and the Legislature by a specified date; authorizing the Department of Environmental Protection to submit budget amendments for the release of specified funds; providing an effective date.

—was read the second time by title.

Senator Hutson moved the following amendments which were adopted:

**Amendment 1 (604354)**—Delete lines 106-151 and insert:

(2) **DISTRIBUTION.**—Notwithstanding s. 285.710, the Department of Revenue shall, upon receipt, deposit 96 percent of any revenue share payment received under the compact as defined in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial Services. The funds deposited into the trust fund shall be distributed as follows:

(a) The lesser of 26.042 percent or \$100 million each fiscal year to support the Florida wildlife corridor as defined in s. 259.1055, including the acquisition of lands or conservation easements within the Florida wildlife corridor. To be eligible for funding, the acquisition project must be included on a land acquisition priority list developed pursuant to s. 259.035 or s. 570.71. The funds must be appropriated in Administered Funds each fiscal year. Eligible state agencies may, on a first-come, first-served basis, submit a budget amendment to request release of funds pursuant to chapter 216. Release is contingent upon approval, if required.

(b) The lesser of 26.042 percent or \$100 million each fiscal year for the management of uplands and the removal of invasive species. From these funds, amounts shall be applied as follows:

1. The lesser of 36 percent or \$36 million to the Department of Environmental Protection, of which:

a. The lesser of 88.889 percent of the funds available pursuant to this subparagraph or \$32 million to the State Park Trust Fund within the department for land management activities within the state park system; and

b. The lesser of 11.111 percent of the funds available pursuant to this subparagraph or \$4 million to the Internal Improvement Trust Fund within the department for the purpose of implementing the Local Trail Management Grant Program created pursuant to s. 260.0145.

2. The lesser of 32 percent or \$32 million to the Incidental Trust Fund within the Department of Agriculture and Consumer Services for land management activities.

3. The lesser of 32 percent or \$32 million to the State Game Trust Fund within the Fish and Wildlife Conservation Commission for land

management activities, including management activities for gopher tortoises and Florida panthers.

For sub-subparagraph 1.a. and subparagraphs 2. and 3., a land manager may not use more than 25 percent of the distribution for operation capital outlay or capital assets.

(c) The lesser of 26.042 percent or \$100 million each fiscal year to the Resilient Florida Trust Fund within the Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan to be used in accordance with s. 380.093.

(d) After the distributions pursuant to paragraphs (a), (b), and (c), the remainder each fiscal year to the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection for the Water Quality Improvement Grant Program, to be used in accordance with s. 403.0673.

Allocations to trust funds shall be transferred monthly by nonoperating authority to the named trust fund.

**Amendment 2 (693966) (with title amendment)**—Delete lines 279-383 and insert:

Section 6. For the 2024-2025 fiscal year, the sum of \$2 million in recurring funds is appropriated from the General Revenue Fund to the University of Florida to update continually both the Florida Wildlife Corridor plan and the Florida Ecological Greenways Network plan.

Section 7. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(d), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$5 million in nonrecurring funds is appropriated from the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection to the department to coordinate with the Water School at Florida Gulf Coast University to conduct a study to identify and analyze potential regional projects that meet the eligibility criteria set forth in s. 403.0673, Florida Statutes. At a minimum, the study must include the collection and consolidation of data regarding water quality to identify potential regional projects, including stormwater, hydrologic improvements, and innovative technologies, which reduce nutrient loading to water bodies identified in s. 403.0673(1), Florida Statutes. The department shall submit a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 3, 2025.

Section 8. From the funds distributed to the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial Services pursuant to s. 380.095(2)(a), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$100 million in nonrecurring funds is appropriated from trust funds to Administered Funds for land acquisition pursuant to s. 380.095(2)(a), Florida Statutes.

Section 9. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(b)1., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$4 million in nonrecurring funds is appropriated from the Internal Improvement Trust Fund within the Department of Environmental Protection for the purpose of implementing the Local Trail Management Grant Program created pursuant to s. 260.0145, Florida Statutes.

Section 10. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(b)1., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in nonrecurring funds is appropriated from the State Park Trust Fund within the Department of Environmental Protection for land management activities as specified in s. 380.095(2)(b)1.a., Florida Statutes.

Section 11. From the funds distributed to the Department of Agriculture and Consumer Services pursuant to s. 380.095(2)(b)2., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in nonrecurring funds is appropriated from the Incidental Trust Fund within the Department of Agriculture and Consumer Services for land management activities as specified in s. 380.095(2)(b)2., Florida Statutes.

Section 12. From the funds distributed to the Fish and Wildlife Conservation Commission pursuant to s. 380.095(2)(b)3., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in non-

recurring funds is appropriated from the State Game Trust Fund within the Fish and Wildlife Conservation Commission for control of invasive species and upland land management activities pursuant to s. 380.095(2)(b)3., Florida Statutes, or s. 259.1055, Florida Statutes.

Section 13. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(c), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$100 million in non-recurring funds is appropriated from the Resilient Florida Trust Fund within the Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan pursuant to s. 380.093, Florida Statutes.

Section 14. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(d), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$79 million in nonrecurring funds is appropriated from the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection for the Water Quality Improvement Grant Program pursuant to s. 403.0673, Florida Statutes.

Section 15. For the 2024-2025 fiscal year, the sum of \$150 million in nonrecurring funds from the General Revenue Fund is appropriated in the Aid to Local Governments – Grants and Aids - South Florida Water Management District - Operations appropriation category to the South Florida Water Management District for operations and maintenance responsibilities under the purview of the district. The funds must be placed in reserve. From the funds, the district shall enter into a contract with the Water School at Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee. The study must take into account the health of plants, fish, and wildlife to be used for future planning of invasive plant control, replanting of native vegetation, and fish and game management. A report must be submitted by January 1, 2025, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. The Department of Environmental Protection is authorized to submit budget amendments to request release of funds pursuant to chapter 216, Florida Statutes. Release is contingent upon the submission of a spend plan and negotiated draft contract between the South Florida Water Management District and the Florida Gulf Coast University Water School.

Section 16. This act shall take effect upon becoming a law if SB 7080 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

And the title is amended as follows:

Delete lines 50-55 and insert: for the study; requiring that a report be submitted to the Executive Office of the Governor and the Legislature by a specified date; authorizing the Department of Environmental Protection to submit budget amendments for the release of specified funds; providing a contingent effective date.

On motion by Senator Hutson, by two-thirds vote, **CS for SB 1638**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for SB 7040**—A bill to be entitled An act relating to the ratification of the Department of Environmental Protection’s rules relating to stormwater; ratifying a specified rule relating to environmental resource permitting for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; amending s. 373.4131, F.S.; ratifying rule 62-330.010, Florida Administrative Code, with specified changes; requiring that specified future amendments to such rule be submitted in bill form to and approved by the Legislature; exempting specified developments and projects and certain stormwater management systems from the amended rules; providing an effective date.

—was read the second time by title.

**THE PRESIDENT PRESIDING**

Senator Harrell moved the following amendment which was adopted:

**Amendment 1 (841004) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. (1) The following rule is ratified for the sole and exclusive purpose of satisfying any condition on effectiveness imposed under s. 120.541(3), Florida Statutes: rule 62-330, Florida Administrative Code, titled “Environmental Resource Permitting,” as filed for adoption with the Department of State pursuant to the certification package dated April 28, 2023.

(2) Except for the changes set forth in section 2 as to rule 62-330.010, Florida Administrative Code, this section serves no other purpose and may not be codified in the Florida Statutes. After this act becomes a law, its enactment and effective dates must be noted in the Florida Administrative Code, the Florida Administrative Register, or both, as appropriate. This section does not alter rulemaking authority delegated by prior law, does not constitute legislative preemption of or exception to any provision of law governing adoption or enforcement of the rule cited, and is intended to preserve the status of any cited rule as a rule under chapter 120, Florida Statutes. This section does not cure any rulemaking defect or preempt any challenge based on a lack of authority or a violation of the legal requirements governing adoption of any rule cited.

Section 2. Subsection (7) is added to section 373.4131, Florida Statutes, to read:

373.4131 Statewide environmental resource permitting rules.—

(7) The Legislature ratifies rule 62-330.010, Florida Administrative Code, titled “Purpose and Implementation,” as filed for adoption with the Department of State pursuant to the certification package dated April 28, 2023, with the following changes:

(a) Section 3.1.2(e)3. of the Applicant’s Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to add, after the last sentence, the following: “Nothing in Section 3.1.2(e)3. shall eliminate any grandfather provisions in Section 1.4.2 and other grandfather provisions of Section 3.1.2 in existence prior to [effective date]. Projects listed in Section 3.1.2(e)3. shall use all forms in effect at the time the permit was originally issued, except for those subsequent permits to construct and operate the future phases consistent with an unexpired conceptual approval permit which shall use the following forms effective [effective date]: Form 62-330.301(26) Financial Capability Certification; Form 62-330.301(25) Dam System Information; Form 62-330.311(1) Operation and Maintenance Certification; and Form 62-330.311(3) Inspection Checklists, as applicable.”

(b) Section 8.3.4(a)3. of the Applicant’s Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: “the post-development condition average annual loading, of those pollutants not meeting water quality standards, that is less than that of the predevelopment condition.”

(c) Section 8.3.4(b)2. of the Applicant’s Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: “the post-development condition average annual loading, of those pollutants not meeting water quality standards, that is less than that of the predevelopment condition.”

(d) Section 8.3.5 of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: "Stormwater treatment systems serving redevelopment activities shall either meet the requirements of Sections 8.3.2 through 8.3.4 or provide an alternate level of treatment sufficient to accomplish:

(a) an 80 percent reduction of the post-development average annual loading of TP and a 45 percent reduction of the post-development average annual loading of TN from the project area; and

(b) for stormwater systems located within a HUC 12 sub-watershed containing an OFW and located upstream of that OFW, a 90 percent reduction of the post-development average annual loading of TP and a 60 percent reduction of the post-development average annual loading of TN from the project area; and

(c) for stormwater treatment systems located within a HUC 12 sub-watershed which contains an impaired water and located upstream of that impaired water, a level of treatment sufficient to accomplish a post-development condition average annual loading, of those pollutants not meeting water quality standards, that is less than that of the pre-development condition."

(e) The first sentence of Section 12.5(a) of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: "All operation and maintenance entities, other than MS4 Entities, shall conduct and report inspections in accordance with this section; except that those specific activities and best management practices regulated by the South Florida Water Management District pursuant to Chapter 40E-63, F.A.C., or by the Department of Agriculture and Consumer Services pursuant to Title 5M, F.A.C., and Section 403.067(7)(c)2., F.S., shall be inspected in accordance with such applicable rules and laws."

(f) Section 8.2.2 of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to add, after the last sentence, the following: "When an applicant demonstrates that its designs and plans, including any supporting information, meet the performance standards of Sections 8.2.3 and 8.3 by performing the analysis specified in Section 9 and, if applicable, in Volume II or Appendix O of Volume I, employing the structural best management practices specified therein as needed, and provides the information required by such sections, the applicant shall have satisfied the conditions for issuance of rule 62-330.301(1)(e), F.A.C., and rule 62-330.301(3), F.A.C., if applicable, and is entitled to the presumption of Section 373.4131(3)(b), F.S."

(g) Section 8.3.1 of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: "Each applicant shall demonstrate, through modeling or calculations as described in Section 9, that their proposed stormwater management system is designed to discharge to the required treatment level based on the performance standards described in Sections 8.3.2 through 8.3.5 below. For the purposes of this section, annual loading from the proposed project refers to post-development loads before treatment, as calculated in Section 9 of this volume. Stormwater treatment systems shall be designed to achieve at least an 80 percent reduction of the average annual post-development total suspended solids (TSS) load, or 95 percent of the average annual post-development TSS load for those proposed projects located within a HUC 12 sub-watershed containing an Outstanding Florida Water (OFW) and located upstream of that OFW. There is a rebuttable presumption that this standard is met when structural stormwater best management practices (BMPs) are designed to meet the applicable design standards in Sections 8.3.2 through 8.3.5 below."

(h) Section 9.1 of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: "Applicants are required to provide nutrient load reduction calculations in their application. To calculate the required stormwater nutrient load reduction for a project, the applicant should:

1. Determine whether the site falls within the same HUC 12 sub-watershed as, and is upstream of, an OFW or impaired water, and select the corresponding performance standard from Section 8.3 of this volume;

2. Determine the pre-development average annual average mass loading of the project area for both total nitrogen (TN) and total phosphorus (TP) through modeling or as described in Section 9.2;

3. Calculate the project area's post-development annual average mass loading before treatment for both TN and TP through modeling or as described in Section 9.2;

4. Determine the percent TN and TP reduction needed as defined within Sections 8.3 and 9.3 of this volume. The greater percent load reduction will be the requirement for the project; and

5. Determine which BMPs, or other treatment and reduction options, will be used to meet the required TN and TP load reductions that are equivalent to, or which exceed, the applicable performance standards in Sections 8.2.3 through 8.3.6. Information on how to calculate nutrient load reduction for BMP Treatment Train is found in Section 9.5 of this volume.

When an applicant provides reasonable assurance that its modeling, calculations, and applicable supporting documentation satisfy the provisions described above, the applicant shall have demonstrated that it meets the performance standards specified under Sections 8.2.3 through 8.3.6 of this volume.

(i) Section 3.1.2(e)4. of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to read: "Projects or activities that are the subject of a general or individual permit application that is deemed complete on or before [effective date + 18 months] shall be exempt from the amendments to Chapter 62-330, F.A.C., and Volume I adopted on [effective date], and the corresponding amendments to the applicable Volume II."

(j) Section 3.1.2(f) shall be added to the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, and shall read: "Development or other construction projects for which stormwater management and design plans were submitted to a local or other government agency before January 1, 2024, shall be exempt from the amendments to Chapter 62-330, F.A.C., and Volume I adopted on [effective date], and the corresponding amendments to the applicable Volume II, for any of the following:

1. A project that was submitted as part of a local building permit or as part of an application for a site plan or subdivision plat approval.

2. An approved regional stormwater management system designed and permitted pursuant to an effective permit under part IV of chapter 373, F.S.

(k) Section 3.1.2(g) shall be added to the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, and shall read: "Stormwater management systems constructed in accordance with a binding ecosystem management agreement executed by the department pursuant to Section 403.0752, F.S., before January 1, 2024, are exempt from the amendments to chapter 62-330, Florida Administrative Code, the Applicant's Handbook Volume I adopted on [effective date], and corresponding amendments to the Applicant's Handbook Volume II."

(l) Section 3.1.2(h) shall be added to the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, and shall read: "Stormwater management and design plans for a valid development of regional impact, as defined in Section 380.06, F.S., with a development order, as defined pursuant to Section 380.031, F.S., issued before January 1, 2024, are exempt, until October 1, 2044, from the amendments to chapter 62-330, Florida Administrative Code, the Applicant's Handbook Volume I adopted on [effective date], and corresponding amendments to the Applicant's Handbook Volume II, except where there has been an official determination or classification that an approved development of regional impact was essentially built out, as discussed in Section 380.06(4), F.S., after [effective date]."

(m) Section 3.1.2(i) shall be added to the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, and shall read: "Stormwater management and design plans for a planned unit development final development plan approved pursuant to a local ordinance, resolution, or other final action by a local governing body before January 1, 2024, are exempt, until October 1, 2034, from the

amendments to chapter 62-330, Florida Administrative Code, the Applicant's Handbook Volume I adopted on [effective date], and corresponding amendments to the Applicant's Handbook Volume II."

Any future amendments to those portions of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, included in this subsection must be submitted in bill form to the Speaker of the House of Representatives and to the President of the Senate for their consideration and referral to the appropriate committees. Such amendments shall become effective only upon approval by act of the Legislature.

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the ratification of the Department of Environmental Protection's rules relating to stormwater; ratifying a specified rule relating to environmental resource permitting for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; amending s. 373.4131, F.S.; ratifying rule 62-330.010, Florida Administrative Code, with specified changes; requiring that specified future amendments to such rule be submitted in bill form to, and approved by, the Legislature; providing an effective date.

On motion by Senator Harrell, by two-thirds vote, **CS for SB 7040**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Consideration of **SB 1568**, **CS for CS for SB 1566**, **SB 534**, and **CS for SB 1142** was deferred.

**SB 258**—A bill to be entitled An act relating to interstate safety; amending s. 316.081, F.S.; defining the term "furthestmost left-hand lane"; prohibiting a driver from operating a motor vehicle in the furthestmost left-hand lane of certain roadways, except under certain circumstances; providing applicability; providing a penalty; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 258**, pursuant to Rule 3.11(3), there being no objection, **HB 317** was withdrawn from the Committee on Rules.

On motion by Senator Perry—

**HB 317**—A bill to be entitled An act relating to interstate safety; amending s. 316.081, F.S.; defining the term "furthestmost left-hand lane"; prohibiting a driver from operating a motor vehicle in the furthestmost left-hand lane of certain roadways, except under certain circumstances; providing applicability; providing a penalty; providing an effective date.

—a companion measure, was substituted for **SB 258** and read the second time by title.

On motion by Senator Perry, by two-thirds vote, **HB 317** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

## 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 all bills temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

## SPECIAL RECOGNITION

Senator Wright acknowledged Senator Baxley's absence and asked for prayers for his wife, Ginette, who is in the hospital recovering from surgery.

## 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 22, 2024: **SB 258**, **SB 1218**, **CS for SB 1638**, **CS for SB 7040**, **SB 1568**, **CS for CS for SB 1566**.

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

## REPORTS OF COMMITTEES

The Committee on Rules recommends committee substitutes for the following: **CS for CS for SB 382**; **CS for SB 774**; **SB 968**; **SB 1082**; **CS for SB 1420**; **SB 7056**

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Rules; Governmental Oversight and Accountability; and Regulated Industries; and Senator Hooper—

**CS for CS for CS for SB 382**—A bill to be entitled An act relating to continuing education requirements; amending s. 455.2123, F.S.; requiring, rather than authorizing, a board, or the Department of Business and Professional Regulation when there is no board, to allow by rule that distance learning may be used to satisfy continuing education requirements; revising the requirements that such continuing educa-

tion must satisfy; amending s. 455.2124, F.S.; requiring a board, or the department when there is no board, to exempt certain individuals from completing their continuing education requirements; providing applicability; requiring the department and each affected board to adopt rules; authorizing the department to adopt emergency rules; providing requirements and an expiration date for the emergency rules; providing for the expiration of such rulemaking authority; providing an effective date.

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By the Committees on Rules; and Community Affairs; and Senator Perry—

**CS for CS for SB 774**—A bill to be entitled An act relating to towing and storage; amending ss. 125.0103 and 166.043, F.S.; requiring certain counties and authorizing certain municipalities to establish maximum rates for cleanup and disposal of hazardous and nonhazardous materials under certain circumstances; providing applicability; requiring a wrecker service to make a certain notification under specified circumstances; providing construction; requiring certain counties and municipalities to publish specified rates on their websites and establish a specified process; providing that rates established by the Division of Florida Highway Patrol apply to certain areas of the state; amending s. 321.051, F.S.; prohibiting the division from excluding certain wrecker operators from the wrecker operator system or failing to designate certain wrecker operators as authorized wrecker operators; providing exceptions; requiring, rather than authorizing, the division to establish certain maximum rates; requiring a wrecker operator to make a certain notification under specified circumstances; providing construction; requiring the Department of Highway Safety and Motor Vehicles to publish specified rates on its website and establish a specified process; amending s. 323.001, F.S.; requiring certain persons to take possession of certain vehicles within a specified timeframe, unless another timeframe is otherwise agreed upon; amending s. 713.78, F.S.; providing and reordering definitions; authorizing towing-storage operators to charge certain fees; providing that towing-storage operators have a lien on a vehicle or vessel for such fees; authorizing towing-storage operators to enter, using reasonable care, a vehicle or vessel for specified purposes; providing liability under certain circumstances; revising requirements for law enforcement agencies, counties, municipalities, and the department relating to the removal of vehicles or vessels; revising requirements for notices of lien; revising requirements for towing-storage operators; providing notice to public agencies of jurisdiction; authorizing certain persons with an interest in a vehicle or vessel in the possession of a towing-storage operator to initiate judicial proceedings where the vehicle or vessel was taken from to determine certain findings; authorizing certain interested parties of a vehicle or vessel to take possession of it prior to sale if the interested party posts a cash or surety bond with the county clerk of the court without first initiating judicial proceedings; requiring the clerk of the court to issue a certificate notifying the towing-storage operator of the posting of the bond and to direct the towing-storage operator to release the vehicle or vessel to the interested party; requiring the party who posts the bond to give a receipt to the towing-storage operator reciting any property loss or damage to the vehicle or vessel or the contents thereof, and waiving such claims if such receipt is not provided; requiring a towing-storage operator to release or return the vehicle or vessel to the interested party after the party posts a cash or surety bond; requiring the clerk of the court to release the cash bond or issue a specified notice relating to the surety bond to the towing-storage operator if the interested party does not initiate judicial proceedings within a certain timeframe; providing obligations relating to such notice; providing for expiration of such notice; requiring the court to award all fees to the towing-storage operator if the defendant prevails in the judicial proceedings; revising the timeframe in which certain unclaimed vehicles or vessels may be sold; revising requirements for notices of sale; requiring approved third-party services to publish public notices of sale and report certain information by specified means to the department; providing the maximum fee that approved third-party services may collect and retain for such services; revising provisions for permission to inspect a vehicle or vessel; providing timeframes in which a vehicle, vessel, or personal property must be made available for inspection and release; revising criminal penalties; requiring towing-storage operators to accept certain documents, one of which must be notarized, as evidence of a person's interest in a vehicle or vessel; providing that one form of current government-issued identification constitutes sufficient identity verification for a certain purpose; requiring towing-storage operators to maintain certain records

for a certain period of time; requiring towing-storage operators to accept certain types of payment; providing for preemption; requiring towing-storage operators to maintain a rate sheet; providing requirements for the rate sheet; providing that certain fees are unreasonable; requiring towing-storage operators to maintain an itemized invoice for specified fees; providing requirements for such invoice; requiring disclosure of such invoice to specified persons and entities within a certain timeframe; providing applicability; making technical changes; amending s. 715.07, F.S.; conforming a cross-reference; providing an effective date.

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By the Committee on Rules; and Senators Calatayud and Trumbull—

**CS for SB 968**—A bill to be entitled An act relating to spaceport territory; amending s. 331.303, F.S.; revising the definition of “spaceport discretionary capacity improvement projects”; s. 331.304, F.S.; revising spaceport territory to include certain property; amending s. 331.371, F.S.; authorizing the Department of Transportation to fund spaceport discretionary capacity improvement projects if important access and on-spaceport-territory space transportation capacity improvements are provided; providing an effective date.

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By the Committee on Rules; and Senator Collins—

**CS for SB 1082**—A bill to be entitled An act relating to housing for legally verified agricultural workers; amending s. 163.3162, F.S.; defining the terms “legally verified agricultural worker” and “housing site”; prohibiting a governmental entity from adopting or enforcing any legislation to inhibit the construction of housing for legally verified agricultural workers on agricultural land operated as a bona fide farm; requiring that the construction or installation of such housing units on agricultural lands satisfy certain criteria; requiring that local ordinances comply with certain regulations; authorizing governmental entities to adopt local land use regulations that are less restrictive; requiring property owners to maintain certain records for a specified timeframe; requiring the suspension of use of certain housing units and authorizing their removal under certain circumstances; specifying applicability of permit allocation systems in certain areas of critical state concern; authorizing the continued use of housing sites constructed before the effective date of the act if certain conditions are met; providing an effective date.

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By the Committees on Rules; and Commerce and Tourism; and Senator Burgess—

**CS for CS for SB 1420**—A bill to be entitled An act relating to the Department of Commerce; amending s. 163.3175, F.S.; conforming a provision to changes made by the act; amending s. 163.3184, F.S.; revising the process for adopting comprehensive plan amendments; providing that amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendments to the department, in its role as the state land planning agency, within a certain timeframe; amending s. 288.066, F.S.; revising the maximum length of a loan term under the Local Government Emergency Revolving Bridge Loan Program; amending s. 288.1229, F.S.; revising the duties of the Florida Sports Foundation; amending ss. 288.980 and 288.985, F.S.; conforming provisions to changes made by the act; amending s. 288.987, F.S.; requiring the department to establish a direct-support organization; replacing the Florida Defense Support Task Force with the direct-support organization; specifying that the organization is a direct-support organization of the department and a corporation not for profit; requiring the organization to operate under contract with the Department of Commerce; specifying requirements for such contract; requiring the department to determine and annually certify that the organization is complying with contract terms; specifying the organization's fiscal year; specifying audit requirements applicable to the organization; authorizing the organization to take certain actions regarding administration of property and expenditures; specifying that the organization is not an agency for purposes of specified provisions of law; authorizing the department to allow the organization to use certain departmental resources, if certain conditions are met; revising the mission of the organization; modifying provisions governing the composition of the organization; revising the date by which the organization's annual report is due; providing certain powers and duties of the organization, subject to certain requirements and limitations; providing for future repeal; creating s. 288.102, F.S.; creating the Supply Chain Innovation Grant

Program within the department; providing the purpose of the program; requiring the Department of Commerce and the Department of Transportation to consider applications and select grant awardees; specifying selection criteria for projects; defining the term “vertiport”; requiring each grant award made to be matched by local, federal, or private funds; providing an exception to the matching requirement; specifying restrictions on uses of grant funds; requiring the Department of Transportation and the Department of Commerce to jointly select projects for grant awards, and for the Department of Commerce to administer the grant program; requiring a report on funded projects, their benefits, and current status; authorizing the Department of Commerce to adopt rules; providing for program expiration; amending s. 288.0001, F.S.; requiring review of the Supply Chain Innovation Grant Program by the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability by a certain date and every 3 years thereafter; amending s. 445.003, F.S.; revising the definition of the term “businesses”; revising funding priority for purposes of funding grants under the Incumbent Worker Training Program; amending s. 445.004, F.S.; specifying that certain members of the state workforce development board are voting members of the board; amending s. 720.406, F.S.; specifying required actions by a certain committee for a proposed revived declaration and other governing documents to be submitted to the Department of Commerce; making technical changes; authorizing the department to amend certain previously executed loan agreements under certain circumstances; providing effective dates.

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By the Committees on Rules; and Education Pre-K -12; and Senator Calatayud—

**CS for SB 7056**—A bill to be entitled An act relating to public records; amending s. 30.15, F.S.; providing that certain information relating to school guardians held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

### **CORRECTION AND APPROVAL OF JOURNAL**

The Journal of February 21 was corrected and approved.

### **CO-INTRODUCERS**

Senators Garcia—CS for SB 7044; Gruters—SB 216, CS for CS for SB 266; Mayfield—CS for SB 7040; Pizzo—CS for SB 1366; Rodriguez—CS for SB 7044

### **ADJOURNMENT**

On motion by Senator Mayfield, the Senate adjourned at 10:23 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, February 28 or upon call of the President.